

THE PONTIFICAL  
ACADEMY OF  
ST. THOMAS AQUINAS

**Doctor  
Communis**

FASC. 1-2

# **L'Animale Umano: Procreazione, Educazione e le Basi della Società**

## **The Human Animal: Procreation, Education, and the Foundations of Society**



**Atti della X Sessione plenaria, 18-20 giugno 2010  
Proceedings of the X Plenary Session, 18-20 June 2010**



**VATICAN CITY  
2011**

# DOCTOR COMMUNIS

*Rivista della Pontificia Accademia di San Tommaso d'Aquino*  
*Review of the Pontifical Academy of St. Thomas Aquinas*

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**DOCTOR COMMUNIS**

**L'ANIMALE UMANO:  
PROCREAZIONE, EDUCAZIONE  
E LE BASI DELLA SOCIETÀ**

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18-20 giugno 2010

**THE HUMAN ANIMAL:  
PROCREATION, EDUCATION,  
AND THE FOUNDATIONS OF SOCIETY**

Proceedings of the X Plenary Session  
8-20 June 2010

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PONTIFICIA ACADEMIA SANCTI THOMAE AQUINATIS

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# DOCTOR COMMUNIS

## L'ANIMALE UMANO: PROCREAZIONE, EDUCAZIONE E LE BASI DELLA SOCIETÀ

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VATICAN CITY 2011

The opinions expressed with absolute freedom in this publication, although published by the Academy, represent only the points of view of the authors and not those of the Academy.

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PONTIFICIA ACADEMIA SANCTI THOMAE AQUINATIS  
VATICAN CITY



Sua Santità Benedetto XVI/His Holiness Benedict XVI



San Tommaso d'Aquino, opera di San Giovanni da Fiesole detto Beato Angelico, *Crocifissione e patriarchi, santi e beati* (particolare), sala del capitolo, museo di San Marco, Firenze, dipinto murale, 1441-1442.

St Thomas Aquinas by Fra Angelico (Giovanni da Fiesole), *Crucifixion* (detail), Chapter House, San Marco, Florence, fresco 1441-1442.





Partecipanti nell'Aula Magna/Participants in the Conference Hall



Partecipanti nell'Aula Magna/Participants in the Conference Hall

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## PROGRAMMA/PROGRAMME

VENERDÌ 18 GIUGNO/FRIDAY, 18 JUNE

- 16:00 *Saluto di benvenuto • Word of Welcome*  
Presidente dell'Accademia • President of the Academy  
Mons. Prof. Lluís Clavell
- 16:15 *Commento introduttivo • Opening Remarks*  
Prof. Russell Hittinger
- 16:30 Moderatore/Chairperson: Prof. Russell Hittinger  
Relatore/Speaker:  
Prof. Enrico Berti: *The Historical Basis of S.T. I-II, q. 94, art. 2: The Aristotelian Notion of Nature as a Generation Principle*
- 17:00 *Discussione • Discussion*
- 17:30 Pausa/Break
- 18:00 Relatore/Speaker:  
Prof. Werner Arber: *The Inherent Potency to Evolve Reflects a Natural Law that is Pertinent to All Living Organisms*
- 18:30 *Discussione • Discussion*
- 19:00 *Discussione generale • General Discussion*
- 20:00 Cena presso la Casina Pio IV/Dinner at the Casina Pio IV

SABATO 19 GIUGNO/SATURDAY, 19 JUNE

- 9:00 Moderatore/Chairperson: S.E. Mons. Prof. Marcelo Sánchez Sorondo  
Relatore/Speaker:  
Rev. Prof. Nicanor Pier Giorgio Austriaco, O.P.  
*The Soul and Its Inclinations: Recovering a Metaphysical Biology with the Systems Perspective*

- 9:30 *Discussione • Discussion*
- 10:00 Relatore/Speaker:  
Prof. Enrique Martínez: *La educación, una segunda generación*
- 10:30 *Discussione • Discussion*
- 11:00 Pausa/Break
- 11:30 Relatore/Speaker:  
Prof. Dr. Reinhard Hütter: *The Spiritual Character of the Sense-Appetite and Its Acts, the Passions*
- 12:00 *Discussione • Discussion*
- 12:30 Relatore/Speaker:  
Prof. Maria Celestina Donadío Maggi de Gandolfi: *Participación del dinamismo emocional en la función de la prudencia*
- 13:00 *Discussione • Discussion*
- 13:30 Pranzo presso la Casina Pio IV/Lunch at the Casina Pio IV
- 15:00 Relatore/Speaker:  
Prof. John O'Callaghan: *The Paragon of Animals*
- 15:30 *Discussione • Discussion/Discussione generale • General Discussion*
- 16:00 Pausa/Break
- 16:30 *Sessione per gli Accademici • Closed Session*
- 18:00 *Riunione di Consiglio • Council Meeting*
- 19:00 Cena presso la Casina Pio IV/Dinner at the Casina Pio IV

DOMENICA 20 GIUGNO / SUNDAY, 20 JUNE

- 8:00 *Santa Messa • Holy Mass*
- 9:30 Moderatore/Chairperson: Mons. Prof. Lluís Clavell  
Relatore/Speaker:  
Prof. Kevin Flannery: *Natural Law as the Law of Survival: an Exegesis of Thomas Aquinas's Summa Theologiae 1-2.94.2*
- 10:00 *Discussione • Discussion*

- 10:30 Relatore/Speaker:  
Prof. Horst Seidl: *Riesame del diritto naturale in Aristotele e S. Tommaso dinanzi a moderne critiche*
- 11:00 *Discussione • Discussion*
- 11:30 Pausa/Break
- 12:00 *Concluding remarks* by Prof. Lluís Clavell *and* Prof. Russell Hittinger
- 13:30 Pranzo presso la Casina Pio IV/Lunch at the Casina Pio IV

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## SALUTO DEL PRESIDENTE

LLUÍS CLAVELL

Em.ze ed Ecc.ze Rev.me

Cari Accademici,

Saluto tutti e ciascuno molto cordialmente e vi ringrazio di tutto cuore per la partecipazione a questa Sessione Plenaria, ormai la 10<sup>a</sup> da quando il Santo Padre ha voluto rinnovare la nostra Accademia con il Motu proprio *Inter munera academiarum*, come una conseguenza pratica della pubblicazione dell'importante Enciclica *Fides et ratio*.

È una grande gioia ritrovarci di nuovo insieme per riflettere su un tema di grande attualità che riguarda una dimensione della legge naturale. Ma prima di entrare nel nostro argomento, è un piacevole dovere filiale ricordare che il 28 gennaio scorso, nella memoria liturgica di San Tommaso d'Aquino, il Romano Pontefice Benedetto XVI ha ricevuto in udienza i membri delle sette accademie pontificie che svolgono la loro attività con il coordinamento del Presidente del Pontificio Consiglio della Cultura, S.E.R. Mons. Gianfranco Ravasi.

Quella mattina il Santo Padre ha indicato l'Aquinate come "il *Doctor Angelicus et communis*, un modello sempre attuale a cui ispirare l'azione e il dialogo delle Accademie Pontificie con le diverse culture". Dopo avere ricordato questo ruolo ispiratore per il lavoro delle varie accademie, anche in prospettiva interculturale, ha affermato: "Il pensiero e la testimonianza di San Tommaso d'Aquino ci suggeriscono di studiare con grande attenzione i problemi emergenti per offrire risposte adeguate e creative". Queste sue parole sono un incoraggiamento a proseguire nella linea tracciata negli anni precedenti: quella di studiare problemi attuali dell'umanità, seguendo le intenzioni del Romano Pontefice, alla luce degli insegnamenti dell'Aquinate, facendoli interagire con lo sviluppo delle scienze.

Nell'udienza generale di mercoledì 2 giugno in Piazza San Pietro il tema principale è stato San Tommaso d'Aquino. Benedetto XVI ha citato l'Enciclica *Fides et ratio* nel punto in cui ricorda che San Tommaso "è sempre stato pro-

posto dalla Chiesa come maestro di pensiero e modello del retto modo di fare teologia” (n. 43). Poi ha aggiunto: “Non sorprende che, dopo Sant’Agostino, tra gli scrittori ecclesiastici menzionati nel *Catechismo della Chiesa Cattolica*, San Tommaso venga citato più di ogni altro, per ben sessantuno volte!”.

Il Santo Padre si è soffermato in modo particolare sull’incontro della cultura pre-cristiana di Aristotele, con la sua radicale razionalità, e la classica cultura cristiana. “Tommaso d’Aquino, alla scuola di Alberto Magno, svolse un’operazione di fondamentale importanza per la storia della filosofia e della teologia, direi per la storia della cultura: studiò a fondo Aristotele e i suoi interpreti, procurandosi nuove traduzioni latine dei testi originali in greco. Così non si appoggiava più solo ai commentatori arabi, ma poteva leggere personalmente i testi originali, e commentò gran parte delle opere aristoteliche, distinguendovi ciò che era valido da ciò che era dubbio o da rifiutare del tutto, mostrando la consonanza con i dati della Rivelazione cristiana e utilizzando largamente e acutamente il pensiero aristotelico nell’esposizione degli scritti teologici che compose. In definitiva, Tommaso d’Aquino mostrò che tra fede cristiana e ragione sussiste una naturale armonia. E questa è stata la grande opera di Tommaso, che in quel momento di scontro tra due culture – quel momento nel quale sembrava che la fede dovesse arrendersi davanti alla ragione – ha mostrato che esse vanno insieme, che quanto appariva ragione non compatibile con la fede non era ragione, e quanto appariva fede non era fede, in quanto opposta alla vera razionalità; così egli ha creato una nuova sintesi, che ha formato la cultura dei secoli seguenti”.

In questo spirito cerchiamo di “allargare la ragione” come ha proposto il Santo Padre. Il Prof. Marcello Pera, ordinario di Filosofia della Scienza presso l’Università di Pisa, ha formulato l’idea di allargare la razionalità dall’interno della scienza stessa. Noi cogliamo anche l’invito di Benedetto XVI per far dialogare San Tommaso con i saperi del nostro tempo.

La celebrazione della 10<sup>a</sup> sessione plenaria induce a ringraziare di tutto cuore l’aiuto dello Spirito Santo nello svolgimento dei nostri lavori. Gli atti delle nove plenarie precedenti e del Congresso internazionale del 2003 lo mostrano bene.

Sensibili alle peculiarità dell’evangelizzazione della Chiesa nel mondo di oggi ci siamo occupati della grande Enciclica *“Fides et ratio (2000)*, del dibattito contemporaneo sulla Verità e sul Bene (2001-2002), dell’interpretazione di San Tommaso delle Dottrine di San Paolo (2009), dei Preambula Fidei e nuova apologetica (2008)”.

Quando i sociologi si dividono nell’affermare che siamo in un’età secolare (Charles Taylor) oppure che ormai la nostra è una età post-secolare



(così Thomas Luckmann), abbiamo studiato “le questioni del Sacro (Fenomenologia, Filosofia, Teologia, Mistica e Cultura del Sacro) (2005), dell’umanesimo cristiano nel III millennio (2003), dell’incontro di Cristianesimo e di tradizione grecoromana come radice della cultura occidentale, e della sua apertura universale (2007)”.

Un tema così centrale nel nostro tempo, quello della Persona, è stato visto dal punto di vista metafisico (Essere e Persona 2004), nel suo legame con la legge naturale e con i diritti umani in una società complessa e globale (2006). Torniamo questa volta ad approfondire la legge naturale esaminando l’inclinazione che la persona umana ha in comune con gli animali, nelle somiglianze e nelle differenze, di trasmettere la vita e di educare i figli. Ringrazio in modo particolare il Segretario dell’Accademia, il Vescovo Prof. Marcelo Sánchez Sorondo e il Prof. Russell Hittinger per il loro lavoro di preparazione di questa Sessione. Ringrazio anche i relatori, alcuni dei quali non sono membri della nostra Accademia.

Nonostante la mancanza dei mezzi materiali, destinati da Leone XIII nel fondare l’Accademia centotrent’anni fa, abbiamo avuto saltuariamente l’aiuto di alcuni benefattori, ma soprattutto ringraziamo per l’ospitalità che ci offre la Pontificia Accademia delle Scienze, nella persona del suo Cancelliere, S.E.R. Mons. Marcelo Sánchez Sorondo.

Oltre alla pubblicazione degli atti nella nuova serie della rivista *Doctor Communis*, da alcuni mesi abbiamo attivato una pagina dedicata alla nostra Accademia nel sito internet del Vaticano, nella sezione Accademie Pontificie nell’area di Curia Romana. Desideriamo con questo strumento rendere più accessibile a tutti gli studiosi e al pubblico in generale il lavoro di ricerca svolto in questi anni.

Il Papa ha voluto il 2 giugno sottolineare anche il profondo senso dell’amicizia in San Tommaso: “Per la composizione dei suoi scritti, era coadiuvato da alcuni segretari, tra i quali il confratello Reginaldo di Piperno, che lo seguì fedelmente e al quale fu legato da fraterna e sincera amicizia, caratterizzata da una grande confidenza e fiducia. È questa una caratteristica dei santi: coltivano l’amicizia, perché essa è una delle manifestazioni più nobili del cuore umano e ha in sé qualche cosa di divino, come Tommaso stesso ha spiegato in alcune *quaestiones* della *Summa Theologiae*, in cui scrive: ‘La carità è l’amicizia dell’uomo con Dio principalmente, e con gli esseri che a Lui appartengono’ (II, q. 23, a. 1)”.

Sono contento di constatare come questa amicizia pervade il lavoro della nostra Accademia. Così, ad esempio, abbiamo vissuto insieme spiritualmente e tramite la posta elettronica il passaggio alla Vita eterna del carissi-

mo accademico Ralph McInerny, mediante i nostri suffragi, e grazie alla rappresentanza di un membro del consiglio, Russell Hittinger; anche con i nostri fiori. Abbiamo ereditato questo clima di amicizia dai nostri predecessori. Per questo voglio ringraziare non solo gli ultimi presidenti, P. Abelardo Lobato O.P. e P. Edward Kaczinsky O.P. e gli accademici nominati parecchi anni fa, ma anche il prezioso lavoro svolto nel passato da Mons. Antonio Piolanti e da Mons. Brunero Gherardini, che nomino in rappresentanza di molti altri. Grazie a loro e grazie a tutti voi.

Roma, 18 giugno 2010

## INTRODUCTION

RUSSELL HITTINGER

Appreciative of Pope John Paul II's designation of Thomas Aquinas as *Doctor Humanitatis*, and in obedience to his commission to 'develop further this part of Thomistic doctrine which deals with humanity' (*Inter munera academiaram* § 4), the Pontifical Academy of St. Thomas Aquinas will devote its 2010 Plenary Session to an examination of *The Human Animal: Procreation, Education, and the Foundations of Society*.

An important goal of the meeting is to explore contemporary challenges to the dignity of the human animal, and to clarify and affirm this dignity at a proper level based not only on a philosophical reflection, but also with the significant contribution of the current scientific knowledge, especially in the understanding of certain evolutionary mechanisms in relation to life (the discovery of cells and of DNA).

In 2004 the International Theological Commission issued its study on *Communion and Stewardship: Human Persons in the Image of God*. The Commission affirmed that: 'The central dogmas of the Christian faith imply that the body is an intrinsic part of the human person and thus participates in his being created in the image of God'. It continues:

This truth has not always received the attention it deserves. Present-day theology is striving to overcome the influence of dualistic anthropologies that locate the *imago Dei* exclusively with reference to the spiritual aspect of human nature. Partly under the influence first of Platonic and later of Cartesian dualistic anthropologies, Christian theology itself tended to identify the *imago Dei* in human beings with what is the most specific characteristic of human nature, viz., mind or spirit. The recovery both of elements of biblical anthropology and of aspects of the Thomistic synthesis has contributed to the effort in important ways (*Communion and Stewardship*, § 27).

When we turn to Thomas's synthesis, we find an extraordinarily rich appropriation of ancient science and wisdom with Christian teaching.

One of the most important, and most familiar, passages on human animality is found in his article in the *Summa theologiae* on the plurality of precepts of the natural law. Thomas writes: ‘...there is in man an inclination to things that pertain to him more specially, according to that nature which he has in common with other animals; and in virtue of this inclination, those things are said to belong to the natural law “which nature has taught to all animals”, such as sexual intercourse, education of offspring and so forth’ (*S.t.* I-II 94.2).

Thomas insists that the human person understands the goods not only of his own body but also the species. The goods of the human animal is not only something *lived* but something *known*. They fall under the general precept of law, ‘the good is to be pursued and done, and evil resisted’. This unification in the dynamism towards the good that Thomas was able to do in the self-evident principle of practical reason (habitually held by the habit of *synderesis*) is quite original, putting human life in a moral order with respect to good beyond instinctual inclination, just as, in relation to speculative reason oriented towards the truth, Aristotle had put the self-evident principle of non contradiction.

Our common animality opens a unique horizon of common goods. First, the loving and enduring communion in one flesh between males and females. Second, the love of the species in procreative acts. Third, the need for philanthropy, particularly in supplying the social resources for education of children. Fourth, the wider solidarity with other living things implied in human stewardship. As rational animals, human beings are immersed in a multifaceted diffusion of the good in living things. This makes specific demands on our vocation to be provident both for oneself and for others. (Damascene, *Prol. S.t.* I-II).

Comparing the *imago Dei* in angels and human beings, Thomas contends that we ‘observe in man a certain imitation of God, consisting in the fact that man proceeds from man’, as God from God; ‘and also in the fact that the whole human soul is in the whole body’, as God from God; ‘and again, in every part, as God is in regard to the whole world. In these and the like things the image of God is more perfect in man than it is in the angels’ (*S.t.* I 93.3).

Clearly, Thomas’s remarks in *S.t.* I-II 94.2 are very brief, and, as it were, telescoped. The passage needs to be understood in the broader context of Thomas’s teaching on how the human body participates in human love and prudence. Moreover, his teaching needs to be carefully understood in view of certain crises of our times: the demographic winter in the developed world,

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new technologies and the prospect of the machining of the *humanum*, widespread confusion about the nature and ends of the matrimonial society, and the ongoing challenge of defending the dignity of the whole human being against various philosophical and scientific reductionism.

The three-day program will foster a dialogue between philosophers, historians of philosophy, scientists, and theologians. Rather than having many short remarks, we commission only nine papers. First, each can make a substantive contribution to our theme. Just as importantly, the schedule leaves much time for fruitful dialogue between academicians and invited scholars. The session on Sunday will be devoted to even broader context of *S.t.* I-II 94.2. These papers will help the Academy to move toward the 2011 Plenary Session, which will examine the last part of the article, where Thomas writes: 'there is in man an inclination to good according to the nature of his reason, which is proper to him; thus man has a natural inclination to know the truth about God, and to live in society. In this respect, whatever pertains to this inclination belongs to the natural law: e.g. to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination'.

# THE HISTORICAL BASIS OF S.T. I-II, Q. 94, ART. 2: THE ARISTOTELIAN NOTION OF NATURE AS A GENERATION PRINCIPLE

ENRICO BERTI

## INTRODUCTION

In Article 2 of S.T. II, q. 94, Thomas wonders whether natural law embraces many precepts or only one, and responds that the order of the precepts of natural law follows the order of natural inclinations. In the case of man, there are three of them: 1) The first inclination is common to all substances and is the tendency to preserve one's own being, which corresponds to what we now call the survival instinct; 2) the second inclination is common to all animals and is the tendency towards procreation and the care of one's offspring, which is the reproductive instinct and ensures the conservation of species; and 3) the third is proper to men only and is the tendency to know and live in society. All three of these tendencies were described by Aristotle as expressions of nature: the first in several passages, one example of which is: 'Being is better than not being and living than not living';<sup>1</sup> the second in the famous passage of *De anima* that says 'the most natural act of any living thing is the production of another like itself...in order that, as far as its nature allows, it may partake in the eternal',<sup>2</sup> and in the description of the union between male and female in view of procreation as the first and most natural form of association;<sup>3</sup> the third in equally famous passages such as the beginning of *Metaphysics* ('all men by nature desire to know')<sup>4</sup> and that which is the *Leitmotif* of *Politics* ('Man is by nature a political animal').<sup>5</sup>

<sup>1</sup> Aristotle, *De gen. an.* II 1, 731 b 30.

<sup>2</sup> Id., *De anima* II 4, 415 a 26-b 1.

<sup>3</sup> Id., *Politica* I 2, 1252 a 26-28.

<sup>4</sup> Id., *Metaph.* I 1, 980 a 1.

<sup>5</sup> Id., *Pol.* I 2, 1253 a 2-3.

Regarding the second inclination, Thomas quotes a passage of Ulpian, according to whom ‘natural law is that which nature has taught to all animals, namely the union of the male and the female, procreation and the education of one’s offspring’.<sup>6</sup> One can find justification in Aristotle even of this statement, particularly in the analogy, which he often resorts to concerning generation, between nature (*phusis*) and human art (*technê*). Indeed, attributing to nature the function of ‘teaching’, like Ulpian does followed by Thomas, means considering nature as a kind of artist who teaches his art by practicing it. In this connection it may be interesting to recall Aristotle’s entire theory of generation, that is, the reproduction of animals, because – as you know – generation according to Aristotle is the most direct expression of nature, so much so that one of the meanings of the word ‘nature’ (*phusis*) is precisely ‘generation’ (*genesis*).<sup>7</sup>

#### THE ARISTOTELIAN THEORY OF GENERATION

In the first book of *De generatione animalium*, the treaty expressly devoted to the breeding of animals, Aristotle explains this phenomenon by means of his theory of the four types of cause: material, formal, efficient and final. He asserts that, in animals that reproduce by mating, the female provides the matter, while the male provides the ‘principle of movement and generation’, i.e. the moving or efficient cause, which, as we shall see, is also form.<sup>8</sup> Indeed, for Aristotle, generating means giving form to matter. To justify this doctrine he cites the linguistic habit of calling the earth, which is matter, as a woman and mother, and the sky, or rather the sun, as a generator and father. Indeed, the sun, for Aristotle, is the cause of heat, which makes plants sprout from the earth and lets animals live.

More precisely, the ‘principle of generation’, provided by the male, according to Aristotle is the ‘semen’ (*gonê*), while the matter, provided by the female, is the menses (*katamênia*). Obviously Aristotle did not have a microscope, which would have allowed him to see the eggs, but simply noted that menstruation ceases in the pregnant female, deducing that menstrual blood was used to form the ‘first mixture of male and female’, which

<sup>6</sup> Ulpian, *Pandect. Just.* I, tit. ii.

<sup>7</sup> Aristotle, *Metaph.* V 4, 1014 b 16-17.

<sup>8</sup> Id., *De gen. an.* I 2, 716 a 5-7.

he calls 'the fruit of conception' (*kuêma*).<sup>9</sup> The male seed does not become part of the fruit of conception, that is, it does not in any way constitute its matter, which is provided entirely by the female, but it transmits impulses or movements (*kinêseis*) to it, which give it form. '...that one thing which is produced comes from them – Aristotle writes – only in the sense in which a bed comes into being from the carpenter and the wood, or in which a ball comes into being from the wax and the form [spherical]'.<sup>10</sup> The analogy between nature and art appears here for the first time: the bed is made by the carpenter, who has in his mind the idea, namely the form, of the bed and through certain movements transfers this form to the wood, that is, to the matter. The carpenter is therefore at the same time the efficient cause and the formal cause of the bed, while the wood is its material cause.

#### THE FORM IS THE SOUL OF THE LIVING

At this point we must remember that, for Aristotle, the form of the living beings is the soul. Indeed, for Aristotle, the soul is no longer a demon, as it was in the Orphic-Pythagorean tradition, i.e. an intermediate being between man and god, which pre-exists the body, embodies in the latter at birth, and exits it at the time of his death, to transmigrate into another body.<sup>11</sup> Nor is it a substance similar to ideas, temporarily united to a body and destined to survive it, as it was for Plato.<sup>12</sup> According to the famous definition of *De anima*, the soul for Aristotle is 'the form of a natural body that has life in potency', namely the form not of an artificial body but, precisely, of a natural one, which, thanks to it, is capable of living. It is therefore the principle of life, the very capability to live.<sup>13</sup> Since for Aristotle form is act and the act is said in two meanings, the first of which indicates the effective possession of a capacity, such as, for example, scientific knowledge (*epistêmê*), and the second indicates the exercise of this capacity, such as for example knowing in a scientific way (*theôrein*), the soul is 'the first act of a natural body that has life in potency'.<sup>14</sup> Here 'first act' (*entelecheia prôtê*)

<sup>9</sup> *Ibid.*, I 18, 724 b 11-18.

<sup>10</sup> *Ibid.*, I 21, 729 b 16-19.

<sup>11</sup> Cfr. E. Rohde, *Psiche. Culto delle anime e fede nell'immortalità presso i Greci*, Bari 1970.

<sup>12</sup> Cfr. G. Reale, *Corpo anima e salute. Il concetto di uomo da Omero a Platone*, Milano 1999.

<sup>13</sup> Aristotle, *De anima* II 1, 412 a 20-21.

<sup>14</sup> *Ibid.*, 412 a 27-28.



means precisely the actual presence of an ability, such as scientific knowledge, which one owns after learning it and retains even when not exercising it, for example in one's sleep.

To further clarify the meaning of soul, Aristotle uses an example consisting of an artificial object, an axe, whose essence, i.e. its being an axe, determined by its form, is the ability to cleave. If the axe, says Aristotle, were a natural body, its essence, the capability to cleave, would be its soul. He thus makes another example using a natural object, the eye, saying that if the eye were an animal, its soul would be sight, the ability to see. An eye without the ability to see such as, for example, a stone eye or a painted eye, would not be an eye, if not 'by homonymy', that is, except in name. The soul, therefore, is for the living body like the ability to cleave is for the axe and like sight is for the eye: it is a skill, specifically the ability to live. However, given that by life we mean many things, first of all self-nutrition and growth, which are proper to plants, then movement and feeling, which are proper to animals, and finally thought and will, which are peculiar to human beings, there will be three kinds of souls: the vegetative soul, the ability to absorb nutrient and grow, which belongs to plants, the sensitive soul, the ability to move and feel, which belongs to animals, and the intellectual soul, the ability to think and want, proper to human beings.<sup>15</sup>

All living beings, therefore, have souls: plants, animals and humans. But note the following: each genus of living beings has only one kind of soul, plants only the vegetative soul, animals only the sensitive soul and humans only the intellectual soul. Indeed, as Aristotle explains, the types of soul are like geometrical figures, where the following contains in potency the previous one, for example the quadrangle contains in potency the triangle. Thus the sensitive soul contains in potency the vegetative soul and the intellectual soul contains in potency both the vegetative and the sensitive soul.<sup>16</sup> This means that the ability to perform superior activities, such as thinking and wanting, contains in itself the ability to perform lesser activities, such as eating, growing, moving and perceiving. The human soul, therefore, is the effective presence of all these capabilities in a single body, i.e. the ability to live in the fullest sense. The soul is generally the formal cause, that is, the cause of being, of living, because, for living things, being is living, and it is also the final cause, that is, the goal, because, according to Aristotle, the goal of living things is experiencing life in all its dimensions, namely

<sup>15</sup> *Ibid.*, II 2.

<sup>16</sup> *Ibid.*, II 3.

carrying out all the functions of which living things are capable, from the lowest, such absorbing nutrients, to the highest such thinking.<sup>17</sup>

#### THE ANALOGY BETWEEN NATURE AND ART

Regarding generation, the abovementioned analogy between nature and art is further developed by Aristotle in Book I of *De generatione animalium*. Examining the function of the male parent more closely, Aristotle argues that the seminal fluid, namely semen, which he releases, is not in any way part of the product of conception that is formed, just as the carpenter or the craftsman's art does not become part of the object produced, 'but the shape and the form (*hê morphê kai to eidos*) are imparted from him to the material by means of the motion (*dia tês kinêseôs*) he sets up'. And he continues:

it is his knowledge of his science, and his soul, in which is the form, that moves his hands or any other part of him with a motion of some definite kind [...], it is his hands that move his tools, his tools that move the material. In like manner, in the male of those animals which emit semen Nature (*hê phusis*) uses the semen as a tool and as possessing motion in actuality, just as tools are used in the products of any art, for in them lies in a certain sense the motion of the art.<sup>18</sup>

Thus the semen provided by the male parent is a tool, such as the carpenter's saw or the sculptor's chisel, which transmits motion to matter, i.e. to the menstrual blood provided by the female, and arranges it, namely organizes it, in a certain way, containing the form of the new entity generated, like the saw cuts the wood to make a bed, or the chisel models the marble to obtain a statue. Semen moves the way it is ordered to, so to speak, by the soul of the male parent, like the saw acts in the manner sought by the carpenter and the chisel as intended by the sculptor, that is, according to the idea, the form, of the object contained in the artist's mind. With its motion, semen models the menses provided by the female, giving it a form which is specifically identical to the male parent, that is, the same type of soul, but is numerically distinct from it, because it is the form of the new being that has been generated, i.e. the result of conception. Thus, using the analogy between nature and art, Aristotle explains how the parent's form is transmitted to the offspring.

<sup>17</sup> *Ibid.*, II 4.

<sup>18</sup> Aristotle, *De gen. an.* I 22, 730 b 11-23.

However, the Aristotelian theory of generation is not yet complete, because its most interesting part is missing, in which, as we shall soon see, the analogy between nature and art fails, and all the superiority, i.e. the greatness of nature emerges. Aristotle introduces this part in Book II of *De generatione animalium* with the expression: 'We must observe how rightly Nature orders generation in regular consecution (*hôs eu kai ephexês*)'.<sup>19</sup> Here nature is almost personified as an ingenious craftsman who designs a complex work that must be created perfectly and progressively. The new problem that he now asks is what is the effect that forms the parts of the generated being. Aristotle excludes their formation by means of an external principle and states that the principle of their formation must be within the thing conceived, that is, in its form, because this is a soul, i.e. a principle of life.

He then observes that the various parts of the new body, i.e. heart, lung, liver, eye, do not form together at the same time, but are formed consecutively (*ephexês*), 'in the same way as the knitting of a net'. It is well known that Aristotle observed the gradual formation of a chick by examining the development of the embryo contained in the hen's egg.<sup>20</sup> So he can say that, through observation, at a given moment some parts of the embryo are already there and others not yet, and not because they remain hidden because of their smallness: indeed, the lung, which is larger than the heart, appears later. Thus the parts of the embryo are formed one after the other, not because one generates the other, but because the essential form (*to eidos kai hê morphê*) of each part is contained in potency in the part that exists already in agency.<sup>21</sup> According to Aristotle, the body part that is formed first is the heart, because it is the cause of nourishment and thus of the growth of all the other parts. After the heart comes the brain, then the internal organs and finally the external ones.

And this is how Aristotle describes this process:

It is possible, then, that A should move B, and B move C; that, in fact, the case should be the same as with the automated puppets that arouse wonder (*ta automata tèn thaumatôn*). For the parts of such puppets while at rest have a sort of potentiality of motion in them, and when any external force puts the first of them in motion, immediately the next is moved in actuality. As, then, in these auto-

<sup>19</sup> *Ibid.*, II 1, 733 a 33-34.

<sup>20</sup> Cfr. G.E.R. Lloyd, *Empirical Research in Aristotle's Biology*, in A. Gotthelf and J.G. Lennox (eds), *Philosophical Issues in Aristotle's Biology*, Cambridge 1987, pp. 53-63.

<sup>21</sup> Aristotle, *De gen. an.* II 1, 733 b 23-734 a 32.

matic machines the external force moves the parts in a certain sense (not by touching any part at the moment, but by having touched one previously), in like manner also that from which the semen comes, or in other words that which made the semen, sets up the movement in the embryo and makes the parts of it by having first touched something though not continuing to touch it. In a way it is the innate motion that does this, as the act of building builds the house. Plainly, then, while there is something which makes the parts, this does not exist as a definite object, nor does it exist in the semen at the first as a complete part.<sup>22</sup>

Here the generation of the different parts is described as a series of consecutive actions, which automatically follow one another according to a programme that is contained in the semen, or in the fruit of conception. The analogy with art, in this case with the art of building the house, remains, but the natural process is more complex, because its principle is not an already existing artist, but a project existing in potency, which takes place gradually and automatically, i.e. spontaneously, by itself, which resembles the automated puppets that arouse wonder, because it itself is surprising. We should not forget that Aristotle chooses the same example of the automated puppets in the famous passage of *Metaphysics* in which the shows how philosophy stems from wonder:<sup>23</sup>

Now the semen is of such a nature – Aristotle continues – and has in it such a principle of motion, that when the motion is ceasing each of the parts comes into being [...] While, then, we may allow that hardness and softness, stickiness and brittleness, and whatever other qualities are found in the parts that have life and soul, may be caused by mere heat and cold, yet, when we come to the *logos* in virtue of which flesh is flesh and bone is bone, that is no longer so; what makes them is the movement set up by the male parent, who is in actuality what that out of which the offspring is made is in potentiality. This is what we find in the products of art; heat and cold may make the iron soft and hard, but what makes a sword is the movement of the tools employed, this movement containing the *logos* of the art.<sup>24</sup>

The *logos* is the form, i.e. the ratio between the various components of each tissue or of each organ, and which causes a tissue or an organ to be

<sup>22</sup> *Ibid.*, 734 b 9-19.

<sup>23</sup> Aristotle, *Metafisica* I 2, 983 a 12-18.

<sup>24</sup> Aristotle, *De gen. an.* II 1, 734 b 22-735 a 2.

what it is. But *logos* also means 'notion' or 'discourse', that is, 'formula'; therefore form is a notion, or a speech, or a formula: today we would call it 'information'. While the matter of the tissues and organs that are formed in generation comes from heat and cold, that is, from the properties of matter from which they derive, provided by the female, their form derives from the form contained in actuality in the male parent and transmitted through the motions produced by the sperm. The difference between nature and art is that art is the principle and form of the product, but is somewhere other than in the product, i.e. it is the notion that is found in the artist's mind, while the movement of nature takes place in the product itself and comes from another natural entity that has the same form in actuality. In short, while the action of the artist in art is continuous and lasts as long as the production process lasts, in nature the action of the parent takes place at the beginning of the process, and the process then continues, as it were, by itself because it contains an active ingredient that continues to operate. This is due to the fact that the form transmitted by nature is, according to Aristotle, a soul, therefore sperm has a soul and the various parts of the body that are gradually generated also have one.<sup>25</sup>

Another problem that would be interesting to examine further is what kind of soul is transmitted in the generation of animals. Indeed from certain passages of *De generatione animalium* it seems that the vegetative soul is present first of all in the animal embryo, by which it lives the life of a plant, because the first tasks that the embryo carries out consist essentially in its growth, which is consequent to nourishment; then the formation of the sensitive soul in it, through which the embryo lives the life of an animal; and finally, in the case of a human embryo, it seems that the intellectual soul is formed in it, after the entry of the intellect in it, which apparently comes 'from outside' (*thurathen*).<sup>26</sup> This interpretation was enormously successful both in late antiquity, and in the Middle Ages, that is, in ages dominated by a creationist vision, whereby the human soul did not come from the parents, but appeared to be created directly by God. This however seems incompatible with the doctrine contained in *De anima*, according to which the animal only has one soul, the sensitive soul, and consequently it must be assumed that man too possesses a single soul, the intellectual one. The late ancient and medieval interpreters therefore had to assume that real substantive changes were produced in the development of the

<sup>25</sup> *Ibid.*, 735 a 2-9.

<sup>26</sup> *Ibid.*, II 3.

embryo, i.e. that the embryo was initially a plant, equipped with the vegetative soul only, and then turned into an animal, equipped with the sensitive soul only, and finally became a man, equipped with the intellective soul only. But there is no trace of these substantial mutations in the Aristotelian doctrine of generation, rather generation appears as an ongoing process, driven by a single form, which remains the same.

So, from a more detailed analysis of the Aristotelian texts, it emerges that, unlike the traditional interpretation, in *De generatione animalium* just as in *De anima* Aristotle admits one soul, which in the case of animals is the sensitive soul, containing in potency the vegetative one, in the sense that it implements first of all the functions proper to plants and then those proper to animals, and in the case of human beings it is the intellective soul, which implements first the functions of plants, then those of animals and finally those that are proper to human beings. The sentence according to which the intellect comes 'from outside' does not express Aristotle's thought, but expresses what, according to Aristotle, should have been the opinion of the Platonists, that is, of the supporters of the soul pre-existing the body, had they been able to take into account the way in which generation actually takes place. The only part of the soul that, from the point of view of pre-existence, could pre-exist the body, appears to be the intellect, thanks to the immateriality of its functions. But for Aristotle the intellective soul, thus including the intellect, does not pre-exist the body, but is generated in the embryo through the motive action exerted by the father through the sperm, an action which transmits to the embryo the faculties proper to the form possessed by the father, which is a distinctly human form. Therefore the soul generated in the embryo, if it is generated by human sperm, already contains in potency even the intellect, because it is a specifically human soul.<sup>27</sup>

#### ARISTOTLE AND MODERN AND CONTEMPORARY BIOLOGY

As is well known, thanks to his discovery of the consecutive generation of the various parts of the animal organism, Aristotle has been considered a precursor of the modern biological theory of epigenesis. This term is not in Aris-

<sup>27</sup> I have tried to document this interpretation on the basis of the most recent studies in my essay *L'origine dell'anima intellettuale secondo Aristotele*, in F. Alesse, F. Aronadio, M.C. Dalfino, L. Simeoni, E. Spinelli (eds), *Anthropine sophia. Studi di filologia e di storiografia filosofica in memoria di Gabriele Giannantoni*, Napoli 2008, pp. 295-328.

tote, although there is the verb *epigignesthai*, meaning ‘to be generated successively’. The term ‘epigenesis’ was introduced for the first time by William Harvey – discoverer of the circulation of the blood and thus the initiator of modern experimental medicine, who had studied in Padua in the school of the Aristotelian Hieronymus Fabricius, and was himself an Aristotelian – in his *Exercitatio de generatione animalium* (1651). Harvey, unlike Aristotle, understood the importance, in the generation process, of the egg provided by the female, but described the embryo development process in the same way as Aristotle. In the seventeenth and eighteenth century after the invention of the microscope, which allowed people to see spermatozoa for the first time, an opposite theory to that of epigenesis emerged, namely ‘preformationism’, according to which the whole organism is already contained in miniature with all of its organs (called *animalculum* or *homunculus*) in the embryo, or rather even in sperm. But Karl Ernest von Baer (1828) demonstrated that embryonic development is characterized not only by processes of growth, but also by the appearance of new tissues, as Aristotle had previously affirmed, thus leading to the victory of the theory of epigenesis over preformationism.

The value of the Aristotelian theory of generation has been understood more recently, after the discovery of cells, which occurred in the mid-nineteenth century, and especially after the discovery of DNA. As you know, DNA was discovered during the 1950s by James Watson and Francis Crick who, also on the basis of the research carried out by other scientists, were able to describe the structure of deoxyribonucleic acid, i.e. of one of the two acids which form the nucleus of cells. Watson and Crick found that DNA molecules consist of two chains of nucleotides in the shape of helixes intertwined with each other. At the time of cell division the two helixes separate and on each of them another is built, in order to reconstitute the original structure. Thus, DNA can reproduce without changing its structure, except for occasional errors or mutations. For this discovery, Watson and Crick obtained the 1962 Nobel Prize for medicine.

The philosophical significance of this discovery for the interpretation of Aristotle was brought to light some years later by the physicist and biologist Max Delbrück (1906-1981), who in turn won the Nobel Prize for Medicine in 1969 for his research on bacteriophage viruses, in an article dedicated to Aristotle with the ironic title, *Aristotle-tote-tote*.<sup>28</sup> In it Delbrück

<sup>28</sup> M. Delbrück, *Aristotle-tote-tote*, in J. Monod and E. Borek (eds), *Of Microbes and Life*, New York 1971, pp. 50-55.

argued that, if it were possible to give a Nobel Prize in memory of someone, it should be given to Aristotle for the discovery of the principle implied in DNA. He then quoted the passages from the biological works, where Aristotle argues that the male parent contributes to generation by providing the principle of motion through his semen, giving rise to form, and the female parent provides matter, with her menses, translating phrases like 'principle of motion' with *the plan of the development*, and 'form and essence' (*morphê kai eidos*) with *program of development*. He then concludes:

Put into modern language, what all of these quotations say is this: The form principle is the information which is stored in the semen. After fertilization it is read out in a preprogrammed way; the read-out alters the matter upon which it acts, but it does not alter the stored information, which is not, properly speaking, part of the finished product. In other words, if that committee in Stockholm, which has the unenviable task each year of pointing out the most creative scientists, had the liberty of giving awards posthumously, I think they should consider Aristotle for the discovery of the principle implied in DNA.<sup>29</sup>

Meanwhile, a similar conclusion had been reached by Marjorie Grene, a scholar of Aristotle and biology expert, who argued that the Aristotelian notion of 'form' (*eidos*) operates in many ways like the concept of organization (or information) in modern biology, which is an example of the DNA sequence.<sup>30</sup> But Delbrück's thesis was authoritatively confirmed by the great biologist and historian of biology, Ernst Mayr, who wrote:

Some of today's authors have had the courage to use modern terms in exposing Aristotelian thought: the words that Aristotle would probably have used had he lived today. I refer to the use of the term 'genetic program' by Delbrück to clarify the intentions with which Aristotle used *eidos* in the description of the development of the individual.<sup>31</sup> ... it has been said, not without justification, that the Aristotelian separation of a formative principle (*eidos*) from the matter on which it acts, does not deviate much from the modern

<sup>29</sup> *Ibid.*, pp. 54-55.

<sup>30</sup> M. Grene, *Aristotle and Modern Biology*, 'Journal of History of Ideas', 33, 1972, pp. 395-424, esp. 409-410.

<sup>31</sup> E. Mayr, *The Growth of Biological Thought*, Cambridge Mass. 1982 (It. transl. *Storia del pensiero biologico*, a cura di P. Corsi, Torino 1990, p. 13).



concept according to which the genetic program controls the modelling of the phenotype (Delbrück, 1971).<sup>32</sup>

More recently, as a partial criticism of Delbrück and Mayr, it has been stated that, according to modern genetics, the function of DNA is limited by the environment of the cells with which it interacts, so that rather than a 'genetic program' guiding development, we should speak of an 'epigenetic program'; however, it was recognized at the same time that this corresponds in a way to what Aristotle said in his concept of 'potential form', which interacts with matter, therefore the Aristotelian theory must be interpreted not as a 'genetic vitality' based only on the notion of 'entelechy',<sup>33</sup> but implies a mechanism, as shown by Aristotle's example of the automated puppets.<sup>34</sup>

If we now return to the problem of human development, to which Ulpián's sentence quoted by Thomas refers, we must recognize that, according to today's genetics, what distinguishes the human genome from that of other living species, although in a minimal (but important) percentage, is the 'sequence' of the various components that make up genes, i.e. the DNA segments of which the chromosomes contained in the cell nucleus are made. Well, the components of DNA, which are equivalent to what Aristotle called 'matter' are the same for all living beings, while the 'sequence', i.e. the order in which they are arranged, is different. However this order is equivalent to what Aristotle called 'form' and all the characteristics that develop in the living being depend on this order, just as for Aristotle all the characteristics of plants and animals depend on their form, that is, on their 'soul'.

The equivalence between the function that modern biology attributes to DNA and the function that Aristotle attributed to form has also been accepted by contemporary philosophers such as Hilary Putnam and Martha Nussbaum. In an article written together, they argued in fact that Aristotle's hylomorphic concept, according to which the soul is the form, namely the principle of organization and functioning of the body – a computationally plastic form, capable of developing different programmes, which distinguishes it from computer software – is not only perfectly compatible with today's neurosciences but provides a more sat-

<sup>32</sup> *Ibid.*, p. 585. Cfr. also by E. Mayr, *This is Biology: The Science of the Living World*, Cambridge Mass. 1997 (It. transl. by A. Vezzano, *Il modello biologico*, Milano 1998), pp. 12, 154, 307.

<sup>33</sup> The allusion is to H. Driesch, *Der Vitalismus als Geschichte und als Lehre*, Leipzig 1905.

<sup>34</sup> T. Vinci and J.S. Robert, *Aristotle and Modern Genetics*, 'Journal of the History of Ideas', 66, 2005, pp. 201-221.

isfactory explanation of knowledge than that provided by Wittgenstein's notion of 'logical form'.<sup>35</sup>

Putnam himself included the article written with Martha Nussbaum in his 1994 book *Words and Life*, adding two new chapters, significantly entitled *The Return of Aristotle* and *Aristotle after Wittgenstein*, where he argued that the Aristotelian concept not only solves but also dissolves the problem of the relationship between soul and body (*the Mind-Body Problem*), showing that this problem does not exist, because the soul is nothing but the living body's ability to exercise all its functions, and in the case of man is made up of his specifically human DNA.<sup>36</sup> I suspend judgement on the latter identification because I do not know whether there is a difference between the DNA of a living body, with which the soul should eventually identify, and that of the same body after it is dead. But I note that Putnam's proposal is a further confirmation of the continuing relevance of the Aristotelian concept of soul.

#### CONCLUSION

It cannot be said that there is a precise precedent in Aristotle of Ulpian's sentence as quoted by Thomas. Indeed Aristotle does not say that nature 'teaches' procreation and the education of offspring. However, we must admit that in Aristotle there is the philosophical justification of this sentence, because Aristotle sees nature as a kind of art, a higher art than those common in his time, since it is capable of triggering processes consisting of various consecutive actions, as is the case with the latest technology. In the light of this view using the metaphor of 'teaching' to describe the activity of nature is justified. Whether the process of nature then takes on the meaning of a moral law, as in Thomas, is due to the fact that, for Thomas, nature is God's work and therefore its laws can be interpreted as so many divine commands. Even in Aristotle nature takes on the meaning of moral law, but not because it controls anything but because, for Aristotle, morals aim at ensuring happiness and happiness is not possible without satisfying natural inclinations. Only in an ethics such as Kant's are natural inclinations devoid of any moral value. But surely Kant would have found other justifications both for procreation and for the education of one's offspring.

<sup>35</sup> M.C. Nussbaum and H. Putnam, 'Changing Aristotle's Mind', in M.C. Nussbaum and A. Oksenberg Rorty (eds), *Essays on Aristotle's De anima*, Oxford 1992, pp. 25-56.

<sup>36</sup> H. Putnam, *Words and Life*, ed. by J. Conant, Cambridge, Mass. 1994.

# THE INHERENT POTENCY TO EVOLVE REFLECTS A NATURAL LAW THAT IS PERTINENT TO ALL LIVING ORGANISMS

WERNER ARBER

## 1. INTRODUCTION

The last 150 years brought to us a remarkable enrichment in our knowledge and understanding of the processes of procreation and evolution of life. After a brief survey of this development we will present here accessible scientific knowledge on biological evolution. This will lead us to conclude that all living organisms can actively contribute to a slow but steady evolution at the population level.

## 2. BRIEF SURVEY OF ROOTS AND PROGRESS OF SCIENTIFIC KNOWLEDGE ON THE FUNDAMENTS OF LIFE

The historical roots of natural sciences reside in the philosophy of nature of antiquity. The biblical text of Genesis represents a remarkable example of traditional wisdom on creation and evolution. It describes the creation of the inanimate and the animate worlds in logical sequential steps, i.e., as an evolutionary process. In addition, we can learn from genealogy that the descendants of Adam and Eve are not stable clones, they are different from each other or, in today's terminology, they are genetic variants.

Shortly after the middle of the 19th century Charles Darwin postulated that phenotypic variants, as well as their parental forms, are steadily submitted to the pressure of natural selection. A few years later Gregor Mendel set the fundamentals to genetics by describing the inheritance of 'traits' to the progeny and their recombination. The two fields of biological evolution and genetics fuse together only around 1940 in modern evolutionary synthesis.

The same period saw the start of microbial genetics in work with bacteria and their viruses. This led in 1944 to the discovery that the previously postulated genetic information has a material reality: it is carried in DNA molecules. Their filamentous, double-helical structure was soon thereafter described on the basis of experimental investigations by James Watson and Francis Crick.

### 3. GENETIC INFORMATION AND ITS EVOLUTION

On the basis of the structure of DNA molecules it became clear that genetic information must be contained in the linear sequences of nucleotides of DNA, similar to the linear sequences of letters in our writing. It was argued that the double-strandedness of DNA molecules, in which each nucleotide pairs with another, complementary nucleotide in the other strand (so-called base pairing) insures an error-free transmission of the genetic information to progeny DNA molecules upon replication.

From long-term observations we know that genetic information is relatively stable, but that it occasionally suffers a spontaneous mutation, it undergoes genetic variation that can become manifest in an altered phenotypic trait.

It might be good to recall here that the word mutation is defined in classical genetics as an altered phenotype that becomes transmitted to the progeny. In contrast, in modern molecular genetics, a mutation is defined by an alteration in parental nucleotide sequences.

With the exception of epigenetic influences, alterations in transmittable phenotypes are indeed due to changes in nucleotide sequences. But for several known reasons, by far not all changes in nucleotide sequences lead to altered phenotypic traits.

According to the theory of biological evolution, genetic variation drives biological evolution. Without occasional genetic variations there would be no evolution. At any time all phenotypic forms of organisms are submitted to natural selection; they have to deal with various environmental constraints that are, on the one hand, of physico-chemical nature and, on the other hand, due to the mutual impacts exerted by the multitude of different organisms present in natural ecosystems. A third pillar of biological evolution is isolation, which can either be reproductive or geographic. Isolation modulates the process of biological evolution, while natural selection, together with the genetic variants available at any time, directs evolution, i.e. it influences the directions in which the branches on the evolutionary tree grow.

Again, from long-term observations we know that novel spontaneous mutations are only rarely favorable and provide a selective advantage. More often, novel genetic variations are unfavorable in the encountered living conditions and provide a selective disadvantage. Sooner or later they will disappear from propagating populations. As we have already mentioned, many nucleotide sequence alterations are without immediate influence on life processes. For all of these reasons, there is no good scientific evidence for a general directedness of spontaneous mutagenesis. Rather, mutation occurs more randomly and, as we will see, by a number of different mechanisms.

#### 4. MOLECULAR MECHANISMS AND NATURAL STRATEGIES OF GENETIC VARIATION

Because of the low rates of spontaneous mutagenesis, experimental investigations on the mechanisms causing alterations in nucleotide sequences are hampered. However, relevant data are available from organisms with small genomes (bacteria and viruses). On the other hand, since DNA sequencing has become a routine method, bioinformatic comparison of related DNA sequences has become very helpful to detect accumulated genetic variations.

At the present time we already know that a number of mechanistically different specific processes contribute to the overall spontaneous generation of genetic variants. On the basis of this insight we can assign the identified mechanisms to three different natural strategies of genetic variation:

(a) *Local sequence changes*. In these processes one or a few adjacent nucleotides in the linear DNA sequences become altered. This can represent a nucleotide substitution, the deletion of one or a few adjacent nucleotides, the additional local insertion of one or a few nucleotides, or a scrambling of a few adjacent nucleotides. Such processes can occur during DNA replication or under the impact of internal or environmental chemical mutagens. An interesting example is based on the short-living isomeric forms (tautomers) of nucleotides which guide a specific base pairing with an alternative nucleotide as compared with the pairing undergone by the standard form. This then leads to a mispairing when the nucleotide in question reassumes its quite stable standard form. The resulting mispairing is often called a replication error. In my view, nature rather uses this mutagenic effect of isomeric forms to produce evolutionarily relevant nucleotide substitutions. To limit this mutagenesis to

tolerable rates, effective enzymatically-driven repair processes prevent many potential nucleotide substitutions from becoming fixed. By chance a local sequence change can result in providing a selective advantage to the concerned organism and thus contribute to the progressive evolution of the species.

(b) *DNA rearrangements*. Several different enzymatic recombination systems are quite well known to contribute to an intragenomic reshuffling of segments of the genome. This can involve a partial duplication, a deletion or an inversion of a DNA segment within the genome. In these processes novel sequence fusions can result in novel fusion products at the level of the gene products. Or such a reshuffling can also bring a particular gene under an alternative expression control, thereby influencing the availability and quantity of the gene product in question. Clearly, all of these possibilities can exert either positive or negative influences on the evolutionary progress.

(c) *DNA acquisition*. Occasionally, a fragment of foreign genetic information can find its way to invade the genome of another organism by so-called horizontal gene transfer. In the microbial world this can be by bacterial conjugation, by transformation with free extracellular DNA molecules or by virus-mediated transduction. These processes are again limited to low rates by bacterial restriction-modification systems that can identify invading DNA molecules as of foreign origin and initiate their degradation. DNA acquisition is a very effective evolutionary strategy. It allows the invaded organisms to profit in one evolutionary step from longer-term evolutionary developments made by other kinds of organisms. Thanks to the quasi-universality of the genetic code, active products of the acquired foreign genetic information can often serve beneficially to the recipient organism.

There is increasing evidence that the specific molecular mechanisms and their assignment to natural strategies to generate genetic variants is of relevance for all kinds of living organisms, from unicellular microorganisms up to plants and animals including human beings. We postulate that in the long evolutionary past, evolutionary fitness might have been a critical condition to be maintained under the steady pressure of natural selection in the context of changing environmental conditions. A good evolutionary fitness is likely to depend on the availability of all three described evolutionary strategies, each with at least one – or better – a few specific molecular mechanisms.

## 5. THE JOINT INVOLVEMENT OF GENE PRODUCTS AND OF NON-GENETIC ELEMENTS IN SPONTANEOUS GENETIC VARIATION

In the outline of specific molecular mechanisms that contribute to the occasional generation of genetic variants we have encountered a number of enzymes that are involved in recombination or in the modulation of rates of spontaneous mutagenesis. For the normal propagation of bacterial cells from generation to generation, neither DNA recombination nor enzymatic restriction-modification systems are essential. Their activities can rather be seen to exert evolutionary roles. We call their genes therefore evolution genes. Their products act as variation generators and/or as modulators of the rates of genetic variation. In the occasional production of genetic variants the products of evolution genes co-operate with a number of non-genetic elements. The latter include structural flexibilities of biologically active molecules (such as tautomerism of nucleotides), chemical instability, and also environmental mutagens and random encounter. For all of these reasons we can conclude that the natural reality takes active care of biological evolution.

The presence of evolution genes in the genome points to an unexpected duality. While many of the genes act to the benefit of individuals, other genes work primarily to the benefit of the evolutionary development of populations. They do so as generators of occasional DNA sequence variations which can also involve an occasional acquisition of foreign genetic information. The fulfillment of individual lives is facilitated by the action of products of housekeeping genes, of accessory genes of use under particular life conditions, and of developmental genes in higher, multicellular organisms. In contrast, the actions of evolution genes ensure an expansion of forms of life, of biodiversity, and the adaptation to changing living conditions. We are aware that a strict classification of genes into those serving the individuals and those serving the biological evolution would not correspond to reality. Clearly, some gene products serve for both purposes. However, the fact that specific gene products are actively involved in the evolutionary progress deserves our particular attention. Another remarkable conclusion from our actual insights into the process of biological evolution concerns the two antagonistic principles of, on the one hand, the promotion of genetic variation and, on the other hand, the limitation of rates of genetic variation to tolerable levels ensuring a relatively high genetic stability to individuals. We postulate that in their own past evolution, evolution genes had become fine-tuned to satisfy these conditions.

## 6. CONCLUDING REMARKS

Biological evolution is a scientifically established fact. It is driven by spontaneously generated genetic variants that are steadily exposed to the pressure of natural selection. The intrinsic potency to evolve is shared by all living organisms and it depends on the impact of specific gene products and of non-genetic elements such as special intrinsic properties of matter. Darwinian evolution is now understood at the molecular level of relevant interactions. Charles Darwin had postulated that different forms of life must have a common origin from which they underwent vertical evolution. We now realize that reality fulfills this postulate and that, in addition, horizontal gene flux also contributes to the evolutionary progress. Through the evolutionary strategy of DNA acquisition the present day organisms will also have a common future. The overall pool of genetic information is principally available for evolutionary steps of any kind of organism. However, we have to be aware that for each step in biological evolution the functional harmony of cells, tissues and organs must not be disturbed by genetic alterations. Otherwise, the laws of natural selection would sooner or later eliminate the genetically altered organism and its possible descendants from the propagating population. As a matter of fact, small steps of evolution are generally more effective than large steps. We also see that nature masters it to limit the rates of genetic variation to quite low levels that are tolerable to populations of individual organisms.

Biological evolution represents the fundament for permanent creation which is the source of biodiversity. The inherent activities of products of evolution genes together with a rich biodiversity ensure the success of the longer-term further evolution and a steady replenishment of biodiversity.

From a scientific point of view, biological evolution can be seen as a slow, although effective, self-organized process. From my personal, human point of view, biological evolution appears as a wonderful natural system that I am tempted to call 'divine', perfect for its purpose. This appraisal should not be interpreted as being in favor of intelligent design. Self-organization and design are opposite procedures. But coming back to the philosophy of nature, the intrinsic natural potency to evolve and its mechanisms can remind us of the philosophical reflections made by Aristotle and by St Thomas Aquinas on the concepts of 'the actual and the potential'. Since in the longer term the living conditions periodically undergo changes, evolutionary principles and mechanisms offer efficient possibilities for a stepwise adaptation to non-foreseeable environments. This is a precondition for the persistence of life on our planet as long as it can offer appropriate living conditions.



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# THE SOUL AND ITS INCLINATIONS: RECOVERING A METAPHYSICAL BIOLOGY WITH THE SYSTEMS PERSPECTIVE

NICANOR PIER GIORGIO AUSTRIACO, O.P.

## INTRODUCTION

In his essay, 'The Nature of Desire', published recently in *First Things*, Paul J. Griffiths proposes that the Catholic account of natural law is undermined by the fact that human desire is infinitely malleable and open. Therefore, he concludes: 'The nature of human desire, then, is that no particular desire is nature'.<sup>1</sup> In another essay titled, 'Aquinas's Theory of Natural Law in the Light of Evolution', Brian Zamulinski is critical of the Angelic Doctor contending that Aquinas's choice is arbitrary.<sup>2</sup> Suggesting that none is possible, he demands evidence to demonstrate that the chosen inclinations described in *ST I-II 94.2* are indeed essential to what it means to be a human being. Therefore, Zamulinski concludes that the problems with Thomistic natural law 'are so extensive that Aquinas's theory is beyond rescue'.

As a response to Griffiths and to Zamulinski, this paper will attempt to recover a metaphysical biology that will allow us to better understand the human animal, and therefore to distinguish those inclinations that are truly species-normative from those desires that are not. It is divided into two parts. First, it will begin by using insights taken from systems biology to articulate an Aristotelian-Thomistic hylomorphism that is scientifically intelligible. In this way, the systems perspective represents one attempt to translate the terms and concepts used by the Catholic tradition into a mod-

<sup>1</sup> Paul J. Griffiths, 'The Nature of Desire', *First Things* 198 (2009): 27-30.

<sup>2</sup> Brian Zamulinski, 'Aquinas's Theory of Natural Law in the Light of Evolution', *Philo* 4 (2001): 21-37.

ern idiom that brings together the commonplace intuitions of everyman with the experimental insights of the twenty-first century biologist.

Next, this paper will sift through recent discoveries in developmental psychology and neuroscience to identify those species-normative inclinations that are impressed in the human heart. These discoveries have revealed that young infants are born with inclinations to self-preservation, to metaphysical truth, and to the moral good, among others. There are studies that even suggest that children are 'intuitive theists'. *In toto*, this research demonstrates that human beings have fundamental inclinations, what the tradition has called natural desires or natural appetites, which exist prior to elicited desire and rational choice, and as such, appear to be constitutive of human nature.

I suggest that, together, systems biology and developmental psychology allow us to recover a scientifically sophisticated and philosophically accurate account of the human animal that explains his integrity, dynamism, and teleology.

#### A SYSTEMS VIEW OF LIFE

A product of the post-genomic explosion in biological information, systems biology is an emerging field of research that seeks to understand the living whole as a dynamic network of integrated parts.<sup>3</sup> Its goal is to uncover the fundamental design principles of living systems by looking at what system theorists call a system's structure and its dynamics. An analysis of a system's structure identifies all the parts of the system and describes their interactions. In biology, this would involve cataloging all the molecules that go into assembling a living organism and then determining which ones interact with each other. An analysis of a system's dynamics focuses on the behavior of these interacting molecules over time. In biology, this would involve questions regarding growth, development, and maintenance of the living organ-

<sup>3</sup> For concise overviews of systems biology, see both L. Hartwell, J.J. Hopfield, S. Leibler, and A.W. Murray, 'From Molecular to Modular Cell Biology', *Nature* 402 (1999): C47-52; and H. Kitano, 'Systems Biology: A Brief Overview', *Science* 295 (2002): 1662-1664. A good introduction to systems theory written for the non-scientist can be found in Stuart Kauffman, *At Home in the Universe* (New York: Oxford University Press, 1995). This discussion of systems biology is based, in the most part, on my essays, 'On Static Eggs and Dynamic Embryos: A Systems Perspective', *Natl Cathol Bioeth Q* 2(2002): 659-683; and 'Immediate Homimization from the Systems Perspective', *Natl Cathol Bioeth Q* 24(2004): 719-738.

ism. As we will discuss below, the structure and the dynamics of a living system are inseparably inter-dependent. A living system consists of molecules in motion. Thus, the most important question for the systems biologist is how both the structure and dynamics of a living system together give rise to the physiological properties and visible behavior of the organism.

The two insights of systems biology that are of particular interest to us here as we develop a systems-based philosophical account of the human organism and his development are its emphases on the holism of the living organism and the determinism of animal development.

First, the emphasis on holism: Consider the human animal. The most common view is to see the human animal as a collection of organs working together under the sway of the central nervous system. Another approach is to see the animal as an organized collection of different kinds of cells – nerve cells, heart cells, or skin cells, just to name a few of the approximately 120 cell types in the human body – all working together in the organic whole. However, the more radical perspective offered by systems biology is to see the human animal as a dynamic, complex, and seamlessly integrated network not of organs nor of cells but of *molecules*, including DNA, RNA, lipids, and proteins, connected by reaction pathways which generate shape, mass, energy, and information transfer over the course of a human lifetime [see Slide 2 (page 183) for a molecular animation of the living cell]. In contrast to the prevailing reductionist and mechanistic view, the human animal, the human organism, is seen here as a single, unified whole, a complex and dynamic network of interacting molecules that appear and then disappear in time. It is an embodied process that has both spatial and temporal manifestations.

To illustrate the holistic perspective, we turn to a symphonic orchestra. One way to view a classical orchestra would be to say that it is made up of four groups of musicians playing a type of instrument, woodwind, brass, percussion or string. Another is to say that it is made up of approximately ninety musicians. The systems view would be to see it as a single dynamic network of interacting parts where the whole is greater than the sum of the parts. Since each musician has an instrument and a score, the orchestra at a minimum has 300 parts all organized and seamlessly integrated into a single unity that produces music. In fact, from the systems perspective, an orchestra is not truly an orchestra until its parts begin to interact with one another, i.e., when it is performing a symphony. Therefore, to see the living organism as a dynamic system is to see it as a symphonic whole where DNA, RNA, lipid, and protein molecules, like musicians and their instruments, appear and then disappear on stage in the choreographed performance called life.

As noted above, systems biology, in addition to emphasizing the holism of the organism, also underscores the deterministic nature of animal development. In this, there is a crucial difference between an orchestra and an organism. One orchestra can play many symphonies because the musical score determines how and when the different parts will interact. In other words, the same structure can give rise to different dynamics – the same parts of one orchestra can interact in different ways to produce either Beethoven's Ninth Symphony or Mozart's Symphony No. 40. Thus, one cannot predict the future performance of an orchestra from simply studying its parts. It is an indeterminate system. An organism, on the other hand, is a deterministic system that follows a particular developmental trajectory, all things being equal. In other words, there is a causal relationship between the past, present and future states of a living system because the molecular composition of the organism constrains the possible sequence of ordered transformations through which the system can advance. A puppy cannot grow into an ostrich.

To illustrate the deterministic nature of development, our orchestra analogy will not suffice. Instead, take a hypothetical living network, say the simple organism of ten molecules at time,  $t=0$  [see Slide 3, page 184] When these ten molecules are in close proximity, they interact. Some of these interactions result in transformative reactions that generate new molecules, and the living system becomes the network of eight molecules at time,  $t=T_1$ . This system is deterministic because the system can only change in this one way – the identity of the molecules in the initial state of the organism at time,  $t=0$ , determines the kind of change possible. Molecule A and molecule B because they are what they are, interact and produce molecule D. Molecule D is then able to interact in a subsequent reaction with molecule C to produce more of A and E driving the organism to change into the network of nine molecules diagrammed at  $t=T_2$ .<sup>4</sup> Thus, as this example illustrates, an organism changes and progresses through a sequence of ordered molecular changes precisely because the products of the previous step drive each subsequent step in a reaction pathway. Furthermore, it demonstrates that there is an intimate link between the structure and the dynamics in living systems. To change the composition of a living system, by changing either the kinds of or the relative abundance of the molecules in the system, is to

<sup>4</sup> Note that the reactions do not end here because molecules F and E can further interact to create molecule G, which can then continue to react to produce other molecules, and so forth.

necessarily change the dynamics and behavior of that same system. A corollary to this is that the only way to change the behavior of a living system is to change its molecular composition. Consequently, from the systems perspective, every developmental change, including the teething of an infant or the sexual maturation of a teenager, can be traced to transformations in the molecular composition of that particular human individual. In the end, animal development is like a falling chain of molecular dominoes that manifests itself as outward physical changes in the organism. Once the process begins, it is a self-driven, self-perpetuating chain reaction of molecular transformations that continues throughout the lifespan of the animal.

Finally, the determinism of the biological process that drives development does not rule out the very real effects of the environment on the living organism. From the systems perspective, at any given point in time, the development of an organism is determined because at that point in time its molecular network can only change in one way. However, not all the molecules in the network are derived from the genome. In fact, most of them are derived from the environment. Thus, it should be no surprise to anyone that an individual raised in the calorically-restricted environment of Somalia would look different from the individual's identical twin raised in the calorically-affluent United States. Nurture influences nature.<sup>5</sup> Nevertheless, the genetic constitution of the organism still does constrain its developmental possibilities in a fixed and species-specific manner. Regardless of their childhood homes, the physical resemblance between the African and his American twin would still be striking.

To summarize, the challenge of the systems perspective is to move beyond the hierarchical and static model of the living organism. Rather, the living system is seen as a unified whole, an embodied process of interacting molecules which has both a past and a determined future.

#### SYSTEMS HYLOMORPHISM: THE SOUL FROM THE SYSTEMS PERSPECTIVE

With an overview of the systems perspective in mind, we can now begin constructing a systems-based description of the human organism. The primary challenge for this task will be to explain the stable dynamism of a

<sup>5</sup> For a popular and insightful discussion of the interrelationship between nature and nurture, see Matt Ridley, *Nature Via Nurture: Genes, Experience, and What Makes Us Human* (San Francisco: Harper Collins, 2003).

being that is able to maintain its integrity and its identity over a period that can last up to a century. This is a real stability despite the numerous kinetic and metabolic studies using a variety of experimental techniques that have shown that 98% of the atoms of the adult human body, including those found in the brain and nervous system, are replaced in about two years.<sup>6</sup> How are we to reconcile both these observations? To put it another way, the human organism is a being that has an origin, undergoes biological development, and then dies. It is always changing but still remains the same. How is this so? An adequate philosophical anthropology would have to explain this stable dynamism.

As a growing number of contemporary philosophers have acknowledged, a coherent and compelling philosophical solution to the challenge of describing the human being already exists in the hylomorphic theory of Aristotle and St Thomas Aquinas.<sup>7</sup> Hylomorphism is already able to adequately explain the stability and the change found in living things. There is no need to re-invent the wheel. The theory simply needs to be rearticulated in light of recent scientific advances. Thus, in constructing a scientifically informed description of the human being, the approach we will use here will be to weave together the basic principles of Aristotelian-Thomistic hylomorphism and the insights of the systems perspective.<sup>8</sup>

Before turning to a systems-based analysis of the human being, we begin with a basic review of hylomorphism.<sup>9</sup> First proposed by Aristotle and developed by his disciples especially St. Thomas Aquinas, hylomorphic theory sought to explain the nature of things and the nature of their changes. In brief, for the Aristotelian tradition, all things – especially all living things – are substances composed of both a formal and a material principle. The formal principle, also called the substantial form or, in living

<sup>6</sup> For calculations in support of this claim, see my essay, 'The Pre-implantation Embryo Revisited: Two-celled Individual or Two Individual Cells?', *Linacre Quarterly* 70 (2003): 121-126.

<sup>7</sup> For example, see David S. Oderberg, *Real Essentialism* (New York: Routledge, 2009); and Christopher M. Brown, *Aquinas and the Ship of Theseus: Solving Puzzles About Material Objects* (New York: Continuum, 2005).

<sup>8</sup> This approach is particularly attractive to the Catholic tradition that committed itself to Aristotelian-Thomistic language in 1312 when the Council of Vienne defined *de fide* that the human soul is the form of the body (*Denzinger-Schönmetzger* no. 902; cf. *Catechism of the Catholic Church*, no. 365).

<sup>9</sup> For a good summary of classical hylomorphic theory, see William A. Wallace, OP, *The Elements of Philosophy* (New York: Alba House, 1977), pp. 41-84.

things, the soul, constitutes every being as a specific kind of thing with specific causal powers. In the biological realm, it gives the creature its stability, its unity, and its identity. It structures the organism, determines its nature, and specifies its end. The matter, on the other hand, is the corresponding principle of potency that the form determines or actualizes. According to the hylomorphic theory, both matter and form are inseparable.<sup>10</sup> Together both constitute a stable substance.

Stable substances, however, often change. For the Aristotelians, change involved the replacement of a form. This process happens in two ways corresponding to the two types of change evident in the world. First, there is substantial change, which radically alters the identity of the thing. Substantial changes involve the replacement of one substantial form with another in matter that is properly disposed to receive the new form. The classic example of this type of change involves the death of an organism where say, the form of a living dog, is replaced by the individual forms of the elements in the dog's carcass. Next, there is accidental change, which only modifies a thing without changing its nature. This kind of change involves the replacement of one accidental form with another, again, in matter that is properly disposed to receive the new form. An example of this type of change involves the growth in size of an organism. Thus, according to hylomorphism, all change observable in nature can be accounted for by invoking the replacement of forms in properly disposed matter. Note that during accidental changes, the substantial form or soul remains, ensuring the integrity and identity of the organism. This explains well the stable dynamism of the human animal. A man is stable because of his substantial form, yet he is dynamic because he is capable of changing his accidental forms.

We now turn to the systems perspective. How are we to talk about a human 'soul', human 'nature', or the 'disposition of matter' in a scientifically informed manner? In other words, how are we to translate classical hylomorphism into a modern idiom? To begin, we should note that the systems perspective, like the hylomorphic perspective, is a substantial perspective.<sup>11</sup>

<sup>10</sup> The human form or soul is an exception to this rule since it can exist apart from the material principle. However, as so existing, it is not a complete human animal. It is not a complete person.

<sup>11</sup> As noted earlier, the systems perspective presented here presupposes the metaphysical framework put forward by classical hylomorphic theory. Given the dynamic nature of the human body which is continually undergoing molecular change, anyone who rejects the distinction between living substances and non-living aggregates would have to conclude that he or she can only exist and be identified as a distinct and unique human individual for a maximum of two years. This, I believe, is obviously ludicrous.



The organism is seen here as a single, unified network of interacting molecules which is organized in a species-specific manner. Here, the whole is greater than the sum of the parts. A typical 70-kg man is made up primarily of oxygen (43-kg), carbon (16-kg), hydrogen (7-kg), nitrogen (1.8-kg), and calcium (1-kg). However, what makes this reference man radically different from a 68.8-kg pile of these five elements is that in his case, the elements are organized and interact in a particular way, a species-specific way [see Slide 4 (page 184) for a depiction of the yeast-specific network]. Indeed, a snapshot of the human body at any point in time would reveal an intricate net of molecular interactions distributed in three-dimensional space [see Slide 5 (page 185) for a depiction of the human-specific network]. From the systems perspective, this particular pattern, this organization of the molecules of the human being, would be a manifestation of his immaterial soul.

To see how the network of molecular interactions can be said to reflect and manifest the soul, note the parallels between three functions associated with this network and the three functions traditionally associated with the formal principle of an organism. First, the soul makes an organism what it is and determines its end. From a physiological perspective, the net of molecular interactions makes the man what he is and distinguishes him from a lion or a lima bean plant or some other living thing. Furthermore, since life is a predominantly deterministic process of molecular transformations, these molecular interactions also define his developmental trajectory and determine his biological end. Systems biology allows us to recover a teleology for the human animal and all other living things.

Second, the soul unifies and integrates an organism maintaining its identity through changes. As noted above, the human body is in a constant state of molecular flux. Every two years, nearly all of its atoms are replaced. However, the pattern of the molecular interactions remains the same, providing a ground for the substantial unity and identity of an individual with a lifespan of eighty or more years.

Finally, to the ancients, the soul is the source for the powers and capacities of the organism. It is the principle of the being's nature. Analogously, the net of molecular interactions can also be said to ground the human being's physiological capacities. To illustrate this, everyone knows that a man is able to see because he has eyes. However, from the systems perspective a man only has eyes because there are molecules in his body that interact to form these eyes. Thus, in the terminology of systems theory, vision is a capacity that emerges from the network of molecular interactions that define the man as a human being. Ultimately, it is rooted in the soul. With

all this in mind, it should be easy to see how the systems perspective can envision a human animal as a substance consisting of informed matter, here seen as a single dynamic system of molecules organized in a species-specific configuration, which is ordered towards a particular biological end.

However, how then do we account for change? If all change simply involves the rearrangement of atoms, does this mean that change can only be of the accidental variety? Not quite. To see how the system perspective understands hylomorphic substantial and accidentally change, we have to first discuss several aspects of the structure of living systems.

As a dynamic system, the living organism is a robust system. In other words, it is able to maintain its function in spite of the loss or breakdown of one or even many of its individual components. For example, it is not uncommon to find persons who live normal lives with several mutated genes. Systems theorists have discovered that this robustness, this high tolerance for error, arises from the particular topology or structure of natural systems. They are organized in such a way that the molecules are related to each other in a hub-spoke network analogous to the route network of any airline. A few molecules are highly connected to other molecules – they are the hubs of the living network like the major airports in Chicago or Atlanta are the hubs for several U.S. airline route systems – while the rest of the molecules are only peripherally connected to a few other molecules – these are equivalent to the smaller airports often found in less populated states [see Slide 6 (page 185) for an illustration of the architecture of a hub-spoke system].

In this type of hub-spoke system,<sup>12</sup> two types of change are possible. First, there are changes that involve the addition or the removal of molecules that lead to alterations in the behavior of the network without changing its overall shape or trajectory. These involve the loss or addition of peripheral molecules in the network, and would be equivalent to shutting down a small and relatively isolated airport in Fargo, ND, or opening a new one in Statesboro, GA. These changes do not affect the overall network of air traffic in the country. Indeed, even the loss or addition of several small nodes would not change the overall pattern of the system. Similarly, in a living system, one could lose or add different kinds of peripheral molecules to the network without changing its fundamental structure. In common parlance, one

<sup>12</sup> In the jargon of systems theory, the hub-spoke system is called a scale-free network. For discussion, see Guido Caldarelli, *Scale-Free Networks: Complex Webs in Nature and Technology* (Oxford: Oxford University Press, 2007).

could lose or gain weight. Despite these molecular changes, however, the basic framework of the organism and its developmental trajectory remain intact. This type of molecular change would be the systems analog to Aristotelian-Thomistic accidental change. Significantly, a recent scientific paper has revealed that most non-lethal disease genes are genes that encode molecules that function as spokes rather than as hubs in the human animal.

In contrast, there are changes that involve the addition or removal of molecules that lead to system collapse. This would involve the loss or addition of well connected molecules and would be equivalent either to shutting down an airport like Chicago's O'Hare or the sudden opening of a new hub in Boston's Logan Airport. Both would lead to chaotic conditions that could even lead to the collapse of the entire national air traffic system. Similarly, in a living system, the loss of a hub molecule either by genetic mutation or inactivation by a poison like cyanide would lead to a loss of the integrity of the network. Losing these molecules would be equivalent to generating gaps in a row of toppling dominoes. The chain reaction would stop, the network collapses, and the organism dies. Significantly, essential human genes – genes which when mutated lead to death of the individual – are likely to encode hub proteins that are expressed widely in most tissues.<sup>13</sup> This type of molecular change that changes the very nature of the being would be the systems analog to Aristotelian-Thomistic substantial change.

To summarize, the systems perspective described here represents one attempt to reformulate the received philosophical framework of classical hylomorphism so that it incorporates the insights of modern biology. Here, the human animal is a substantial being, a dynamic network of molecules now existing not as independent molecules *per se* but as different parts of one human organism. This species-specific network, which is distributed in three dimensional space and which is able to interact over time in the deterministic process which we call human development, is a manifestation of the human being's formal principle, his immaterial soul. It is the soul that makes a man a human animal by organizing the matter, by determining his identity, and by specifying his biological end. Further, all change observable during development, both substantial and accidental, can be accounted for by invoking the replacement of forms manifested as changes in the molecular interactions within dynamic systems.

<sup>13</sup> K.I. Goh, M.E. Cusick, D. Valle, B. Childs, M. Vidal, and A.L. Barabasi, 'The Human Disease Network', *Proc Natl Acad Sci USA* 104 (2007): 8685-8690.

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SYSTEMS HYLOMORPHISM: THE SOUL'S INCLINATIONS FROM THE SYSTEMS PERSPECTIVE

To identify those inclinations that undergird his account of natural law, it is well known that St Thomas Aquinas singled out those inclinations that human beings had in common with other beings. In common with other substances, we have an inclination to the good in accordance with our nature in as much as every substance seeks preservation of its own being. Next, in common with other animals, we have an inclination towards procreation and the preservation of the species. Finally, in accordance with our rational nature, we have an inclination towards truth, especially the truth about God, in the context of a human society.

As Geoffrey and Zamulinski point out in their essays, however, in a society obsessed with individual subjectivity and shaped by Darwinian assumptions, it is often difficult to distinguish those natural desires that are species-normative from those elicited desires that are not. How are we to do this?

The systems perspective described above emphasizes the holism and determinism of the development of the human animal. It provides a framework to recover the teleological orientation of the human organism that is ordered by its very nature towards a biological end. Specified by the species-normative network of molecular interactions that distinguishes a man from either a lion or a dolphin, this *telos* is the mature human organism that would allow the rational soul to manifest all of its powers. However, it also suggests that any species-normative inclinations, because they are grounded in the system dynamics of the living network, should be present throughout the lifespan of the organism, even predating the appearance of elicited desire or rational choice. Thus, we should be able to identify these inclinations by observing newborns and toddlers.

What are these natural inclinations that pre-exist elicited desire? Developmental cognitive psychologists have identified numerous inclinations in babies and infants that appear to be universal, and as such, species-normative.<sup>14</sup> I will discuss four categories of these inclinations here. This is not meant to be an exhaustive list of these inclinations.<sup>15</sup>

<sup>14</sup> For the discussion that follows, I am indebted to Alison Gopnik for her comprehensive and up-to-date overview of the developmental psychology of very young infants: *The Philosophical Baby* (New York: Farrar, Straus, and Giroux, 2009).

<sup>15</sup> Significantly, I do not discuss here the inclination towards procreation that appears later in human development, most significantly at puberty.

First, and most basically, there is the inclination towards the self-preservation of the human organism. At birth, this inclination is manifested in numerous reflexes.<sup>16</sup> For instance, the Moro reflex is a neonatal startle response that moves newborns to grab for support if they are startled by a sudden intense sound or movement. It disappears by six months of age. Two reflexes that manifest the newborn's inclination towards food, and therefore to life, are the sucking reflex and the rooting reflex. The sucking reflex moves newborns to automatically suck any object placed in their mouths, while the rooting reflex moves infants to turn their heads towards the side of their mouth that is touched or stroked. Again, both these reflexes disappear by the time the child is four months old. They are replaced by other behaviors that manifest themselves when the child is hungry.

Second, there are those inclinations specifically ordered towards life in society. Three inclinations belong to this category. First, there is the inclination to what developmental psychologists call attachment.<sup>17</sup> Attachment, the craving for protection and care from another, is innate and universal. By the time babies are about one year old, they have discovered that a few people care for them in a special way, and that these individuals are the ones they should turn to for love. Infants soon develop what some developmental psychologists call an internal working model of attachment that guides their expectations about relationships throughout life.<sup>18</sup> They are causal maps for care. Secure babies conclude that caregivers will quickly make them feel better. Avoidant babies think that expressing distress will only cause more misery for themselves, and so are stoic in their response to separation. Anxious babies are unsure that comfort will be effective in alleviating their discomfort. These three types of babies have acquired different internal working models of attachment.

<sup>16</sup> For a summary of the reflexes in normal newborns, see T. Weggemann, J.K. Brown, G.E. Fulford, and R.A. Minns, 'A Study of Normal Baby Movements', *Child Care Health Dev.* 13 (1987): 41-58.

<sup>17</sup> For a comprehensive discussion of attachment, see the essays in Colin Murray Parkes, Joan Stevenson-Hinde, and Peter Marris, eds. *Attachment Across the Life Cycle* (New York: Routledge, 1991).

<sup>18</sup> For details and discussion, see Mary Main, Nancy Kaplan, and Jude Cassidy, 'Security in Infancy, Childhood, and Adulthood: A Move to the Level of Representation', *Monogr Soc Res Child Dev.* 50 (1985): 66-104; and Mary Main, 'The Organized Categories of Infant, Child, and Adult Attachment: Flexible vs. Inflexible Attention Under Attachment-Related Stress', *J Am Psychoanal Assoc* 48 (2000): 1175-1187.

Next, there is the inclination towards language, and thus towards communication. As any parent knows, children are programmed to learn language. Noam Chomsky has proposed that the human brain is structured in such a way that it is able to learn universal linguistic principles called the universal grammar.<sup>19</sup> This proclivity towards language begins in the womb as fetuses develop a preference for listening to their mother's voice and the language they hear her speak. Strikingly, a recent paper has even shown that newborn babies cry in language specific ways.<sup>20</sup> By five years of age, children have mastered the basic structure of their native language, whether spoken or manually signed. They have learned to communicate with themselves and with other human beings.

Finally, there is the inclination towards psychological knowledge, theories of minds that allow a human being to live in a community. Developmental psychologists have shown that very young children engage in pretend play with imaginary companions, precisely to learn how people work in counterfactual scenarios.<sup>21</sup> Children from diverse cultures and backgrounds have imaginary companions that seem surprisingly resistant to adult influence. From two to six, children discover fundamental facts about how their own minds and the minds of others work.<sup>22</sup> They start to understand the causal connections between desires and beliefs, and emotions and actions. One of the central tenets of this theory of mind developed in very young children is that people may have different beliefs, perceptions, emotions, and desires and that these differences may lead to different actions: People behave differently because they have different kinds of minds. In the end, human beings are inclined towards constructing a map that connects mental states to one another and to the world outside them.

<sup>19</sup> For an introduction to universal grammar, see Vivian Cook and Mark Newson, *Chomsky's Universal Grammar: An Introduction*, 2nd ed. (Oxford: Blackwell Publishers, 1996).

<sup>20</sup> Birgit Mampe, Angela D. Friederici, Anne Christophe, and Kathleen Wermke, 'Newborns' Cry Melody Is Shaped by Their Native Language', *Curr Biol* 19 (2009): 1994-1997.

<sup>21</sup> For discussion, see Henry M. Wellman and Kristin H. Lagattuta, 'Developing Understandings of Mind', in Simon Baron-Cohen, Helen Tager-Flusberg, and Donald J. Cohen, eds. *Understanding Other Minds: Perspectives from Developmental Cognitive Neuroscience*, 2nd ed. (New York: Oxford University Press, 2000), pp. 21-49.

<sup>22</sup> For a review of the field, see Henry M. Wellman, 'Understanding the Psychological World: Developing a Theory of Mind' in *Blackwell Handbook of Childhood Cognitive Development*, edited by Usha Goswami (Malden, MA: Blackwell Publishing, 2002), pp. 167-187.

Third, there are those inclinations directed towards true and sure knowledge. There are two distinct kinds of inclinations of significance in this category. First, there is the inclination towards what I will call, metaphysical or speculative knowledge. Experiments suggest that from infancy, children are programmed to construct causal graphical models that allow them to make correct predictions regarding the cause and effect relationships that govern the world.<sup>23</sup> Even three-month-old babies are able to do experiments with mobiles attached to one of their legs.<sup>24</sup> They will explore the contingencies between various limb movements and the movements of the toy. They will try kicking with one leg and then another and then try waving an arm, watching the toy's responses to all of their actions. And if you take them out of the crib and then put them back in again, they will immediately move the correct limb to make the toy move. Finally, in a groundbreaking paper published in 1996, Jenny Saffran showed that babies as young as eight months old are sensitive to statistical patterns.<sup>25</sup> At least by the time they are two and a half, and probably earlier, children become capable of using probabilities to make genuine inferences. It appears that children, in the same way that they are programmed to learn language, are also programmed to learn about the metaphysical structure of the world.

Next, there is the inclination towards moral or practical knowledge, which some have called a universal moral grammar because it seeks to describe the nature and origin of moral knowledge by appealing to concepts and models used in the study of linguistic knowledge.<sup>26</sup> Developmental psychologists have discovered that the intuitive jurisprudence of young children is complex. For example, three to four year old children distinguish two acts that bring about the same end by examining the intent of the acting person.<sup>27</sup>

<sup>23</sup> For details and discussion, see the essays in Alison Gopnik and Laura Schulz, eds., *Causal Learning: Psychology, Philosophy, and Computation* (New York: Oxford University Press, 2007).

<sup>24</sup> For a review of these experiments with mobiles, see Carolyn Rovee-Collier, and Rachel Barr, 'Infant Learning and Memory', in *Blackwell Handbook of Infant Development*, edited by Gavin Bremner and Alan Fogel (Malden, MA: Blackwell Publishing, 2001), pp. 139-168.

<sup>25</sup> Jenny R. Saffran, Richard N. Aslin, and Elissa L. Newport, 'Statistical Learning by 8-month-old Infants', *Science* 274 (1996): 1926-1928.

<sup>26</sup> For a review, see John Mikhail, 'Universal Moral Grammar: Theory, Evidence, and the Future', *Trends Cogn Sci.* 11 (2007): 143-152.

<sup>27</sup> For discussion, see the following papers: Tanya Behne, Malinda Carpenter, Josep Call, and Michael Tomasello, 'Unwilling Versus Unable: Infants' Understanding of Intentional Action', *Dev Psychol* 41 (2005): 328-337; and M. Tomasello, M. Carpenter, J. Call, T. Behne, and H. Moll, 'Understanding and Sharing Intentions: The Origins of Cultural Cognition', *Behav Brain Sci* 28 (2005): 675-691.

They are also able to distinguish genuine violations of the moral code, like theft, from violations of social conventions, like wearing pajamas to school.<sup>28</sup> *In toto*, these discoveries suggest that human beings are born with inclinations towards sure knowledge, both metaphysical and moral, which facilitates their self-preservation, their wellbeing, and their life with others.

Finally, and frankly, most surprising to me when I first read about it, there is data that suggests that infants are inclined towards knowledge of God. In other words, there is evidence that suggests that children are intuitive theists.<sup>29</sup> Experiments suggest that they are predisposed towards believing that the world is an artifact of non-human design. In support of this proposal, there is data that shows that young children have a tendency to embrace teleological explanations that reason about nature in terms of purpose and design. They have a default orientation towards creationist accounts of the origins of the world, whether or not they were raised in religious families. Strikingly, it appears that theists are begotten and not made.

## CONCLUSION

In conclusion, systems biologists allow us to recover a metaphysical biology that acknowledges the substantial and teleological nature of the human animal. Like all living things, we are hylomorphic creatures. Next, developmental cognitive psychologists have identified what appear to be species-typical inclinations in young children that predate the appearance of elicited desire and intentional choice. Movements that are grounded in the teleological behavior of a living network of molecules, these natural inclinations belong to the essence of what it means to be human.<sup>30</sup> Together, both these

<sup>28</sup> For discussion, see Charles C. Helwig and Elliot Turiel, 'Children's Social and Moral Reasoning', in *Blackwell Handbook of Childhood Social Development*, edited by Peter K. Smith and Craig H. Hart (Oxford: Blackwell Publishers, 2002), pp. 475-490.

<sup>29</sup> Deborah Kelemen, 'Are Children "Intuitive Theists"?' *Psychol Sci* 15 (2004): 295-301.

<sup>30</sup> From the Darwinian perspective, these inclinations would be the products of the evolutionary forces that have shaped our species, allowing it to survive and to thrive in its particular ecological niche. However, from a philosophical perspective, these inclinations are also the fruits of divine providence that has not only created the human animal through an evolutionary process, but also continues to guide him according to the eternal law, precisely in and through these inclinations. Finally, I also acknowledge that these inclinations could become disordered because of our fallen human nature. However, a discussion of how this can be so will have to wait for another paper.



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specialties in the natural sciences – as do the other empirical sciences not discussed here<sup>31</sup> – allow us to better understand that human animal. They also permit us to respond to the criticisms raised by Griffiths and Zamulinski, and others like them, because they give us a way to ground and to identify species-specific natural inclinations in a philosophically and scientifically sophisticated account of the human animal. The challenge now will be to articulate a description of the natural law grounded in this anthropology.

<sup>31</sup> For instance, as a comment on Reinhard Hütter's presentation that will follow mine this morning, I should note that cognitive psychologists have published data that suggests that repetitive action, especially in the young, allows the individual to acquire command control materially linked to his frontal cortex, which then gives him the ability to better regulate his emotional responses that are biologically associated with the limbic system of the brain. Is this not empirical data for the link between the virtues and the passions?

# LA EDUCACIÓN, UNA SEGUNDA GENERACIÓN<sup>1</sup>

ENRIQUE MARTÍNEZ

*Sicut pater te genuit corporaliter,  
etiam magister genuit te spiritualiter*  
(Sto. Tomás de Aquino, *Sermo Puer Jesus*)

## UNA SITUACIÓN DE RUPTURA

A mediados del pasado siglo Jacques Maritain advertía del peligro de olvidar el fin de la educación, y poner toda la atención en los medios:

Si les moyens sont aimés et cultivés pour l'amour de leur propre perfection, et non pas comme moyens seulement, dans cette mesure même ils cessent de mener à la fin, et l'art perd sa vertu pratique; son efficience vitale est remplacée par un processus de multiplication à l'infini [...] Le perfectionnement scientifique des moyens et des méthodes pédagogiques est en lui-même un progrès évident. Mais plus il prend d'importance, plus il exige un renforcement parallèle de la sagesse pratique et de la poussé dynamique vers le but à atteindre.<sup>2</sup>

El espectacular desarrollo de las técnicas comunicativas ha acentuado en nuestros días, sin duda, el peligro de convertir los medios pedagógicos en el fin; pero ¿cuál es el verdadero fin al que se ordena la educación? Es ésta una cuestión principal, pues el fin es la causa definitoria o especificativa de toda acción.<sup>3</sup> Maritain nos propone igualmente la respuesta:

<sup>1</sup> Ponencia en la X Sesión Plenaria de la Pontificia Academia de Santo Tomás "The Human Animal: Procreation, Education, and the Foundations of Society" (Casina Pio IV, Ciudad del Vaticano, 18-20 de junio de 2010).

<sup>2</sup> J. Maritain, "Pour une Philosophie de l'Éducation", en Jacques et Raïssa Maritain, *Œuvres complètes*, vol. VIII, Friburgo, Éditions Universitaires – París, Éditions Saint-Paul, 1988, pp. 771-772.

<sup>3</sup> "La questione dei fini dell'educazione, o, più precisamente, del fine dell'educazione è una di quelle che non possono restare coinvolte nella mischia di altre idee e di altri problemi o nella penombra si una conoscenza implicita, involuta, imprecisa. Non compren-

Le but de l'éducation est d'aider et de guider l'enfant vers son accomplissement humain.<sup>4</sup>

O, en palabras del Papa Pío XI en la encíclica *Divini Illius Magistri*, tomadas de Santo Tomás de Aquino:

Poiché l'obbligo della cura dei parenti continua sino a quando la prole sia in grado di provvedere a se stessa, perdura anche il medesimo inviolabile diritto educativo dei genitori: *Poiché la natura – insegna l'Angelico – non intende soltanto la generazione della prole, ma anche il suo svilupparsi e progredire fino al perfetto stato dell'uomo in quanto è uomo, cioè lo stato di virtù.*<sup>5</sup>

La educación, prolongación de la generación, debe atender, por tanto, al perfeccionamiento del hombre por medio de la virtud. Ése es el fin de la educación. Por ello, una de las experiencias más gratificantes en la vida humana es precisamente la de haber tenido un maestro, esto es, alguien que te ha educado buscando tu bien. Por el contrario, si se pierde de vista este fin de la educación, el hombre pasa a ser tratado como un objeto anónimo, para quien la mirada del otro se vuelve entonces amenazadora. Sería, en palabras de mi maestro Francisco Canals, “el hombre a quien nadie miró”. Podría escribirse hoy, decía Canals, la biografía novelesca de alguien “reiteradamente fotografiado, radiografiado, sometido a análisis clínicos, y test psicológicos, y cuyos datos podrían estar archivados en abundantes ficheros y memorias electrónicas”, la biografía de un hombre que, “en su trágica soledad, perdido en lo público y sumergido en la socialización impersonal de pretendidas ‘relaciones humanas’, podría ser caracterizado con el título de *el hombre a quien nadie miró*”.<sup>6</sup>

diamo infatti come si possa realmente procedere avanti in una discussione scientifica del problema educativo senza risolvere questa che è la principale questione della sua non semplice nè chiara problematica” (C.L. da Silva, “Il fine dell'educazione secondo i principi di S. Tommaso”, en *Salesianum* 9, 2, 1947, pp. 207-208).

<sup>4</sup> *Idem.*

<sup>5</sup> Cum vero ad hanc eorum parentes teneantur, donec sibi ipsa consulere soboles valeat, patet, idem parentum inviolatum ius sobolis educandae eo usque proferri. *Non enim, – docet Angelicus – intendit natura solum generationem prolis, sed etiam traductionem et promotionem usque ad perfectum statum hominis in quantum homo est, qui est virtutis status* (Pío XI, *Divini Illius Magistri*, n. 17 (AAS 22, 1930, pp. 59)).

<sup>6</sup> F. Canals, “Teoría y praxis en la perspectiva de la dignidad del ser personal”, en *Espíritu* XXV (1976) pp. 112-113.

Esta despersonalización en la educación actual es posible constatarla de muchas maneras.<sup>7</sup> Pero para expresarlo de un modo sintético me serviré de una imagen gráfica. Recientemente aparecía en la prensa española la fotografía de un aula en donde todos los niños trabajaban ante un ordenador mientras la maestra les daba indicaciones, lo que era presentado como un gran avance pedagógico. Un amigo dedicado desde hace muchos años a la educación de niños pequeños me comentaba la fotografía haciéndome ver que ninguno de los niños miraba a su maestra. Y ése es el gran error. El maestro ha dejado de mirar al alumno, y éste ha dejado de mirar al maestro.

Partiendo de esta descripción de la situación de ruptura entre maestro y discípulo, el propósito de esta ponencia es mostrar que la educación sólo puede reconocer su verdadero fin si parte de la continuidad natural entre padre e hijo, que es imagen del padre, y de la continuidad natural entre generación y educación, que es, por ello, una segunda generación.

#### HOMO EST DE HOMINE SICUT DEUS DE DEO

Comenzaremos, pues, tratando de mostrar la continuidad natural entre padre e hijo. Para ello atenderemos a la operación que causa las relaciones de paternidad y filiación, que es la generación. Ésta, en sentido propio, conlleva una procedencia de lo engendrado respecto del principio generante, que es su origen; pero también una semejanza entre ambos, por la que lo engendrado decimos que es “imagen” del generante. Y no cualquier semejanza, sino aquella que se da por la comunicación de la misma naturaleza:

Imago autem alicuius rei quae eandem naturam habet cum re cuius est imago, est sicut filius regis, in quo imago patris apparet et est eiusdem naturae cum ipso.<sup>8</sup>

Así, el mueble que procede del carpintero no es su hijo, pues aunque se da la procedencia, falta la semejanza de naturaleza; un huevo idéntico a otro tampoco es su hijo, pues aunque sí se da la semejanza de naturaleza, falta ahora la procedencia; y el autorretrato pintado por el artista es su ima-

<sup>7</sup> Un estudio de las diferentes situaciones de despersonalización puede verse en las actas del Congreso internacional “¿Una sociedad despersonalizada? Propuestas educativas”, celebrado en mayo de 2010 en Barcelona y organizado por la Universitat Abat Oliba CEU. Dichas actas se encuentran en vías de publicación.

<sup>8</sup> Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 16.

gen pero no es su hijo, pues aunque se da la procedencia y la semejanza, sin embargo falta en este caso la comunicación de naturaleza. Por el contrario, sí se da generación en el caballo que engendra un caballo, o en el hombre que engendra un hombre:

Generatio significat originem alicuius viventis a principio vivente coniuncto. Et haec proprie dicitur nativitas. Non tamen omne huiusmodi dicitur genitum, sed proprie quod procedit secundum rationem similitudinis. Unde pilus vel capillus non habet rationem geniti et filii, sed solum quod procedit secundum rationem similitudinis, non cuiuscumque, nam vermes qui generantur in animalibus, non habent rationem generationis et filiationis, licet sit similitudo secundum genus, sed requiritur ad rationem talis generationis, quod procedat secundum rationem similitudinis in natura eiusdem speciei, sicut homo procedit ab homine, et equus ab equo.<sup>9</sup>

La procedencia según semejanza de naturaleza se da tanto en la generación del caballo como en la del hombre, por lo que ambas son propiamente generación. Y la naturaleza, que tiende a comunicarse, ordena por ello a esta generación tanto en el hombre como en los demás animales;<sup>10</sup> de ahí que Santo Tomás, comentando a Aristóteles, afirme que el hombre es por naturaleza más animal conyugal que animal político.<sup>11</sup>

En esta generación en la que conviene el hombre con los demás animales, puede constatarse que lo engendrado termina como algo exterior al generante.<sup>12</sup> Por eso en esta generación del viviente corpóreo suele distin-

<sup>9</sup> Tomás de Aquino, *Summa Theologiae* I, q. 27, a. 2 in c.

<sup>10</sup> In qualibet natura procession filii a patre sit naturalis (Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 17.)

<sup>11</sup> Quarum prima est quia ea quae sunt priora et necessaria magis videntur ad naturam pertinere: societas autem domestica, ad quam pertinet coniunctio viri et uxoris, est prior quam societas civilis sicut pars est prior toto. Est etiam magis necessaria, quia societas domestica ordinatur ad actus necessarios vitae, scilicet generationem et nutritionem. Unde patet quod homo naturalius est animal coniugale quam politicum. Secunda ratio est, quia procreatio filiorum, ad quam ordinatur coniunctio viri et uxoris, est communis aliis animalibus, et ita sequitur naturam generis. Et sic patet, quod homo magis est secundum naturam animal coniugale quam politicum (Tomás de Aquino, *In VIII Ethic.*, lect. 12, n. 19).

<sup>12</sup> Separatur enim aliquid quod erat in planta vel animali, ad generationem similis in specie, quod in fine generationis est omnino extra generantem (Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 8).

guirse entre la generación o concepción y el parto, que es el momento en el que lo engendrado se separa del generante.<sup>13</sup>

No así sucede en la generación intelectual, en la que se da mayor intimidad entre el generante y lo engendrado, que se distingue de su principio pero sin necesidad de separarse del mismo. Por eso no se diferencia el parto de la generación, y de ahí que lo generado intelectualmente lo llamemos “concepto”, de manera que al mismo tiempo que es concebido es dado a luz: “Unde simul dum concipitur, est; et simul dum parturitur, distinctum est”.<sup>14</sup>

Sin embargo, la generación intelectual no es propiamente generación si no se da la comunicación de naturaleza. Y esto no sucede en el hombre, pues “ratio enim hominis in intellectu non est homo”.<sup>15</sup> Pero sí lo que podemos reconocer en Dios, en quien se da la generación intelectual de una Palabra que es de la misma naturaleza divina. Tal es la más perfecta generación, por la que llamamos “Padre” a Dios generante y llamamos “Hijo” a Dios engendrado:

Sic igitur processio verbi in divinis habet rationem generationis. Procedit enim per modum intelligibilis actionis, quae est operatio vitae, et a principio coniuncto, ut supra iam dictum est, et secundum rationem similitudinis, quia conceptio intellectus est similitudo rei intellectae, et in eadem natura existens, quia in Deo idem est intelligere et esse, ut supra ostensum est. Unde processio verbi in divinis dicitur generatio, et ipsum verbum procedens dicitur filius.<sup>16</sup>

Y de tal modo es la divina la más perfecta generación, que toda otra generación es imagen o semejanza de aquélla. Esto lleva a Santo Tomás a afirmar que por la generación el hombre es más imagen de Dios que el ángel. Ambos, ciertamente, son imagen de Dios por su naturaleza intelectual; y en esto el ángel es más imagen de Dios que el hombre, pues la naturaleza intelectual de éste es menos perfecta al tener que comenzar a cono-

<sup>13</sup> In corporali generatione animalium aliud sit genitae prolis conceptio, atque aliud partus ipsius, secundum quem etiam loco separatur proles genita a generante, ab utero generantis egrediens (Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 18).

<sup>14</sup> Id quod generatur, quandiu in generante manet, dicitur esse conceptum ... Conceptio autem et partus intelligibilis verbi non est cum motu, nec cum successione: Unde simul dum concipitur, est; et simul dum parturitur, distinctum est (Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 18).

<sup>15</sup> Tomás de Aquino, *Summa Contra Gentiles* IV, c. 16.

<sup>16</sup> Tomás de Aquino, *Summa Theologiae* I, q. 27, a. 2 in c.

cer tomando del exterior por medio de los sentidos,<sup>17</sup> mientras que la concepción intelectual angélica es más íntima. Ahora bien, añade que por la generación de otro hombre puede decirse que el hombre es más imagen de Dios, puesto que un ángel no engendra otro ángel. De este modo, a semejanza de la generación del Verbo, que “es Imagen del Padre”,<sup>18</sup> se da en el hombre la generación de otro hombre, que es asimismo imagen de sus padres: “homo est de homine, sicut Deus de Deo”.<sup>19</sup>

Esto nos permite distinguir ahora entre la generación humana y la del viviente irracional. Éste, a diferencia del hombre, no es imagen de Dios por la generación, puesto que no se da en él la semejanza que corresponde a la naturaleza intelectual.<sup>20</sup> Así, si el hombre es imagen de Dios por la semejanza de la naturaleza intelectual, la creatura irracional es sólo un “vestigio” de

<sup>17</sup> Est igitur supremus et perfectus gradus vitae qui est secundum intellectum: nam intellectus in seipsum reflectitur, et seipsum intelligere potest. Sed et in intellectuali vita diversi gradus inveniuntur. Nam intellectus humanus, etsi seipsum cognoscere possit, tamen primum suae cognitionis initium ab extrinseco sumit: quia non est intelligere sine phantasmate, ut ex superioribus patet. Perfectior igitur est intellectualis vita in Angelis, in quibus intellectus ad sui cognitionem non procedit ex aliquo exteriori, sed per se cognoscit seipsum (Tomás de Aquino, *Summa Contra Gentiles* IV, c. 11, n. 5).

<sup>18</sup> Primo autem modo, filius est imago patris, secundo autem modo dicitur homo imago Dei. Et ideo ad designandam in homine imperfectionem imaginis, homo non solum dicitur imago, sed ad imaginem, per quod motus quidam tendentis in perfectionem designatur. Sed de filio Dei non potest dici quod sit ad imaginem, quia est perfecta patris imago (Tomás de Aquino, *Summa Theologiae* I, q. 35, a. 2 ad 3).

<sup>19</sup> Respondeo dicendum quod de imagine Dei loqui dupliciter possumus. Uno modo, quantum ad id in quo primo consideratur ratio imaginis, quod est intellectualis natura. Et sic imago Dei est magis in Angelis quam sit in hominibus, quia intellectualis natura perfectior est in eis, ut ex supra dictis patet. Secundo potest considerari imago Dei in homine, quantum ad id in quo secundario consideratur, prout scilicet in homine invenitur quaedam Dei imitatio, in quantum scilicet homo est de homine, sicut Deus de Deo; et in quantum anima hominis est tota in toto corpore eius, et iterum tota in qualibet parte ipsius, sicut Deus se habet ad mundum. Et secundum haec et similia, magis invenitur Dei imago in homine quam in Angelo. Sed quantum ad hoc non attenditur per se ratio divinae imaginis in homine, nisi praesupposita prima imitatione, quae est secundum intellectualem naturam, alioquin etiam animalia bruta essent ad imaginem Dei. Et ideo, cum quantum ad intellectualem naturam Angelus sit magis ad imaginem Dei quam homo, simpliciter concedendum est Angelum magis esse ad imaginem Dei; hominem autem secundum quid (Tomás de Aquino, *Summa Theologiae* I, q. 93, a. 3 in c.).

<sup>20</sup> Sed quantum ad hoc non attenditur per se ratio divinae imaginis in homine, nisi praesupposita prima imitatione, quae est secundum intellectualem naturam, alioquin etiam animalia bruta essent ad imaginem Dei (Tomás de Aquino, *Summa Theologiae* I, q. 93, a. 3 in c.).

Dios; es decir, que se refiere a Dios no tanto por la semejanza específica cuanto por la dependencia que tiene en el ser, como el efecto y la causa.<sup>21</sup>

De esta diferencia entre la generación del hombre y la del viviente irracional se deduce que la inclinación de la naturaleza a la generación, aun cuando sea común a hombres y animales, no se realiza en ambos del mismo modo. Y por ello la naturaleza inclina al hombre a engendrar en el matrimonio, como explicaremos más adelante, lo que no hace en los demás animales.<sup>22</sup>

Por su naturaleza intelectual, por la que es imagen de Dios, el hombre es capaz de concebir intelectualmente y no sólo corporalmente. Por consiguiente, todo conocimiento intelectual es por naturaleza locutivo, expresivo de lo conocido en un verbo mental; así lo afirmó Juan de Santo Tomás en perfecta continuidad con el Aquinate:

Sed quia intellectus format in seipso verbum non tantum cognoscendo, sed etiam exprimendo et loquendo: sibi convenit dicere et producere verbum non tantum ex indigentia, sed etiam ob manifestationem et locutionem.<sup>23</sup>

La unión inmaterial con lo conocido se vuelve así fecunda en el decir interior del verbo mental. Y así el intelecto llega a ser, en la inmaterialidad de esta unión cognoscitiva, comprensivo de todo ente y en cierta manera todo, “quodammodo omnia”, como expresa el Aquinate siguiendo a Aristóteles.<sup>24</sup>

<sup>21</sup> Imago enim repraesentat secundum similitudinem speciei, ut dictum est. Vestigium autem repraesentat per modum effectus qui sic repraesentat suam causam, quod tamen ad speciem similitudinem non pertingit (Tomás de Aquino, *Summa Theologiae* I, q. 93, a. 6 in c).

<sup>22</sup> Ad primum ergo dicendum, quod natura hominis ad aliquod inclinatur dupliciter. Uno modo quia est conveniens naturae generis; et hoc est commune omnibus animalibus: alio modo quia est conveniens naturae differentiae qua species humana abundat a genere, in quantum est rationalis; sicut actus prudentiae et temperantiae. Et sicut natura generis quamvis sit una in omnibus animalibus, non tamen est eodem modo in omnibus; ita etiam non inclinatur eodem modo in omnibus, sed secundum quod unicuique competit. Ad matrimonium ergo inclinatur natura hominis ex parte differentiae quantum ad secundam rationem assignatam; unde philosophus hanc rationem assignat hominibus supra alia animalia. Sed quantum ad primam rationem inclinatur ex parte generis; unde dicit, quod filiorum procreatio communis est omnibus animalibus (Tomás de Aquino, *In IV Sent.*, d. 26, q. 1, a. 1 ad 1).

<sup>23</sup> Juan de Santo Tomás, *Cursus Theologicus*, disp. 32, a. 4. La naturaleza locutiva del conocimiento fue estudiada y expuesta detenidamente por Francisco Canals en su obra *Sobre la esencia del conocimiento*, proponiendo esta tesis en orden a superar la escisión que en el trascendentalismo kantiano se operó entre pensar y ser (cf. F. Canals, *Sobre la esencia del conocimiento*, PPU, Barcelona, 1983).

<sup>24</sup> Unaquaeque intellectualis substantia est quodammodo omnia, in quantum totius entis comprehensiva est suo intellectu (Tomás de Aquino, *Summa Contra Gentiles* III, c. 112, n. 5).



Esta apertura intencional infinita de la naturaleza intelectual es la que capacita al hombre para conocer con su razón la ley natural universal escrita por Dios en su corazón, participación de la ley eterna; y desde ahí discernir luego lo necesario de lo contingente, lo esencial de lo accidental, capacitándolo para el libre albedrío. La concepción intelectual, por tanto, es la que permite al hombre ser providente de sí mismo, dueño de sus propios actos: “Nemo volendo aliquid facit, quod non in corde suo prius dixerit”, afirma San Agustín.<sup>25</sup>

Es evidente, por otra parte, que los libres tienen a su servicio aquellos que no lo son. Puede entonces afirmarse que en el orden del Universo creado por Dios las creaturas irracionales están al servicio de las racionales, que son dueñas de sus actos<sup>26</sup> y, en cierto modo, todo el universo.<sup>27</sup> En consecuencia, la naturaleza no sólo inclina al viviente a la generación, sino que ordena toda generación en los vivientes irracionales a la generación humana como a su fin. Así lo afirma audazmente Santo Tomás:

Sunt ergo elementa propter corpora mixta; haec vero propter viventia; in quibus plantae sunt propter animalia; animalia vero propter hominem. Homo igitur est finis totius generationis.<sup>28</sup>

El hombre es el fin de toda generación, y no por ser un viviente, sino por ser aquel que puede concebir interiormente; de ahí que pueda expresarse San Juan de la Cruz de este modo: “Un sólo pensamiento del hombre vale más que todo el mundo”.<sup>29</sup>

SICUT PATER TE GENUIT CORPORALITER, ETIAM MAGISTER GENUIT TE SPIRITUALITER

Tratada la continuidad natural entre padre e hijo que se da en toda generación, pasemos ahora a mostrar la continuidad natural entre generación y educación.

<sup>25</sup> Agustín de Hipona, *De Trinitate* IX, 7.

<sup>26</sup> In quolibet autem regimine, liberis providetur propter seipsos: servis autem ut sint in usum liberorum. Sic igitur per divinam providentiam intellectualibus creaturis providetur propter se, ceteris autem creaturis propter ipsas (Tomás de Aquino, *Summa Contra Gentiles* III, c. 112, n. 2).

<sup>27</sup> Naturae autem intellectuales maiorem habent affinitatem ad totum quam aliae naturae: nam unaquaeque intellectualis substantia est quodammodo omnia, in quantum totius entis comprehensiva est suo intellectui: quaelibet autem alia substantia particularem solam entis participationem habet. Convenienter igitur alia propter substantias intellectuales providentur a Deo (Tomás de Aquino, *Summa Contra Gentiles* III, c. 112, n. 5).

<sup>28</sup> Tomás de Aquino, *Summa Contra Gentiles* III, c. 22, n. 7.

<sup>29</sup> Juan de la Cruz, *Dichos de luz y amor*, 34.

Son muy numerosos los textos en los que Santo Tomás de Aquino, siguiendo a Aristóteles, afirma que de los padres no sólo recibimos el ser, sino también el alimento y la enseñanza. Por ejemplo, en el *Comentario a las Sentencias*: “Secundum philosophum, tria a parentibus habemus: scilicet esse, nutrimentum, et disciplinam”;<sup>30</sup> o en el *Comentario a la Ética*:

Est enim pater filio causa trium maximorum bonorum: primo enim generando est sibi causa essendi, quod reputatur esse maximum. Secundo educando est sibi causa nutrimenti; tertio instruendo est sibi causa disciplinae.<sup>31</sup>

Recibir el ser es algo que se alcanza por medio de la generación. Recibir el alimento es algo que se alcanza por medio de la crianza – que el Aquinate suele denominar “nutritio” o “educatio” –. Y recibir la instrucción es algo que se alcanza por medio de la educación – que suele denominar “instructio” –. No deja de ser interesante al estudio del uso de estos términos en la obra de Santo Tomás, que permiten entender la educación como una nutrición del alma, como en este fragmento del *Comentario a la Primera Carta a los Corintios*:

Maxime autem in specie humana masculus requiritur ad proles educationem, quae non solum attenditur secundum corporis nutrimentum, sed magis secundum nutrimentum animae.<sup>32</sup>

Pero más allá del uso de unos términos u otros, importa aquí considerar que la crianza y la educación siguen a la generación como algo exigido por el mismo orden natural. La razón en la que se apoya el Aquinate es que todas las causas tienden a llevar sus efectos a la perfección:

Matrimonium principaliter institutum est ad bonum proles, non tantum generandae, quia hoc sine matrimonio fieri posset, sed etiam promovendae ad perfectum statum: quia quaelibet res intendit effectum suum naturaliter perducere ad perfectum statum.<sup>33</sup>

En este texto se refiere Santo Tomás al matrimonio como algo exigido por la ley natural para conducir a la prole hasta el estado perfecto; así lo apuntábamos anteriormente. Tratemos de comprender esto examinando con detalle de qué modo la generación requiere ser completada por la

<sup>30</sup> Tomás de Aquino, *In IV Sent.*, d. 26, q. 1, a. 1 in c.

<sup>31</sup> Tomás de Aquino, *In VIII Ethic.* lect. 11, n. 4.

<sup>32</sup> Tomás de Aquino, *In I Epist. ad Cor.* c. 7, lect. 1. Véase mi análisis de estos términos en E. Martínez, *Persona y educación en Santo Tomás de Aquino*, Madrid, Fundación Universitaria Española, 2002.

<sup>33</sup> Tomás de Aquino, *In IV Sent.*, d. 39, q. 1, a. 2 in c.

crianza y la educación. Ya vimos que en los vivientes corpóreos no basta con la concepción, a diferencia de lo que sucede en la generación intelectual, sino que se da un movimiento con sucesión que culmina en el parto, separándose entonces físicamente lo generado del generante. Ahora bien, después del parto el viviente puede requerir aún de sus progenitores para su nutrición. Es lo que sucede en algunos animales. El Aquinate distingue aquellos animales que nada más nacer se bastan a sí mismos para buscar el alimento;<sup>34</sup> aquéllos que sólo necesitan la leche materna, que la naturaleza pone tan a mano de las crías; y aquéllos que necesitan también que el macho colabore en la crianza proveyendo durante cierto tiempo el alimento, como en algunas aves.<sup>35</sup> Por ello concluye que por divina Providencia es natural en estos últimos animales cierta sociedad entre el macho y la hembra mientras lo requieran las crías.<sup>36</sup> Además, esta crianza no puede realizarla cualquier macho o cualquier hembra, sino unos determinados, que conozcan las crías y sean reconocidos por éstas.<sup>37</sup>

¿Qué sucede en el hombre? Los hijos también requieren, como en el caso recién señalado, de ambos progenitores y que éstos sean determinados, mas no sólo para la nutrición corpórea, sino sobre todo para la nutrición del alma, como se señaló anteriormente.<sup>38</sup> Esta educación del alma humana no se realiza en breve tiempo, pues la razón aprende a vivir prudentemente por medio de una larga experiencia, como señala acertadamente Santo Tomás: “Homo autem ratione vivit, quam per longi temporis experimentum ad prudentiam pervenire oportet”.<sup>39</sup>

<sup>34</sup> Quaedam animalia sunt quorum filii statim nati possunt sibi sufficienter victum quaerere (Tomás de Aquino, *In IV Sent.*, d. 26, q. 1, a. 1 ad 1).

<sup>35</sup> Cum enim avis non nutriat lacte pullos, quod in promptu est, velut a natura prae-paratum, sicut in quadrupedibus accidit, sed oportet quod cibum aliunde pullis quaerat, et praeter hoc, incubando eos foveat: non sufficeret ad hoc sola femella (Tomás de Aquino, *Summa Contra Gentiles* III, c. 122, n. 6).

<sup>36</sup> Unde ex divina providentia est naturaliter inditum mari in talibus animalibus, ut commaneat femellae ad educationem fetus (Tomás de Aquino, *Summa Contra Gentiles* III, c. 122, n. 6).

<sup>37</sup> Et propter hoc in huiusmodi non sunt vagi et indifferentes concubitus, ex quibus sequeretur incertitudo prolis; sed masculus determinatus determinatae foeminae coniungitur (Tomás de Aquino, *In I Epist. ad Cor.* c. 7, lect. 1).

<sup>38</sup> Maxime autem in specie humana masculus requiritur ad prolis educationem, quae non solum attenditur secundum corporis nutrimentum, sed magis secundum nutrimentum animae (Tomás de Aquino, *In I Epist. ad Cor.* c. 7, lect. 1.). In specie humana proles non indiget solum nutritione quantum ad corpus, ut in aliis animalibus; sed etiam instructione quantum ad animam (Tomás de Aquino, *Summa Contra Gentiles* III, c. 122, n. 8).

<sup>39</sup> Tomás de Aquino, *Summa Contra Gentiles* III, c. 122, n. 8.

La educación pretende, por tanto, que el hombre se valga por sí mismo, es decir, aprenda a vivir prudentemente.

Mas hay que añadir que la colaboración entre el padre y la madre en la educación de los hijos no es sólo por cierto tiempo, sino por toda la vida de la prole. En efecto, es propio de los hombres que los hijos sean herederos de los padres, en lo material y en lo espiritual; y de ahí que los padres atesoren durante toda la vida para poder legar sus hijos.<sup>40</sup> Esto no significa que el hijo deba quedar bajo el cuidado de sus padres durante toda la vida, sino hasta que se valga por sí mismo; lo que sucede es que el hijo que ya haya alcanzado la edad perfecta podrá seguir encontrando en sus padres el legado de su ejemplo y su consejo prudente, que le ayudarán a poner en práctica lo aprendido cuando estaba bajo su cuidado directo. Y es que nadie deja nunca de necesitar el consejo de otro.<sup>41</sup>

Por eso distingue Santo Tomás en aquello que pertenece a la ley natural entre lo que es común a los animales, esto es, la generación, crianza y educación de la prole, y aquello que es específico del hombre, esto es, el matrimonio para toda la vida:

Quod in bono prolis, secundum quod est de prima intentione naturae, intelligitur procreatio, et nutritio, et instructio quousque proles ad perfectam aetatem ducatur. Sed quod ei provideatur in posterum per hereditatis et aliorum bonorum dimissionem, videtur pertinere ad secundam legis naturae intentionem.<sup>42</sup>

El matrimonio es, así, la sociedad indisoluble entre un hombre y una mujer determinados exigida por naturaleza para la educación de los hijos.

Hemos visto que el hombre debe estar bajo la educación paterna hasta que aprenda a vivir prudentemente, “ad prudentiam pervenire oportet”. La educación humana tiende, por tanto, a la adquisición de la virtud que disponga convenientemente al hombre a vivir según la razón. Llegamos así a

<sup>40</sup> Matrimonium ex intentione naturae ordinatur ad educationem prolis non solum per aliquod tempus, sed per totam vitam prolis. Unde de lege naturae est quod parentes filiis thesaurizent, et filii parentum heredes sint; et ideo, cum proles sit commune bonum viri et uxoris, oportet eorum societatem perpetuo permanere indivisam secundum legis naturae dictamen; et sic inseparabilitas matrimonii est de lege naturae (Tomás de Aquino, *In IV Sent.*, d. 33, q. 2, a. 1 in c).

<sup>41</sup> Ipsos maiores oporteat dociles quantum ad aliqua esse, quia nullus in his quae subsunt prudentiae sibi quantum ad omnia sufficit (Tomás de Aquino, *Summa Theologiae* II-II, q. 49, a. 3 ad 3).

<sup>42</sup> Tomás de Aquino, *In IV Sent.*, d. 33, q. 2, a. 2, qc. 1 ad 1.

la magistral definición de educación que da Santo Tomás en el tratado sobre el matrimonio de su *Comentario a las Sentencias*, y que recogiera el Papa Pío XI. En esta definición se ubica perfectamente la educación en el marco del matrimonio, como exigencia de la ley natural, en continuidad con la generación y ordenada a la adquisición de la virtud:

Matrimonium est naturale, quia ratio naturalis ad ipsum inclinatur dupliciter. Primo quantum ad principalem ejus finem, qui est bonum prolis: non enim intendit natura solum generationem ejus, sed traductionem, et promotionem usque ad perfectum statum hominis, in quantum homo est, qui est virtutis status.<sup>43</sup>

La virtud es, en efecto, el perfecto estado del hombre en cuanto hombre. Si con la generación se recibe el “esse” y la naturaleza esencial humana, con la virtud se alcanza el “bene esse” que completa cuanto conviene a la perfección de dicha naturaleza.<sup>44</sup> Por eso se dice que la virtud es una “segunda naturaleza”. Llegamos así a la conclusión de esta segunda parte: mostrada la continuidad natural entre generación y educación, y siendo la virtud como una “segunda naturaleza”, podemos afirmar entonces con Antonio Millán-Puelles que la educación es una “segunda generación”.<sup>45</sup> Y de ahí que diga Santo Tomás: “Sicut pater te genuit corporaliter, etiam magister genuit te spiritualiter”.<sup>46</sup>

Añadamos una última consideración. Antes negamos que la concepción intelectual humana fuera una generación propiamente dicha, pues el concepto del hombre no es un hombre. Ahora bien, dada la continuidad que hemos comprobado entre generación y educación, podríamos ahora

<sup>43</sup> Tomás de Aquino, *In IV Sent.*, d. 26, q. 1, a. 1 in c.

<sup>44</sup> Sed sciendum quod ad perfectionem alicuius rei dupliciter aliquid pertinet. Uno modo, ad constituendam essentiam rei, sicut anima requiritur ad perfectionem hominis. Alio modo requiritur ad perfectionem rei quod pertinet ad bene esse eius, sicut pulchritudo corporis, et velocitas ingenii pertinet ad perfectionem hominis (Tomás de Aquino, *Summa Theologiae* I-II, q. 4, a. 5 in c).

<sup>45</sup> “La conducción y promoción de que se trata [la educación] vienen concebidas como una cierta *prolongación* del engendrar, a la manera de un complemento de éste, que, sin embargo, no es todavía un enriquecimiento o perfección definitivos de la prole. Aunque a ello se enderece (de la misma manera que la generación se ordena al ser), guarda más parentesco con la formalidad del engendrar que con lo que en éste se produce. En tal sentido, la educación es como una *segunda generación*” (A. Millán-Puelles, *La formación de la personalidad humana*, 7ª ed., Madrid, Rialp, 1989, p. 32).

<sup>46</sup> Tomás de Aquino, *Sermo Puer Jesus*.

reconocer que la educación es, en tanto que “segunda generación”, una cierta generación intelectual. En efecto, la educación que perfecciona al hombre para que viva según la razón se realiza esencialmente por medio de la palabra: “*verba doctoris*”, dice el Aquinate;<sup>47</sup> palabra que el maestro dice primero interiormente, que luego presenta según convenga a la escucha del discípulo, y que se ordena a que éste llegue finalmente a concebirla por sí mismo en su propio entendimiento.<sup>48</sup> Pero para que se dé esta concepción intelectual, primero debe darse la generación biológica, pues es evidente que si no se engendra al hombre no hay quien pueda recibir la educación. Mas a lo que se ordena toda generación, como ya dijimos, no es a la generación corpórea del hombre sino a la concepción intelectual, por la que el hombre tiende a imitar la generación intelectual divina.<sup>49</sup> De este modo, puede decirse que la concepción intelectual se sirve, como de su instrumento, de la generación biológica. Así pues, gracias a la condición corpórea del hombre que le permite engendrar otro hombre, la educación es una cierta generación intelectual.

#### IPSI SIBI SUNT LEX

Al declarar nuestro propósito al inicio planteábamos que la educación sólo puede reconocer su verdadero fin y superar la ruptura actual entre maestro y discípulo si parte de la continuidad natural entre padre e hijo, y entre generación y educación. Mostradas éstas, veamos ahora si estamos en situación de comprender mejor el fin de la educación.

Hemos dicho que la educación se ordena a que el hombre alcance un estado de perfección, que es el estado de virtud. Previo es, por consiguiente, el estado imperfecto, propio del niño necesitado de educación. El niño, ciertamente, tiene por naturaleza la capacidad para ser dueño de sus actos

<sup>47</sup> *Verba doctoris propinquius se habeant ad causandum scientiam quam sensibilia extra animam existentia, in quantum sunt signa intelligibilium intentionum* (Tomás de Aquino, *De veritate* q. 11, a. 1 ad 11).

<sup>48</sup> *Homo dicitur causare scientiam in alio operatione rationis naturalis illius: et hoc est docere; unde unus homo alium docere dicitur, et eius esse magister* (Tomás de Aquino, *De Veritate* q. 11, a. 1 in c).

<sup>49</sup> *In creatura rationali, in qua invenitur processio verbi secundum intellectum, et processio amoris secundum voluntatem, potest dici imago Trinitatis increatae per quandam repraesentationem speciei* (Tomás de Aquino, *Summa Theologiae* I, c. 93, a. 6 in c).

y provisor de sí mismo,<sup>50</sup> pero aún no tiene el dominio de esta capacidad al carecer de virtud; es por eso que necesita ser apartado del mal por la disciplina del educador:

Quaedam vero est difficultas cohibitionis, qua magis indigent qui sunt imperfectae virtutis. Unde pueris arctior adhibetur custodia dum sub paedagogis educantur, quam postmodum cum pervenerint ad aetatem perfectam.<sup>51</sup>

Siguiendo a San Pablo compara el Aquinate este estado imperfecto al de la ley antigua, bajo cuya pedagogía se obraba conminado por el temor a algo ajeno.<sup>52</sup>

La educación debe conducir, por tanto, a la edad adulta, preparando al niño para realizar las obras propias de los hombres, “opera virorum exequantur”.<sup>53</sup> En este estado, como es lógico, el que ha sido educado ya no necesita de pedagogo, continuando con la expresión paulina;<sup>54</sup> y no lo necesita porque el perfecto se inclina por sí mismo a un bien que ya no le resulta extraño.<sup>55</sup> Este estado perfecciona, por tanto, aquella capacidad natural para ser provisor de sí mismo, y lo hace mediante la virtud correspondiente; ésta no es otra que la prudencia, desde la que se ordenan todas las demás virtudes morales.<sup>56</sup> Por eso utiliza el Aquinate la expresión “prudencia” para referirse tanto al fin de la crianza en los animales como al fin de la educación en los hombres: “Alia animalia naturaliter habent suas prudentias, quibus sibi providere possunt: homo

<sup>50</sup> Postquam autem incipit habere usum liberi arbitrii, iam incipit esse suus, et potest, quantum ad ea quae sunt iuris divini vel naturalis, sibi ipsi providere (Tomás de Aquino, *Summa Theologiae* II-II, c. 10, a. 12 in c).

<sup>51</sup> Tomás de Aquino, *Contra doctrinam retrahentium a religione* c. 7.

<sup>52</sup> Lex vetus, quae dabatur imperfectis, idest nondum consecutis gratiam spiritualem, dicebatur lex timoris, in quantum inducebat ad observantiam praeceptorum per comminationem quarundam poenarum (Tomás de Aquino, *Summa Theologiae* I-II, c. 107, a. 1 ad 2).

<sup>53</sup> (...) alia lex de disciplina puerorum, qui sunt instruendi qualiter postmodum opera virorum exequantur (Tomás de Aquino, *Summa Theologiae* I-II, c. 107, a. 1 in c).

<sup>54</sup> Statum autem novae legis comparat statui viri perfecti, qui iam non est sub paedagogo (Tomás de Aquino, *Summa Theologiae* I-II, c. 91, a. 5 in c).

<sup>55</sup> Lex nova (...) dicitur habere promissa spiritualia et aeterna, quae sunt obiecta virtutis, praecipue caritatis. Et ita per se in ea inclinatur, non quasi in extranea, sed quasi in propria (Tomás de Aquino, *Summa Theologiae* I-II, c. 107, a. 1 ad 2).

<sup>56</sup> Quod dicit [Augustinus] quod virtus est ars recte vivendi, essentialiter convenit prudentiae, participative autem aliis virtutibus, prout secundum prudentiam diriguntur (Tomás de Aquino, *Summa Theologiae* I-II, c. 58, a. 2 ad 1).

autem ratione vivit, quam per longi temporis experimentum ad prudentiam pervenire oportet”.<sup>57</sup>

En los animales irracionales ser providente de sí mismo significa no depender ya de los progenitores para poder vivir; protegerse y buscar alimento; pero está claro que eso no implica el dominio de los propios actos, que sólo proporciona el vivir por la razón, como ya dijimos. Por el contrario, la educación pretende la perfección en este dominio, en esta providencia de sí, de tal manera que el hombre se mueva a sí mismo al bien. Me parece, pues, del todo acertada la tesis de Antonio Millán-Puelles cuando considera “plenamente acorde con la enseñanza de Santo Tomás, y al mismo tiempo como un cierto resumen y emblema de la misma, el afirmar que el fin de la educación está centrado en la virtud de la prudencia”.<sup>58</sup>

Este hombre prudente, provisor de sí mismo, manifiesta sin duda más claramente la naturaleza humana que el hombre recién engendrado.<sup>59</sup> Veíamos que toda generación busca una imagen del hombre según naturaleza; pues bien, ahora podemos afirmar que la educación busca igualmente conseguir aquella perfecta imagen del hombre según naturaleza, que es el hombre virtuoso. De esta manera, si por la generación el hijo es imagen del padre, por la educación el discípulo es imagen del maestro; éste, en efecto, es el hombre virtuoso que pretende en su discípulo la virtud.

Pero la virtud no sólo manifiesta en el hombre de modo más claro la imagen del hombre, sino también la imagen de Dios.<sup>60</sup> Como ya vimos, la Providencia divina dispuso el Universo creado en orden a la criatura racional, providente de sí:

<sup>57</sup> Tomás de Aquino, *Summa Contra Gentiles* III, c. 122, n. 8.

<sup>58</sup> Resulta así plenamente acorde con la enseñanza de Santo Tomás, y al mismo tiempo como un cierto resumen y emblema de la misma, el afirmar que el fin de la educación está centrado en la virtud de la prudencia [...] Formando la prudencia no se limita la educación a un sector más o menos importante, pero al fin y al cabo fragmentario, de la totalidad moral de nuestro ser. Educar la prudencia es lograr en el hombre el *status virtutis* de que habla Santo Tomás, en la medida en que únicamente a través del desarrollo y perfeccionamiento de aquella pueden lograrse que las semillas de la virtud moral, connaturales a nuestro ser, germinen y den fruto cada vez más granado y abundante” (A. Millán-Puelles, *La formación de la personalidad humana*, 7ª ed., Madrid, Rialp, 1989, pp. 85-86)

<sup>59</sup> Omne generatum prius est imperfectum quam perficiatur (Tomás de Aquino, *Summa Theologiae* I, q. 99, a. 1 sed con.).

<sup>60</sup> Sed quia principia actuum sunt habitus et potentiae; unumquodque autem virtualiter est in suo principio, secundario, et quasi ex consequenti, imago Trinitatis potest attendi in anima secundum potentias, et praecipue secundum habitus, prout in eis scilicet actus virtualiter existunt (Tomás de Aquino, *Summa Theologiae* I, c. 93, a. 7 in c.).



In quolibet autem regimine, liberis providetur propter seipsos: servis autem ut sint in usum liberorum. Sic igitur per divinam providentiam intellectualibus creaturis providetur propter se, ceteris autem creaturis propter ipsas.<sup>61</sup>

Y para que alcance esa providencia de sí para la que fue creado, Dios educa al hombre por medio de la ley natural, participación de la ley eterna. En efecto, la ley natural mueve al hombre para que sea ley para sí mismo, “ipsi sibi sunt lex” (Rm 2, 14), expresión paulina que comenta Santo Tomás de este modo: “ipsi sibi sunt lex, in quantum scilicet funguntur officio legis ad seipsos, instruendo se et inducendo ad bonum”.<sup>62</sup> Que diga “instruendo se” no significa que el hombre pueda ser maestro de sí mismo, como rechaza el Aquinate en la cuestión *De Magistro*,<sup>63</sup> sino que el hombre llega por sí mismo a partir de los principios universales que le enseña la ley natural a las conclusiones respecto de lo que debe hacer en cada momento. Está claro que en este hombre prudente se revela la imagen de Dios providente. Y los padres y demás educadores no hacen sino colaborar de un modo eminente en esta tarea educativa divina. No es de extrañar entonces que la cuestión sobre la enseñanza humana sea ubicada por Santo Tomás en la *Summa Theologiae* dentro del tratado del gobierno divino del mundo.

#### QUIEN A LOS SUYOS SE PARECE, HONRA MERECE

Concluamos examinando si las anteriores reflexiones nos permiten dar una respuesta a la actual situación de ruptura educativa denunciada al principio.

En la generación el hijo se asemeja al padre en lo que conviene a la naturaleza específica, y en esto podemos decir que se asemeja a cualquier otro individuo de la misma especie; pero individualmente se asemeja a su padre por la conveniencia material con él, siendo el hijo carne de su carne

<sup>61</sup> In quolibet autem regimine, liberis providetur propter seipsos: servis autem ut sint in usum liberorum. Sic igitur per divinam providentiam intellectualibus creaturis providetur propter se, ceteris autem creaturis propter ipsas (Tomás de Aquino, *Summa Contra Gentiles* III, c. 112, n. 2).

<sup>62</sup> Tomás de Aquino, *Super Rom.*, c. 2, l. 3.

<sup>63</sup> Cf. Tomás de Aquino, *De Veritate* q. 11, a. 2: “Utrum aliquis possit dici magister sui ipsius”.

y sangre de su sangre.<sup>64</sup> Algo así sucede en la educación. El hombre es imagen de su maestro en lo que conviene a la naturaleza humana por la adquisición de la virtud, y en esto se asemeja a todo hombre virtuoso. Pero también el discípulo se asemeja en particular a su maestro, y no ya en lo material, sino en el modo concreto en que éste vive la virtud.

Estamos, por tanto, ante una educación personal, y no sólo según la especie. Por eso en la educación paterna se requiere un padre y una madre determinados, que conozcan a los hijos y éstos conozcan a sus padres. Y así también en toda otra educación, en la que se requiere un maestro y un discípulo determinados, que se conozcan mutuamente. No puede haber educación allí donde impera la situación denunciada por el maestro Canals: la del “hombre a quien nadie miró”.

Por el contrario, una educación en la que los padres saben mirar a los hijos, buscando en ellos la virtud según el modo singular de cada uno, conduce naturalmente a que el hijo se sienta imagen de sus padres. Se constituye así esa entrañable institución que denominamos “familia”, que es el lugar más propio de la educación del hombre. Y una educación en la que los maestros saben mirar a sus discípulos, buscando en ellos el saber según el modo singular de cada uno, conduce naturalmente a que el discípulo se sienta imagen de su maestro. Surgen entonces las “escuelas”, esto es, tradiciones concretas de enseñanza en la que los discípulos no sólo aprenden aquello que podrían aprender de cualquier maestro, sino que aprenden el modo concreto de su maestro. Una expresión sintética de esta continuidad natural que debe darse en la educación la encontramos en aquel sabio refrán español: “Quien a los suyos se parece, honra merece”.

Pero hay un Maestro que revela en plenitud la Paternidad divina, Cristo. Por eso, si la educación en general del hombre busca conseguir que se manifieste la imagen de Dios en el educando, hay que añadir ahora que la educación cristiana buscará que en el educando se manifieste la imagen personal de Cristo: “Nam, quos praescivit, et praedestinavit conformes fieri imaginis Filii eius, ut sit ipse primogenitus in multis fratribus” (Rm 8, 29).

Y el estado perfecto, fin de la educación cristiana, no será otro por tanto que el de Cristo, el hombre perfecto: “In virum perfectum, in mensuram aetatis plenitudinis Christi” (Ef 4, 13).

<sup>64</sup> Virtus autem generantis movet non solum quantum ad id quod est speciei, sed etiam quantum ad id quod est individui, ratione cuius filius assimilatur patri etiam in accidentalibus, non solum in natura speciei (Tomás de Aquino, *In IV Sent.* d. 40, q. 1, a. 1 ad 1).

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La ruptura actual en la vida educativa sólo se resuelve a la luz de la tendencia natural a ser imagen de los propios padres y maestros. Mas quien se sabe mirado por Cristo, el Maestro, oirá interiormente las palabras de vida eterna que le mueven a aprender de él y tener sus mismos sentimientos, engendrándolo a una nueva vida: “Discite a me, quia mitis sum et humilis corde, et invenietis requiem animabus vestris” (Mt 11, 29).

# THE SPIRITUAL CHARACTER OF THE SENSE-APPETITE AND ITS ACTS, THE PASSIONS

REINHARD HÜTTER

*Etiam inferior pars animae  
participat aliquantulum rationem.*  
(ST I, q. 57, a. 4, ad 3)<sup>1</sup>

*Appetitus sensibilis habet aliquid proprium,  
unde potest reniti imperio rationis.*  
(ST I, q. 81, a. 3, ad 2)

*Istae passiones secundum se consideratae,  
sunt communes hominibus et aliis animalibus;  
sed secundum quod a ratione imperantur,  
sunt propriae hominum.*  
(ST I-II, q. 24, a. 1, ad 1)

## THE TWO HORNS OF THE MODERN ANTHROPOLOGICAL DILEMMA: ANGELISM VS. ANIMALISM

About thirty years ago, in her essay ‘From Passions to Emotions and Sentiments,’ the noted American philosopher Amélie Oksenberg Rorty astutely observed:

[In] [c]ontemporary philosophical and psychological debates about the emotions...[t]here is, as one might expect, combat on all sides, singularly unreflective polemics about whether the passions are evaluative judgments or physical states; about whether they can be voluntarily controlled; about whether there are some culturally invariant basic passions; about whether altruism can be the conse-

<sup>1</sup> All Latin citations from the *Summa theologiae* (ST) are taken from Sancti Thomae de Aquino, *Summa Theologiae*, 3rd ed. (Turin: Edizioni San Paolo, 1999); the English citations are taken from the translation of the Fathers of the English Dominican Province, originally published in 1911, and revised in 1920.

quence of purely prudential considerations or whether it requires special development. ...The problem is that our theories of the passions – and thus at least some of our experiences of what we call emotional states – are formed from the picturesque ruins of previous views. *We are a veritable walking archaeology of abandoned theories, even those that have claimed to vanquish one another.*<sup>2</sup>

Rorty's characterization of the modern failure to develop a stable and lasting theory of the emotions has a striking similarity to Alasdair MacIntyre's analysis, in his by now classic *After Virtue*, where he offers a profound analysis of the modern failure to sustain a satisfying theory of the virtues. What MacIntyre has shown to be the case for the virtues is arguably also the case for the emotions.

Two reasons for such a connection between the modern failure to sustain a satisfying account of the virtues and the failure to sustain a satisfying account of the passions suggest themselves rather immediately. First, as already Aristotle and then especially Aquinas were fully aware of, there is a significant connection between the acts of the sense-appetite (and these acts, the 'passions', have in modern discourse become the 'emotions'<sup>3</sup>) and the virtues. Aquinas's treatment of both the passions and the virtues in the *Summa theologiae* demonstrates his exquisite sensitivity to the fact that losing appreciation of the acts of the sense appetite, the passions, as integral for human flourishing would be tantamount to the failure of understanding the integral role the passions play in the development of the virtues. For Aquinas, there simply cannot be a true formation of moral character without the passions being fully integrated into this formation.

Second, much of the contemporary philosophical debate about passions, emotions, or sentiments turns out to be irresolvable because this debate shares a set of tacit presuppositions that are the very cause for the debate's irresolvability. These presuppositions, I submit, are to be found in the early modern rejection of the Aristotelian-Thomist doctrine of hylemorphism and its concomitant faculty psychology, a rejection that makes it impossible to understand passions (1) as acts of the human soul (and more precisely, as acts of the soul's faculty of the sense appetite – in distinction from the acts of the intellectual appetite, that is, the will), and (2) as ordained – by way of their

<sup>2</sup> Amélie Oksenberg Rorty, 'From Passions to Emotions and Sentiments', 171f (my emphasis).

<sup>3</sup> For a detailed account, see Thomas Dixon, *From Passions to Emotions*.

perfection through the moral virtues – to human flourishing and ultimately to human happiness in God. Hence, the contribution of the passions is indispensable for a full human flourishing so that a human life without the acts of the sense appetite would be always a severely diminished life.

Early modern theorists of the passions such as Descartes and Hobbes were still familiar with contemporaneous commentaries on Aquinas's treatise on the passions in his *Summa theologiae*.<sup>4</sup> Thomas understands what the moderns tend to call 'emotions' as acts of the sense-appetite that the human composite, the rational soul and the body together, 'suffer' – hence 'passions'. Differently put: the passions do not act exclusively on the soul, but rather on the whole human composite. However, in the course of abandoning the hylemorphic constitution of the body-soul composite together with the comprehensive teleology of a transcendent perfection of the human life in favor of 'regional' teleologies of immanent subjective well-being and flourishing, these thinkers undertook momentous changes in the construal of the passions. After the demise of the teleologically ordered integrity of human nature that the Aristotelian-Thomist hylemorphic doctrine afforded, we can discern in the subsequently emerging modern discourse on passions, emotions, and eventually sentiments two mutually exclusive and warring strands of reconceptualization, reflecting the fundamental options of a primarily idealist or a primarily materialist re-interpretation of the human being. Each strand has its distant antecedent in a once prominent Greek school of philosophy: Stoicism and Epicureanism.

The first, neo-Stoic strand leads from Descartes to Kant and is characterized by an understanding of the passions as bodily upheavals disruptive of the life of the intellect, a danger that can only be banned by way of the intellect's virtuous mastery and instrumentalization of the passions for the sake of the intellect's proper ends. In Descartes's words: 'Even those who have the weakest souls could acquire absolute mastery over all their passions if we employed sufficient ingenuity in training and guiding them'.<sup>5</sup> In

<sup>4</sup> On the scholastic discussion of the passions contemporary to Descartes, see A. Levi, S.J., *French Moralists: The Theory of the Passions 1585-1649*, 1-39, and on the influences on Descartes's treatise on the passions in general, see R. Ariew, 'Descartes and Scholasticism: The Intellectual Background to Descartes' Thought', in *The Cambridge Companion to Descartes*, 58-90.

<sup>5</sup> Descartes, *The Passions of the Soul*, Part I, article 50, in *The Philosophical Writings of Descartes*, Vol. 1, 348. '[E]t que ceux même qui ont les plus faibles âmes pourraient acquérir un empire très absolu sur toutes leurs passions, si on employait assez d'industrie à les dresser et à les conduire' (René Descartes, *Les Passions de l'âme*, 75).

his theory of the passions, Descartes departs from the classical Christian theory (informed by Augustine and Aquinas) in two decisive ways: first, in accounting for the passions, he exchanges the traditional model of perception with a model of movement; second, he replaces the hylemorphic unity in differentiation of soul and body as one *res* with a coordinated substantial duality of the *res cogitans* (intellect) and the *res extensa* (body). Passions now are somewhat confused perceptions caused by the action of the body (that is very fine parts of the blood or ‘animal spirits’) on the soul.<sup>6</sup> Subtly but significantly, Descartes reassigns the relationship of activity and passivity such that passions now are conceived of as acts of the body that the soul ‘suffers’. Only with him do the passions become strictly *passions de l’âme*. In his instructive study *From Passions to Emotions*, Thomas Dixon states: ‘This definition of “passions of the soul” was to have significant theological and psychological consequences, most notably (not in Descartes himself, but ultimately) the disappearance of the will as the locus of human agency, and its gradual replacement by the passions and affections (and later “emotions”) themselves and, finally, by the body’.<sup>7</sup>

The other, neo-Epicurean strand leads from Hobbes’s mechanistic construal of the internal life as matter in motion and Hume’s consistent identification of virtue with the movement of the passions themselves to the pervasive contemporary understanding of the emotions as bio-chemical states of the brain that, to a very large degree, account for human behavior. One quotation from Hume’s programmatic *A Treatise of Human Nature* will suffice:

Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them. ...A passion is an original existence, or if you will, modification of existence, and contains not any representative quality, which renders it a copy of any other existence or modification. When I am angry, I am actually possess’d with the passion, and in that emotion have no more a reference to any other object. ...‘Tis impossible, therefore, that this passion can be oppos’d by, or be contradictory to truth and reason;

<sup>6</sup> ‘This transformation of the scholastic view is characteristic of Descartes, replacing the model of the passions as fundamentally directional with one which makes them sudden and overwhelming physical responses to be resisted in various ways by the will’ (Eileen C. Sweeney, ‘Restructuring Desire: Aquinas, Hobbes, and Descartes on the Passions’, 223).

<sup>7</sup> Dixon, *From Passions to Emotions*, 77.

since this contradiction consists in the disagreement of ideas, consider'd as copies, with those objects, which they represent.<sup>8</sup>

In Hume's psychology the faculties of the soul have been replaced by multifarious passions, sentiment, desires, and emotions. 'Will' is just one among the passions which seem to have been for Hume original realities, complete in themselves. Dixon rightly observes that we encounter in Hume's claim 'an inversion of traditional Christian psychology in two ways. First, it deliberately inverted the hierarchical psychology in which "reason" governed the passions and appetites. Secondly, the assertion that reason should be the slave of the passions depended on a Hobbesian view of the mind as a stream of passions and desires which were mini-agents in themselves'.<sup>9</sup>

The stand-off between the two dominant strands of modern theorizing about the passions betrays a fundamental dilemma: Is the human principally a subsistent intellect that uses the body as a necessary, but external instrument for ends proper to the intellect, such that, ideally, the emotional life is to be controlled and ruled by the will similar to the body's movements? Or is the human being principally an animal that uses its advanced cognitive and ratiocinative capacities as internal instruments for proper animal ends to which the emotions prompt the intellect's operations?

In the following, I shall name the strand that opts for the first position 'angelism', because despite its neo-Stoic thrust, the human being is conceptualized first and foremost as a subsisting intellect extrinsically coordinated with a body. I shall name the strand that opts for the second position 'animalism', because of its consistent materialist monism and the consequent reduction of the intellectual operation to an emergent epiphenomenon of complex bio-chemical processes. I hold the modern conflict over the proper philosophical understanding of human emotions to be irresolvable, because each strand absolutizes a partial truth but is unable to account for the other strand's central insight, the reason being that both strands reject the hylemorphic and teleological framework that would afford a comprehensive integration of the emotions in an overall account of human flourishing. The common rejection of the integrative scholastic framework by both strands and their respective emphasis on and transformation of different parts of this synthesis accounts for the characteristic modern vacillation between the

<sup>8</sup> Hume, *A Treatise of Human Nature*, 415.

<sup>9</sup> Thomas Dixon, *From Passions to Emotions: The Creation of a Secular Psychological Category*, 106.



opposing anthropological misconstruals of ‘angelism’ and ‘animalism’. Where contemporary philosophical thought is deeply influenced by the natural sciences, the latter strand finds strong support – with the regrettable, but rarely noticed side-effect that in light of such an understanding of the human being the scientific search for truth itself must turn into an anthropomorphism.<sup>10</sup> And this aporia of ‘animalism’ – intrinsic to every interpretive strategy that reduces the intellect to an epiphenomenon of bio-chemical processes – is a sure indicator that the other modern strand, ‘angelism’, has a strong point for itself, namely the very irreducibility of intellect to material processes. In short, the modern dilemma between ‘angelism’ and ‘animalism’ is genuine and, on the terms of each strand, irresolvable.

In such a situation where ‘we are a veritable walking archaeology of abandoned theories, even those that have claimed to vanquish one another’ (Rorty), the best way forward seems to me to consist in going upstream and listening to the sources, which means in our particular case to consider afresh the subtle hylemorphic synthesis Aquinas presents on the human being – in the very core of which stands the irreducible spiritual dimension of the sense-appetite.

#### THE INTEGRITY OF HUMAN NATURE ACCORDING TO THOMAS AQUINAS AND THE CENTRALITY OF THE PASSIONS

Thomas adopts, systematizes, and intensifies Aristotle’s hylemorphic solution to the body-soul problem that preoccupied much of Plato’s thought. The classical Aristotelian-Thomist definition is that the human rational soul is the substantial form of an ensouled body. The rational soul informs comprehensively the physical, vegetative, and sense aspects of the body such that the soul penetrates the body in uninterrupted continuity all the way down to the pure receptivity of prime matter. This complete information of the body by the soul, however, does emphatically not mean that the soul transforms the body into itself. While completely informed by the rational soul, the physical, vegetative, and animal aspects of the body retain a reality of their own such that it would be a serious error to say that the soul ‘is’ the body. What is true is that body and soul form a composite unit of two co-constitutive, though asymmetrical principles such that the

<sup>10</sup> Robert Spaemann, ‘Ende der Modernität?’ in *Philosophische Essays*, 240.

human soul is not fully intelligible (nor for that matter operative) without its body and the human body is not the body (but a mere corpse) unless it is substantively informed by the rational soul.

Because of the fundamental difference between the two co-constitutive principles of the human composite, it is crucial to distinguish between the substantial unity of the human being, on the one hand, and the differentiation of the order of faculties or powers (vegetative, sensitive, intellectual) on the other hand. The powers are essentially different from each other but have their common source in the one rational soul. In the order of faculties or powers of the soul, the sense powers hold a special place. For they are the very linchpin between the higher powers of the soul, on the one hand, and the body, on the other hand. The rational soul of the human being is of a kind<sup>11</sup> that requires sense powers for its proper operation and the sense powers in turn require the body as their instrument. By way of the bodily performance (*executio*) that accompanies the actuation of the sense-appetite in this or that passion, the body is fully implicated in the spiritual nature and supernatural ordination of the human being.<sup>12</sup>

Leading twentieth century Dominican commentators and interpreters of Aquinas have contributed significantly to bringing to the attention of a wider audience the absolutely central role the acts of the sense-appetite, the passions, play in Aquinas's thought for a proper understanding of embod-

<sup>11</sup> The reason for being this kind of rational soul is ultimately ontological. The principle of individuation of the 'anima humana' is a kind of relation to the body: 'Sic igitur esse animae est a Deo sicut a principio activo, et est in corpore sicut in materia. Nec tamen esse animae perit periente corpore, ita et individuatō animae, etsi aliquam relationem habet ad corpus, non tamen perit corpore periente' (*Quaestiones de anima*, q. 1, ad 2).

<sup>12</sup> In one of the best and most comprehensive studies of Aquinas's doctrine of the passions, Paul Gondreau states in a most felicitous way what is to be recovered from Thomas Aquinas for the contemporary philosophical deliberation on the human animal: 'One of the principal reasons Thomas adopts a favorable view toward human affectivity is because of his hylemorphism, whereby he sees the totality of the human person – body and soul combined – as integrally involved in the teleological pursuit of the true end of human life. Aquinas refuses to isolate the sensible dimension of human life from the rational and spiritual one, with the treatise on the passions offering constant points of convergence between the two, such as between the passion of love and spiritual love, or between emotional pleasure and spiritual pleasure. As *human* acts, the passions *de facto* share in human freedom and morality. It bears insisting that in the perspective of Aquinas the passions are teleologically ordained to happiness in God by means of the virtues, the gifts of the Holy Spirit, and grace; the passions can in no sense be severed from the spiritual movements of the soul' (Gondreau, *The Passions of Christ's Soul*, 109).

ied human agency. In a seminal essay, 'Reappropriating Aquinas's Account of the Passions', Servais Pinckaers, O.P., observes that the treatise on the passions constitutes the single largest treatise in the entire *Summa theologiae*, comprising twenty-seven questions of one hundred and thirty-two articles. And Jean-Pierre Torrell, O.P., in his important study on Aquinas, *Spiritual Master*, states that, 'in fact, this passage in his work has scarcely attracted the attention of moralists'.<sup>13</sup> Since Torrell made this observation in 1996, the situation has changed considerably. In an important review essay from 2007, Luc-Thomas Somme could even speak of a 'resurrection of the passions', a claim confirmed by three important studies in the course of 2009 and 2010 in the English-speaking world alone.<sup>14</sup>

There are two principal reasons why in *ST I-II*, qq. 22-48, Thomas engages in an exceptionally extensive analysis of the acts of the sense-appetite, the passions: (1) The journey of the human being to God is one of the *whole* human being, body and soul. Integral to this journey is the ordering of the passions by reason and the cardinal virtues of courage and temperance as well as their sanctification by way of the infused moral virtues (*ST I-II*; II-II). (2) A proper understanding of Christ's human nature requires an account of the passions of Christ's soul (*ST III*, q. 15). Absent such an account would in Aquinas's estimation gravely endanger the full commitment of any orthodox Christology to the dogma of Chalcedon. In his place-

<sup>13</sup> Torrell, *Spiritual Master*, 259. He continues significantly: 'Following an often-repeated parallel, just as our knowledge begins with sense perception, so too our first subjective reactions begin at the level of sensitive appetite (or affectivity), which is to say at the level of the *natural tendency* that inclines the living being *toward its good* (or what appears as such). This natural tendency is also found, to be sure, at the intellectual level, and is then called the will that *tends toward the good under its universal aspect of good*. ...At the level of sensitive affectivity, on the contrary, reactions occur with respect to *particular goods or evils*, and it is precisely these reactions that Thomas calls "passions", because the subject suffers them more than he is their master. They are, then, in the realm of the involuntary. Which is to say, the word "passion" does not have for Thomas the pejorative connotation that it has for us, who automatically think of it as suggesting debauchery and excess. *Passion simply designates the movement of sensibility*. It begins with the lightest impression and it occurs in every affective movement, sentiment, or emotion' (250f; my emphasis).

<sup>14</sup> Somme, Luc-Thomas, O.P., 'La résurrection des passions', *Revue thomiste* (CXII/104, 4, 2004), 657-666; Robert Miner, *Thomas Aquinas on the Passions: A Study of Summa Theologiae 1a2ae 22-48* (Cambridge: Cambridge University Press, 2009); Diana Fritz Cates, *Aquinas on the Emotions: A Religious-Ethical Inquiry* (Washington, D.C.: Georgetown University Press, 2009); and Nicholas E. Lombardo, O.P., *The Logic of Desire: Aquinas on Emotion* (Washington, D.C.: The Catholic University of America Press, 2010).

ment of this investigation in the overall order of the *Summa* and in his execution of it, Thomas applies the principle ‘agere sequitur esse’ (*ST* I-II, q. 55, a. 2, ad 1). A study of the ontology of human nature has to antecede an analysis of human psychology. Consequently, in *ST* I, qq. 84-89, after considering assimilative powers by which the soul takes in, Thomas discusses the ways the soul ‘goes out’ to things: powers of will, sense-appetite, and locomotion. Yet an analysis of the very acts of the sense appetite, the passions, has to wait until the order of human agency itself is considered in *ST* I-II. In the practical order, the order of agency, the end is considered first. Hence *ST* I-II commences with the treatise on happiness (qq. 1-5) which is followed by the consideration of the ontology and the moral quality of human acts (qq. 6-21) by way of which happiness is to be achieved. With the subsequent extensive discussion of the acts of the sense-appetite, the passions (qq. 22-48), Thomas clearly indicates the centrality of the various movements of sensitive affectivity for the moral status of human acts. Human affectivity has an irreducibly moral quality and hence spiritual character.

#### THOMAS’S GRAMMAR OF APPETITUS AND PASSIO

In all previous and future instances in this paper where terms like ‘sense appetite’, ‘natural appetite’, or ‘intellectual appetite’ have been or will be used, the notion ‘appetite’ is nothing but a transliteration of the Latin *appetitus*. *Appetitus*, however, has important resonances absent from the English word ‘appetite’ as it is currently in use. For it denotes first and foremost the universal tendency of anything to seek its completion.<sup>15</sup> *Appetitus* is the natural inclination of some form to a term that completes it. Hence, wherefore the notion carries with it connotations of tendency, inclination, attraction, and even desire.

Different from inanimate things whose natural appetite is determined to their natural being solely by their form, living beings with the capacity for knowledge are determined to their own actual being by their natural substantial form in such a way that they are naturally receptive of the species of other things: sense receives the species of all things sensible and the intellect receives the species of all things intelligible.<sup>16</sup> To put the mat-

<sup>15</sup> *ST* I, q. 80, a. 1: ‘[Q]uamlibet formam sequitur aliqua inclinatio’.

<sup>16</sup> *ST* I, q. 80, a. 1.

ter into its Aristotelian nutshell: Apprehension (*aisthesis*) is what brings the sensible or intelligible species to the human being, while appetite (*orexis*), on the contrary, moves the human being toward the thing – note, not just to its species, but the thing itself. Therefore, significantly, both in the natural as well as in the supernatural order, ‘the union caused by love is closer than that which is caused by knowledge’.<sup>17</sup> Yet, at the same time sense appetite and intellectual appetite always follow apprehension, because the appetible only moves the appetite as it is apprehended.<sup>18</sup>

So much about *appetitus*, or ‘appetite’ in general. Now, ‘sense appetite’ is the sensual movement following from sense apprehension. Sense appetite regards all that pertains to naturally corruptible things, and this in two distinct respects: first in respect of acquiring what is suitable to and avoiding what is harmful for sustaining oneself; and secondly, in respect of resisting forces or overcoming obstacles that prevent acquiring what is suitable or that might harm or do damage. It is for this reason that Thomas distinguishes two species of the generic power of sense appetite: the concupiscible sense appetite and the irascible sense appetite. All acts of sense appetite fall under one or the other of these two species.

The treatise on the acts of the sense appetite follows a clear scheme. The passions are considered under the overall umbrella of the human act before habit and virtue because they are common to animals and human beings. In a first step, the passions are considered in general (qq. 22-25); in a second step (qq. 26-48), they are considered in particular as belonging either to the species of the concupiscible appetite or to the species of the irascible appetite. Thomas considers them in pairs of attraction to the good (*bonum*) or repulsion from the bad (*malum*). Under the species of the concupiscible appetite Thomas considers *amor – odium*; *desiderium – fuga*; *gaudium – tristitia*; under the species of the irascible appetite he considers them in relationship first to the *bonum arduum* (*spes – desperatio*) and subsequently in relationship to the *malum arduum* (*timor – audacia*) and the *malum praesens arduum* (*ira*).<sup>19</sup>

<sup>17</sup> *ST* I-II, 28, a. 1, ad 3: ‘[C]ognitio perficitur per hoc quod cognitum unitur cognoscenti secundum suam similitudinem. Sed amor facit quod ipsa res quae amatur, amanti aliquo modo uniatur... Unde amor est magis unitivus quam cognitio’.

<sup>18</sup> *ST* I, q. 80, a. 2, ad 1.

<sup>19</sup> Thomas discusses the eleven passions also in *In Sent.* II, dist. 26, q. 1, a. 3, solut; *De veritate*, q. 26, a. 4c; *In Ethic.* II, lect. 5.

We finally need to clarify Thomas's use of the term *passio*, 'passion'. Different from (but related to) Thomas's other uses of *passio* in other respects, in the specific context of the sense appetite, *passio* denotes an act of the sense-appetite with a concomitant bodily change (*executio*). As simple movement of sensuality subsequent to sense apprehension, a passion is 'suffered' by the whole human composite (not just the soul), and in this respect passions are – at least incipiently – involuntary. Since the higher faculties integrate the lower, the universal apprehension of reason interprets the sense apprehension. This specific integration occurs through the 'cogitative power' or 'particular reason', which apprehends and compares *intentiones* or 'values' that are as such not visible in objects of the outer senses. The mediation of the cogitative power is crucial, for by way of it universal premises can produce particular conclusions which in turn modify the passions.

As sense apprehension is integrated by way of the cogitative power into intellectual apprehension (the lower faculty into the higher; for, remember, proper integration after all always occurs top-down) so also is sense appetite integrated into intellectual appetite: human passion, the movement of human sensibility, does not instantaneously or inevitably result in a determinate bodily performance. On the contrary, human passion, rightly formed, awaits approval or disapproval by the higher appetitive power, the will:

For wherever there is order among a number of motive powers, the second only moves by virtue of the first: wherefore the lower appetite is not sufficient to cause movement, unless the higher appetite consents. And this is what the Philosopher says (*De Anima* iii.11), that *the higher appetite moves the lower appetite, as the higher sphere moves the lower*. In this way, therefore, the irascible and the concupiscible are subject to reason.<sup>20</sup>

We encounter in this answer a crucial consequence of Thomas's teaching that the rational soul is the substantial form of the body, this consequence being the consistent integration of the sense apprehension and sense appetite into the higher intellectual cognitive and appetitive powers. This integration comes about by way of the elevation of the lower power

<sup>20</sup> *ST* I, q. 81, a. 3: 'In omnibus enim potentiis motivis ordinatis, secundum movens non movet nisi virtute prima moventis: unde appetitus inferior non sufficit movere, nisi appetitus superior consentiat. Et hoc est quod Philosophus dicit, in III *de Anima*, quod *appetitus superior movet appetitum inferiorem, sicut sphaera superior inferiorem*. – Hoc ergo modo irascibilis et concupiscibilis rationi subduntur'.

into the operative order of the respective higher power. In the course of this elevation, the lower power is neither abolished nor transmuted. It is also not the case that the higher power somehow emerges from the lower as a complex epiphenomenon (an ontological impossibility), nor is it necessary for the higher power interminably to struggle with the lower in order to overpower it instead of being overpowered by it, or to instrumentalize it for its own specific ends. No: sense appetite remains distinct from intellectual appetite. At the same time, the sense appetite is ordered to the higher appetitive power such that by informing and guiding the sense appetite the higher appetitive power perfects the lower. Simultaneously, by way of the proper participation of the lower power in the operation of the higher, the goodness of an action is greatly enhanced.

This participation of the lower in the proper operation of the higher power and hence the former's proper perfection by the latter relies on a comprehensive ontology of the good: a natural tendency inclines every living being toward its good: on the level of sense appetite to a particular good or away from a particular evil and on the level of the intellectual appetite in respect to the universal aspect of good.

There are three features of Thomas's synthesis that in light of the modern dilemma deserve special profiling: first, the irreducible spiritual character of the sense appetite; second, the distinct political rule exercised by the intellectual appetite over the passions; and third and consequently, the ineluctable moral quality of the acts of the sense appetite.

### *(1) The Irreducible Spiritual Character of the Sense Appetite*

The irreducible spiritual character of the sense-appetite and its acts becomes obvious when we grasp it as a ripe implication of the integrity of the human nature that has its root in the human rational soul being a spiritual substance in its own proper ontological integrity, and as such, qua spiritual substance the substantial form of the body. Anton C. Pegis, in an important, but largely forgotten essay, 'St. Thomas and the Unity of Man', advances Aquinas's crucial insight in ways most pertinent for a contemporary anthropological discussion shot through with reductionist presuppositions. Pegis recapitulates the core of Thomas's teaching on the integrity of the human nature when he states that

St. Thomas knew and said that the soul is both an intellectual substance in its own right and also a form of matter. But St. Thomas did not stop with saying that the soul is a substance and a form. For

if one and the same soul is, and this is its very nature, both substance and form, then the soul must be *a substance as a form*. And this is what St. Thomas says, and it is in this notion that we must seek the proportion between soul and body and the meaning of human nature.<sup>21</sup>

He concludes:

The soul is, therefore, not a substance *and* a form, but a substance *as* a form, a substance whose spiritual nature is essentially suited to informing matter. And it is in the soul that the reason for this union is to be found; whatever the human body is, this it is for the sake of, and in view of, the human soul.<sup>22</sup>

This unique essential suitability of the human soul for informing matter, however, gives rise to an important question: 'How does it happen that the soul, which is an immaterial and intellectual substance, has *lesser* than intellectual powers?'<sup>23</sup> Pegis answers this question by following Aquinas's lead. The intellect as the highest human power is the key to the integrity of human nature:

The crux of the matter lies in seeing that, though man has powers in addition to the intellect, he is not *more* than intellectual. ...[T]hough man is a composite being, we must not make him or his nature a compound being. If all the powers of man are rooted in the soul; if, furthermore, one and the same intellectual soul has within its nature both intellectual and sensible powers, this fact must mean, not that the soul has more powers than the intellect, but that the human intellect is not fully an intellect *without the sensible powers*. ...[T]he *intellect and the senses taken together* constitute in their togetherness the adequate intellectual power of the human soul as an intellectual substance.<sup>24</sup>

In virtue of the lower powers of the human soul participating in an order determined by the highest power, the intellect, the human being is (1) an embodied intellect that due to its specific nature requires for its proper function (2) sense apprehension as well as sense appetite; these sense powers, in turn, require (3) the body as their instrument. In the case of the human being,

<sup>21</sup> Pegis, 'St. Thomas and the Unity of Man', 168.

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

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*, 169.



the body exists for the sake of the rational soul, a spiritual substance uniquely ordained for embodiment and therefore functioning essentially as substantial form of its body. For this reason the passions most fundamentally are in potency to and indeed indispensable for a moral and spiritual formation that is integral to achieving the twofold human end. It is the full integration of the sense appetite into the operative order of the intellective power that constitutes the irreducibly spiritual character of the human passions.

(2) *Reason's 'Political Rule' over the Passions*<sup>25</sup>

If it, however, is the case – as Aquinas as well as experience teaches – that the sense appetite has its own proper acts upon the higher powers of the soul and a concomitant bodily *executio*, how is it that reason does govern the acts of the sense appetite? The question is only the *how* of this governance, for the *that* is given in virtue of (1) the rational soul being the substantial form of the body and (2) the principle that the higher powers govern the lower powers. The *how* Thomas accounts for by conceiving the sense appetite as what we might call a semi-autonomous sub-system, integrating a lower level, and being itself integrated into a higher level system. This semi-autonomous sub-system has the power of bringing about effects in an even lower sub-system, a bodily *executio*, as well as on the higher level – where it is immediately received (though not necessarily checked) by reason.

In order to illustrate this partial self-possession of sense appetite and its simultaneous participation in the higher faculty of the rational soul, Aquinas offers a psychologically subtle and astute analogy from the political realm. He inverts an analogy Aristotle uses in the *Politics* (Bekker 1254b5) between the rule of the human body and the rule of the body politic in order to give precision to the kind of governance reason exercises over the appetitive sense faculty.<sup>26</sup> Thomas distinguishes between a despot-

<sup>25</sup> Reason (*ratio*) denominates here and in the subsequent discussion the close interplay of intellect and will in the order of human agency.

<sup>26</sup> *In Pol.* I I, 1, iii: 'Ostendit autem *consequenter* quod principatus qui est in partibus animalis, habet quamdam similitudinem exterioris principatus. Possumus enim in animali quod est homo, considerare duplicem principatum ad partes eius: scilicet *despoticum* quo dominus principatur servis, et *politicum* quo rector civitatis principatur liberis. Invenitur enim inter partes hominis quod anima dominatur corpori, sed hoc est despotico principatu in quo servus in nullo potest resistere domino, eo quod servus, id quod est simpliciter est domini, ut supra dictum est; et hoc videmus in membris corporis, scilicet mani-

ic and a political, kingly rule that under present political conditions might best be updated into the distinction between a dictatorship and a constitutional monarchy (or any other constitutional government of free citizens), the subject of the former being nothing but a slave, the subject of the latter being a citizen with constitutional rights and duties. In *ST I-II*, q. 17, a. 7, Thomas considers the question ‘whether the act of the sensitive appetite is commanded’, and states:

[I]t happens sometimes that the movement of the sensitive appetite is aroused suddenly in consequence of an apprehension of the imagination of sense. And then such a movement occurs without the command of reason: although reason could have prevented it, had it foreseen. Hence the Philosopher says (*Polit.* i.2) that the reason governs the irascible and the concupiscible not by a *despotic supremacy*, which is that of a master over his slave, but by a *politic and royal supremacy*, whereby the free are governed, who are not wholly subject to command.<sup>27</sup>

bus et pedibus, quod statim sine contradictione ad imperium animae applicantur ad opus. Invenimus etiam quod intellectus seu ratio dominatur appetitui, sed principatu politico et regali qui est ad liberos, unde possunt in aliquibus contradicere: et similiter appetitus aliquando non sequitur rationem.

Et huiusmodi diversitatis *ratio est, quia* corpus non potest moveri nisi ab anima, et ideo totaliter subiicitur ei; sed appetitus potest moveri non solum a ratione, sed etiam a sensu; et ideo non totaliter subiicitur rationi. In utroque autem regimine manifestum est, quod subiectio est secundum naturam, et expediens. Est enim naturale et expediens corpori, quod regatur ab anima: et similiter est naturale et expediens parti passibili, idest appetitui qui subiicitur passionibus, ut regatur ab intellectu vel ratione: et utrobique esset novicum, si id quod debet subiici haberet ex aequo, vel e contrario ei quod debet principari: corpus enim corrumpetur nisi subiiceretur animae, et appetitus esset inordinatus nisi subiiceretur rationi’ (Marietti, # 64).

<sup>27</sup> *ST I-II*, q. 17, a. 7: ‘Contingit etiam quandoque quod motus appetitus sensitivi subito concitatur ad apprehensionem imaginationis vel sensus. Et tunc ille motus est praeter imperium rationis: quamvis potuisset impediri a ratione, si praevidisset. Unde Philosophus dicit, in *I Polit.*, quod ratio praeest irascibili et concupiscibili non *principatu despótico*, qui est domini ad servum; sed *principatu politico aut regali*, qui est ad liberos, qui non totaliter subduntur imperio’. Already in *ST I*, q. 81, a. 3, ad 2, Thomas uses the same analogy and emphasizes that ‘the sensitive appetite is naturally moved, not only by the estimative power in other animals, and in man by the cogitative power which the universal reason guides, but also by the imagination and sense. Whence it is that we experience that the irascible and concupiscible powers do resist reason, inasmuch as we sense or imagine something pleasant, which reason forbids, or unpleasant, which reason commands’. Thomas concludes significantly: ‘And so from the fact that the irascible and concupiscible resist reason in something, we must not conclude that they do not obey’.

The concupiscible appetite and the irascible appetite might resist reason initially, because reason is not the only power to move the appetite. Rather, the appetite is moved also by sense apprehension and sense imagination. And being moved by either one or both of them, the appetite can and does in principle – and at least initially – resist the command of reason.

Now, this is human nature considered according to its *ontological structure*. In respect of the *historical existence of human nature* in the extant order of providence, Thomas distinguishes between the original state of innocence and the state of fallen human nature. In the original state of innocence ‘the inferior appetite was wholly subject to reason, so that in that state the passions of the soul existed only as consequent upon the judgment of reason’.<sup>28</sup> Yet after the fall, ‘at times our passions forestall and hinder reason’s judgment’.<sup>29</sup> When first unforeseen and subsequently unchecked by reason, such an ‘antecedent passion’ may gain a decisive influence over human beings such that they simply follow the impulse of the passion. Thomas is a subtle psychologist and clearly distinguishes this case (which is not infrequent for incontinent persons) from one we encounter even more often. Consider *ST* I-II, q. 10, a. 3:

Now this influence of a passion on man occurs in two ways. First, so that his reason is wholly bound, so that he has not the use of reason: as happens in those who through a violent access of anger or concupiscence become furious or insane, just as they may from some other bodily disorder; since such like passions do not take place without some change in the body. ...Sometimes, however, the reason is not entirely engrossed by the passion, so that the judgment of reason retains, to a certain extent, its freedom: and thus the movement of the will remains in a certain degree. Accordingly, in so far as the reason remains free, and not subject to the passion, the will’s movement, which also remains, does not tend of necessity to that whereto the passion inclines it. Consequently, either there is no movement of the will in that man, and the passion alone holds its

<sup>28</sup> *ST* I, q. 95, a. 2: ‘In statu...innocentiae inferior appetitus erat rationi totaliter subiectus: unde non erant in eo passiones animae, nisi ex rationis iudicio consequentes’.

<sup>29</sup> *ST* I, q. 95, a. 2: ‘Aliter tamen quam in nobis. Nam in nobis appetitus sensualis, in quo sunt passiones, non totaliter subest rationi: unde passiones quandoque sunt in nobis praevenientes iudicium rationis, et impediendes’.

sway: or if there be a movement of the will, it does not necessarily follow the passion.<sup>30</sup>

In *ST I-II*, q. 77, a. 1, where Thomas considers the cause of sin on part of the sense appetite, he asks whether and if so how the will can be moved by the sense appetite – never directly, but indirectly, and this in two ways. I give the full citation of Thomas’s text, because it displays very clearly how Thomas’s very subtle and psychologically astute understanding of the complex interaction between the act of the sense-appetite, the judgment of reason, and the will’s movement:

First by a kind of distraction: because, since all the soul’s powers are rooted in the one essence of the soul, it follows of necessity that, when one power is intent in its act, another power becomes remiss, or is even altogether impeded, in its act, both because all energy is weakened through being divided, so that, on the contrary, through being centered on one thing, it is less able to being directed to several; and because, in the operations of the soul, a certain attention is requisite, and if this be closely fixed on one thing, less attention is given to another. In this way, by a kind of distraction, when the movement of the sensitive appetite is enforced in respect to any passion whatever, the proper movement of the rational appetite or will must, of necessity, become remiss or altogether impeded.

Secondly, this may happen on the part of the will’s object, which is good apprehended by reason. Because the judgment and apprehension of reason is impeded on account of a vehement and inordinate apprehension of the imagination and judgment of the estimative power, as appears in those who are out of their mind. Now it is evident that the apprehension of the imagination and the judgment of the estimative power follow the passion of the sensitive appetite,

<sup>30</sup> *ST I-II*, q. 10, a. 3: ‘Huiusmodi autem immutatio hominis per passionem duobus modis contingit. Uno modo, sic quod totaliter ratio ligatur, ita quod homo usum rationis non habet: sicut contingit in his qui propter vehementem iram vel concupiscentiam furiosi vel amentes fiunt, sicut et propter aliquam aliam perturbationem corporalem; huiusmodi enim passiones non sine corporali transmutationem accidunt. ...Aliquando autem ratio non totaliter absorbetur a passione, sed remanet quantum ad aliquid iudicium rationis liberum. Et secundum hoc remanet aliquid de motu voluntatis. In quantum ergo ratio manet libera et passioni non subiecta, intantum voluntatis motus qui manet, non ex necessitate tendit ad hoc ad quod passio inclinatur. Et sic aut motus voluntatis non est in homine, sed sola passio dominatur: aut, si motus voluntatis sit, non ex necessitate sequitur passionem’.

even as the verdict of the taste follows the disposition of the tongue: for which reason we observe that those who are in some kind of passion, do not easily turn their imagination away from the object of their emotion, the result being that the judgment of the reason often follows the passion of the sensitive appetite, and consequently the will's movement follows it also, since it has a natural inclination always to follow the judgment of the reason.<sup>31</sup>

Each of the possibilities envisioned so clearly by Aquinas points forward to two indispensable and connected components of the moral life Thomas considers subsequently to his treatment of the passions: habit (*ST* I-II, qq. 49-54) and virtue (*ST* I-II, qq. 55-67). For what checks antecedent violent passions best is nothing but the deep, acquired or infused habituation in especially two cardinal virtues: temperance in relationship to the concupiscible sense appetite; and fortitude in relationship to the irascible sense appetite. *From incontinent to continent to virtuous: this is the moral journey that the rational animal has to undertake in order to become a true political ruler of the passions.* They have something of their own which contributes to the good of the whole human being, and therefore reason is to govern them differently from bodily limbs which are strictly instrumental. At the same time, the passions must be ruled, that is, properly informed and ordered by right reason to those goods that themselves are rightly ordered to the common good of the universe – God.

<sup>31</sup> *ST* I-II, q. 77, a. 1: 'Uno quidem modo, secundum quamdam abstractionem. Cum enim omnes potentiae animae in una essentia animae radiceantur, necesse est quod quando una potentia intenditur in suo actu, altera in suo actu remittatur, vel etiam totaliter impediatur. Tum quia omnis virtus ad plura dispersa fit minor: unde e contrario, quando intenditur circa unum, minus potest ad alia dispergi. Tum quia in operibus animae requiritur quaedam intentio, quae dum vehementer applicatur ad unum, non potest alteri vehementer attendere. Et secundum hunc modum, per quamdam distractionem, quando motus appetitus sensitivi fortificatur secundum quamcumque passionem, necesse est quod remittatur, vel totaliter impediatur motus proprius appetitus rationalis, qui est voluntas.

Alio modo, ex parte obiecti voluntatis, quod est bonum ratione apprehensum. Impeditur enim iudicium et apprehensio rationis propter vehementem et inordinatam apprehensionem imaginationis, et iudicium virtutis aestimativae: ut patet in amentibus. Manifestum est autem quod passionem appetitus sensitivi sequitur imaginationis apprehensio, et iudicium aestimativae: sicut etiam dispositionem linguae sequitur iudicium gustus. Unde videmus quod homines in aliqua passione existentes, non facile imaginationem avertunt ab his circa quae afficiuntur. Unde per consequens iudicium rationis plerumque sequitur passionem appetitus sensitivi; et per consequens motus voluntatis, qui natus est sequi iudicium rationis'.

In the state of original righteousness, the proper internal ordering of all the powers in relation to each other and the highest in relation to God, there exists only ‘consequent passion’, passion properly governed by reason and shaped by the virtues. After all, because the rational soul is the substantial form of the body, the whole human being is intellectual. Hence, while having something of its own and the body as its instrument, the sense appetite is eminently governable by reason. For sense appetite is, after all, the soul’s own appetitive faculty, that is, a power intrinsic to the substantial form of the body. And despite the fact that reason is sometimes surprised and overwhelmed by the passions, because of the inherent governability of the sense powers by the higher power of the soul, there obtains an ineluctable moral quality of the acts of sense appetite.

*Excursus: The Passions and the Human Body*

Before we turn to a closer consideration of the ineluctable moral quality of the passions, we must, however, briefly attend to the relationship between the human body and the sense appetite. In *ST I-II*, q. 17, a. 7, ad 2, with but a few very suggestive strokes Thomas adumbrates the particular relationship between the sense appetite and the lower subsystem with its own very limited, but nevertheless genuine semi-autonomy:

The condition of the body stands in a twofold relation to the act of the sensitive appetite. First, as preceding it: thus a man may be disposed in one way or another, in respect of his body, to this or that passion. Secondly, as consequent to it: thus a man becomes heated through anger. Now, the condition that precedes, is not subject to the command of reason: since it is due either to nature, or to some previous movement, which cannot cease at once. But the condition that is consequent, follows the command of reason: since it results from the local movement of the heart, which has various movements according to the various acts of the sensitive appetite.<sup>32</sup>

<sup>32</sup> *ST I-II*, q. 17, a. 7, ad 2: ‘[Q]ualitas corporalis dupliciter se habet ad actum appetitus sensitivi. Uno modo, ut praecedens: prout aliquis est aliquo modo dispositus secundum corpus, ad hanc vel illam passionem. Alio modo, ut consequens: sicut cum ex ira aliquis incalescit. Qualitas igitur praecedens non subiacet imperio rationis: quia vel est ex natura, vel ex aliqua praecedenti motione, quae non statim quiescere potest. Sed qualitas consequens sequitur imperium rationis: quia sequitur motum localem cordis, quod diversimode movetur secundum diversos actus sensitivi appetitus’.

There is always a bodily condition that precedes the movements of sense-appetite. This condition can obtain, first, as antecedent bodily movements or changes. Some movements just come from the body itself, movements which cannot cease at once, and which sense-appetite, informed by sense-imagination, might increase through respective passions, or which are intercepted by a command of reason, a re-directing of the sense-imagination, or an activity that engages the sense-appetite and the body into a completely different direction. This condition can obtain, second, as a bodily predisposition to certain passions. The condition that is consequent to the act of the sense-appetite stands under the command of reason. Why? Because the acts of sense-appetite themselves are, as we have seen, eminently governable by reason. That means, if the will lets the passions run their course, this act of omission is itself voluntary and therefore, though deficient, still under the command of reason. Being an astute and careful observer of human reality, Thomas understands the instrumentality of the body not in a quasi-modern technical way, but proper to the constitution of the human body as enlivened by the soul such that certain vegetative and animal functions are exercised by the sub-system of the body, outside of the range of the rule of reason and will, and also somewhat independently from the sense appetite. Hence, at times, the body ‘surprises’ the sense-appetite as well as reason and will. Nevertheless, being the lowest subsystem, the body stands under a threefold rule. First it stands under the sense-appetite’s direct rule, a rule that pertains to the bodily effects of the passions (*executio*). It stands, secondly, under the direct rule of reason and will, a rule that pertains to specifically intended bodily movements. It stands finally under the indirect governance of reason and will, a governance that results from their direct ‘political’ governance of the acts of sense-appetite. Hence, the condition of the body that is consequent to acts of the sense appetite acquires a distinct moral quality. Contrary to many modern thinkers, Thomas does not hold that the condition of the human body per se is always pre-moral or morally indifferent. Rather, only as antecedent condition is it pre-moral (but as we will see, even this antecedent condition is already charged with a potential moral quality, a tendency or weakness consequent upon human sin), and this antecedent condition is always only momentary or a condition that obtains until diagnosed (in the case of an illness). In all other cases, that is, especially in regard to long-term care and schooling of the body, the body’s condition is consequent and hence has a moral quality to it.

### (3) *The Ineluctable Moral Quality of the Passions*

Now we have reached the point to consider directly the ineluctable moral quality of the passions. In *ST* I-II, q. 24, Thomas considers this matter with typical care and nuance. First, he considers the question whether any moral quality at all pertains to the passions of the soul. In themselves, as movements of the sense appetite, they have no moral quality. However, considered as subject to the command of reason and will, they do indeed have a moral quality. Consider Thomas's argument:

Because the sensitive appetite is nearer than the outward members to the reason and will; and yet the movements and actions of the outward members are morally good or evil, inasmuch as they are voluntary. Much more, therefore, may the passions, in so far as they are voluntary, be called morally good or evil. And they are said to be voluntary, either from being commanded by the will, or from not being checked by the will.<sup>33</sup>

As soon as the will has something to act upon by way of command (even the slightest instant of an incipient motion of the sense appetite) the moral quality of the passion is established.

In a second step, Thomas addresses the question whether such moral quality of a passion might in principle be negative. Is a passion – being a non-rational motion – in and of itself evil? In his answer Thomas offers a nuanced discussion of the Stoic and the Peripatetic views of the passions. Needless to say that he decisively sides with the Peripatetic position. In his response to the third objection Thomas offers a pithy summary of why the spiritual dimension of the sense appetite accounts for the moral quality of the passions: 'The passions of the soul, in so far as they are contrary to the order of reason, incline us to sin: but in so far as they are controlled by reason, they pertain to virtue'.<sup>34</sup>

With this principle in place Thomas already determines the thrust of the answer for the third question: 'Whether passion increases or decreases the

<sup>33</sup> *ST* I-II, q. 24, a. 1: 'Propinquior enim est appetitus sensitivus ipsi rationi et voluntati, quam membra exteriora; quorum tamen motus et actus sunt boni vel mali moraliter, secundum quod sunt voluntarii. Unde multo magis et ipsae passiones, secundum quod sunt voluntariae, possunt dici bonae vel malae moraliter. Dicuntur autem voluntariae vel ex eo quod a voluntate imperantur, vel ex eo quod a voluntate non prohibentur'.

<sup>34</sup> *ST* I-II, q. 24, a. 2, ad 3: '[P]assiones animarum, in quantum sunt praeter ordinem rationis, inclinant ad peccatum: in quantum autem sunt ordinatae a ratione, pertinent ad virtutem'.



goodness or malice of the act?’ There can hardly be a greater praise of the passions and of their indispensable role in the moral life imaginable than the one found in Aquinas’s answer to this question:

[I]f we give the name of passions to all the movements of the sensitive appetite, then it belongs to the perfection of man’s good that his passions be moderated by reason. For since man’s good is founded on reason as its root, that good will be all the more perfect, according as it extends to more things pertaining to man. Wherefore no one questions the fact that it belongs to the perfection of moral good, that the actions of the outward members be controlled by the law of reason. Hence, since the sensitive appetite can obey reason, as stated above..., it belongs to the perfection of moral or human good, that the passions themselves also should be controlled by reason. Accordingly, just as it is better that man should both will good and do it in his external act; so also does it belong to the perfection of moral good, that man should be moved unto good, not only in respect of his will, but also in respect of his sensitive appetite: according to Ps. 83, 3: *My heart and my flesh have rejoiced in the living God*: where by *heart* we are to understand the intellectual appetite, and by *flesh* the sensitive appetite.<sup>35</sup>

Reason governing the passions by aligning them by way of the moral virtues to the order of right reason is intrinsic to the perfection of the moral good. And therefore, passions that are principally to be cultivated are passions consequent upon the judgment of reason, while passions that are principally to be curbed – or transformed into consequent passions – are passions antecedent to the judgment of reason. ‘[S]ince [antecedent pas-

<sup>35</sup> *ST* I-II, q. 24, a. 3: ‘[S]i passiones simpliciter nominemus omnes motus appetitus sensitivi, sic ad perfectionem humani boni pertinet quod etiam ipsae passiones sint moderatae per rationem. Cum enim bonum hominis consistat in ratione sicut in radice, tanto istud bonum erit perfectius, quanto ad plura quae homini conveniunt, derivari potest. Unde nullus dubitat quin ad perfectionem moralis boni pertineat quod actus exteriorum membrorum per rationis regulam dirigantur. Unde, cum appetitus sensitivus possit obedire rationi, ut supra dictum est, ad perfectionem moralis sive humani boni pertinet quod etiam ipsae passiones animae sint regulatae per rationem. Sicut igitur melius est quod homo et velit bonum, et faciat exteriori actu; ita etiam ad perfectionem boni moralis pertinet quod homo ad bonum moveatur non solum secundum voluntatem, sed etiam secundum appetitum sensitivum; secundum illud quod in *Psalmo* 83, [3] dicitur: *Cor meum et caro mea exultaverunt in Deum vivum*, ut *cor* accipiamus pr appetitu intellectivo, *carnem* autem pro appetitu sensitivo’.

sions] obscure the judgment of reason, on which the goodness of the moral act depends, they diminish the goodness of the act; for it is more praiseworthy to do a work of charity from the judgment of reason than from the mere passion of pity'.<sup>36</sup> Passions consequent to the judgment of reason can come about and increase the goodness of an action in two ways:

First, by way of redundancy: because, to wit, when the higher part of the soul is intensely moved to anything, the lower part also follows that movement; and thus the passion that results in consequence, in the sensitive appetite, is a sign of the intensity of the will, and so indicates greater moral goodness. – Secondly, by way of choice; when, to wit, a man, by the judgment of his reason, chooses to be affected by a passion in order to work more promptly with the co-operation of the sensitive appetite. And thus a passion increases the goodness of an action.<sup>37</sup>

In the positive line Thomas presses here a very important point: the passions, and via *executio*, the bodily effects, if governed by the judgment of reason, serve a similar function to the sound body of a violin: they greatly enhance the sound which the vibration of the strings produce.<sup>38</sup> The shining examples of such a life of perfected passions are, of course, the saints. Let me just suggest St. Philip Neri and St. Catherine of Siena – or for that matter, St. Thomas Aquinas himself.<sup>39</sup>

<sup>36</sup> *ST* I-II, q. 24, a. 3, ad 1: '[C]um obnubilent iudicium rationis, ex quo dependet bonitas moralis actus, diminuunt actus bonitatem: laudabilius enim est quod ex iudicio rationis aliquis faciat opus caritatis, quam ex sola passione misericordiae'.

<sup>37</sup> *ST* I-II, q. 24, a. 3, ad 1: 'Uno modo, per modum redundantiae: quia scilicet, cum superior pars animae intense movetur in aliquid, sequitur motum eius etiam pars inferior. Et sic passio existens consequenter in appetitu sensitivo, est signum intensionis voluntatis. Et sic indicat bonitatem moralem maiorem. – Alio modo, per modum electionis: quando scilicet homo ex iudicio rationis eligit affici aliqua passione, ut promptius operetur, cooperante appetitu sensitivo. Et sic passio animae addit ad bonitatem actionis'. See also *ST* I-II, q. 59, a. 2, ad 3.

<sup>38</sup> Growth in moral character does not entail repression of the acts of the sense appetite, but an ever improving alignment of them with reason's judgment. This alignment is brought about by the moral virtues which are inherently connected to the passions. (The exhaustive account of the virtues and the vices of *ST* II-II is unthinkable without the antecedent study of the passions in *ST* I-II, 22-48).

<sup>39</sup> Finally, in article 4 of question 24, Thomas considers whether there are inherently good and inherently evil passions, which he confirms in regard to consequent passions, that is, voluntary passions. He mentions compassion and shame as examples of intrinsically good passions, and envy as an example of intrinsically evil passions.

*(4) Implications*

Because the sense appetite and its acts, the passions, are governed by reason, in virtue of this ‘political’ governance the consequent passions participate in reason’s own participation in the eternal law. In virtue of this ‘participated participation’, the passions fall under the purview of the natural as well as the revealed law. Moreover, again because of the ‘participated participation’, all antecedent passions are to be elevated to rightly informed consequent passions. Differently put, *the moral schooling of the passions entails a moral schooling of the body. And this schooling is most natural and not at all a foreign imposition of some extrinsic rule upon the body, for after all, the human body being informed substantially by a rational soul acquires a distinct moral quality.*

The appropriate moral appreciation of the spiritual character of the sense-appetite consists not in the mastery or subjugation of its acts, the passions, but rather in their proper formation according to reason’s ‘political rule’ over them. Hence, neither repression nor idolization of the passions is called for, but their proper formation in service of moral and spiritual perfection, that is, in service of achieving the twofold human end: ‘Perfection of moral virtue does not wholly take away the passions, but regulates them; for the temperate man desires as he ought to desire, and what he ought to desire, as stated in *Ethic.* iii. 11’.<sup>40</sup>

CONCLUSION: MOVING BEYOND THE MODERN ANTHROPOLOGICAL DILEMMA OF ANGELISM VERSUS ANIMALISM BY RETRIEVING AQUINAS’S INTEGRAL DOCTRINE OF HUMAN NATURE

Having gone up-stream and listened to the source, Aquinas’s doctrine of the passions, has yielded a distinct result – a forceful reminder that the human animal is an embodied intellect made for understanding the truth and loving the good. The acts of the sense appetite are to support and intensify the acts of reason such that the embodied intellect advances ever more efficaciously on the road toward the true and the good; the *homo viator* is ever to proceed in order to achieve his or her twofold end. And because grace does not destroy but perfect nature, sanctifying grace (by way of the

<sup>40</sup> *ST I*, q. 95, a. 2, ad 3: [P]erfecta virtus moralis non totaliter tollit passiones, sed ordinat eas: *temperati enim est concupiscere sicut oportet, et quae oportet, ut dicitur in III Ethic.*

infused theological and moral virtues) reaches all the way down to heal and re-order the passions and allow them to contribute even more fully to the perfection of the moral act. Both angelism and animalism fail to appreciate this fact, animalism by taking the unformed, *de facto* passions as quasi-moral sentiments, angelism by regarding the passions as a detrimental intrusion of an alien dynamic into reason's moral existence, an intrusion that must be solved by way of a repressive subjugation of the passions. This characteristic modern dilemma between angelism and animalism arises from the failure to appreciate the passions as acts of the human soul, that is, as acts of the soul's sense appetite, acts that are ordained to contribute to the comprehensive human flourishing, a flourishing that is neither pre- nor transmoral, but the flourishing of the embodied soul and the ensouled body, a flourishing that is as embodied irreducibly spiritual and moral. That is, proper passions are consequent upon evaluative judgments of the cogitative power, but on the level of sensibility only, and even as such – *pace* Hume – they are not an original existence.

And here a second failure comes into play. Not only do angelism as well as animalism fail to appreciate the teleological structure and *de facto* ordination of the human being to a twofold end. They also fail to appreciate the qualification of the passions by the concrete historical human nature in the extant order of providence. For antecedent passions always already are the result of the complex interplay of bodily dispositions, of the infirmity of fallen human nature, and the impact of healing and sanctifying grace. That is, their antecedence entails the consequence of a primordial condition: Consequent to the first sin, 'all powers of the soul are left, as it were, destitute of their proper order, whereby they are naturally directed to virtue; which destitution is called a wounding of nature'.<sup>41</sup> This wounding of nature pertains to the irascible as well as the concupiscible sense appetite: '[I]nsofar as the irascible is deprived of its order to the arduous, there is the wound of weakness; and insofar as the concupiscible is deprived of its order to the delectable moderated by reason, there is the wound of concupiscence'.<sup>42</sup> Consequently, the passions are distinct and immediate, but never 'original' in the

<sup>41</sup> *ST* I-II, q. 85, a. 3: 'Et ideo omnes vires animae remanent quodammodo destitutae proprio ordine, quo naturaliter ordinantur ad virtutem: et ipsa destitutio vulneratio naturae dicitur'.

<sup>42</sup> *ST* I-II, q. 85, a. 3: '[I]nquantum vero irascibilis destituitur suo ordine ad arduum, est vulnus infirmitatis; inquantum vero concupiscentia destituitur ordine ad delectabile moderatum ratione, est vulnus concupiscentiae'.

strict sense. Rather, they always already are antecedently charged with a potency for evil or good – in a privative sense due to the wound of nature consequent upon sin, and in a perfective sense due to the restoration and elevation of nature consequent upon healing and sanctifying grace.

In light of this integral doctrine of human nature – ensouled body and embodied soul – as teleologically ordered to a twofold end, the warring modern accounts come into view as exactly what they are, fragments that fail to stand in for the whole. Hence they always are confronted with some puzzling remainder: be it the emotions as erratic and disruptive bodily upheavals of the life to which a pure, subsistent intellect is called, or be it the intellect and its own appetite, the will, as curious epiphenomena of the subconscious *Triebleben* of a highly advanced animal. Being a fragment, each of the two modern strands misses the human being and its specific dignity. Neither a bundle of instincts nor an engaged angel, but *animal rationale* – the singular meeting place of the spiritual and the material universe.

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## PARTICIPACIÓN DEL DINAMISMO EMOCIONAL EN LA FUNCIÓN DE LA PRUDENCIA

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El concepto de ley natural, y sus implicancias en la ética en general, en el orden socio-político y jurídico, y en la moralidad individual y colectiva de los seres humanos, encuentra en Tomás de Aquino una síntesis superior y superadora de los antecedentes doctrinarios, cuyas fuentes primordiales son las de Aristóteles, pasando por los Santos Padres y otros filósofos y pensadores de la antigüedad.<sup>1</sup> De ahí a la actualidad, incluso desde la modernidad, el tratamiento de la ley natural ha tenido que sortear muchos obstáculos e, incluso, deformaciones hermenéuticas hasta la desacreditación de sus bases epistemológicas para establecer criterios racionales de bien o mal, de verdad o falsedad. Tal desacreditación apunta tanto a lo sustantivo, el que sea “ley”, como a su especie, el que sea “algo de la naturaleza”. En el fondo, está *la negación de las bases racionales (en especial de la racionalidad práctico-moral) y, por ende, ontológicas, de la moral (normas y valores)*.

La crítica al valor epistemológico de la razón moral nos la ofrece, desde temprano el s. XX, la Ética Analítica de habla inglesa, porque ante la antigua tensión de la ética occidental entre el papel de la razón y de la parte no racional de la naturaleza humana en la determinación de la moral, se ha proclamado, y en general explícitamente, por el rechazo a

<sup>1</sup> Una de las fuentes primordiales es Aristóteles, a quien se ha llamado *Padre del Derecho natural*. Cicerón, quien continúa el pensamiento griego, en especial la “Retórica” de Aristóteles, recurre al concepto de ley natural de los estoicos, aunque purgado de los elementos panteístas e inmanentistas, y a Séneca que sigue la doctrina estoica. Las doctrinas de Cicerón y Séneca influyeron en los juristas romanos, constituyendo un verdadero *Corpus Iuris Civilis* que es aprovechado en la Edad Media, especialmente por Gayo, Ulpiano y Justiniano. Estas doctrinas filosóficas y jurídicas de origen griego y romano llegan a Santo Tomás luego de ser reelaboradas por el pensamiento cristiano. Me refiero a la patrística, en especial San Agustín y a San Isidoro, Graciano y San Alberto Magno.



la razón o más bien a la racionalidad como cosmovisión e ideal práctico. Esto ha implicado, también, negar la importancia y hasta menospreciar las verdades captadas por el intelecto y rechazar una estructura inteligible del mundo. La perspectiva analítica tuvo como punto de partida, por un lado, la crítica al ideal moral clásico, sobreviviente en el neo-hegelianismo inglés, de *vivir conforme a la razón*. Por otro lado, esta corriente es deudora y continuadora del empirismo y positivismo inglés, contrincante clásico de aquel neo-hegelianismo, al colocarse en el otro polo de la tensión, el de los sentimientos o la parte no racional de la conducta humana, asignando una función metaética a la razón moral y por ende a la filosofía. Entre la crítica al idealismo y la formulación de esta nueva corriente ha mediado Hume, el positivismo lógico y la semántica lingüística. En consecuencia, la primera formulación de la ética analítica la ofrece Alfred Julius Ayer,<sup>2</sup> que se encuadra dentro del *emotivismo ético* (“emotive meaning”), un sentido dinámico que provoca acciones en la gente como tendencia de las mismas palabras a producir respuestas efectivas en las personas. La finalidad del lenguaje ético no es expresar verdad o falsedad sino el colocarnos ante los hechos con una determinada disposición emotiva.

Esta crítica a la razón práctico-moral, además de desacreditarla en su capacidad epistemológica de objetividad, universalidad y certeza, la concibe como incompatible con dar respuesta al referente vital y afectivo que es intrínseco a la moralidad. Es ésta la primera objeción que involucra el desarrollo de mi tema.

En segundo lugar, y respecto del concepto de *naturaleza y sus derivados*, nos encontramos con la negativa a recurrir a criterios de legitimación y justificación del proceder científico, que surjan de una dimensión profunda de la realidad, permanente y objetiva, que sustente la diferencia y multiplicidad de los fenómenos, dando sentido y explicación a la infinita variación de la realidad concreta, humana o infrahumana. Nos referimos a quienes comparten la metafísica común del llamado “cientismo”: la negación de toda metafísica, es decir, la negación de esencias, valores y normas más allá de los juicios, estimaciones, elecciones y decisiones producidos en cada circunstancia. En consecuencia, o bien entienden por naturaleza un soporte rígido y determinista, opuesto al cambio y a la multiplicidad de la realidad

<sup>2</sup> *Language, Truth and Logic*, Victor Gollancz Ltd., first edit. 1936. Este libro contiene un capítulo sobre filosofía moral: “Critique of Ethics and Theology”, pp. 102-120.

concreta y, por lo tanto, que nada explicaría. O bien, y referido concretamente a la vida humana, algo que podría explicar (por lo anterior) la estructura y funcionamiento de la dimensión biológica del hombre, pero no así lo específico de su comportamiento racional y libre (ni siquiera lo sensible), ya que al ser un substrato dado y recibido coartaría la determinación autónoma de la persona.

En última instancia, es un problema de “conveniencia” o “inconveniencia” de la naturaleza como marco de referencia en la legitimación de la ciencia o en la justificación moral de la conducta humana, más que sólidas argumentaciones epistemológicas o metodológicas del recurso a la “naturaleza” en la concepción del hombre y de su actuar en el mundo. Para Tomás de Aquino no cabe un verdadero “humanismo” sin considerar que *todo en el hombre es humano*, es decir sin sustentar en la misma naturaleza una auténtica filosofía del cuerpo, y reparar, además, en qué medida su postergación, opresión o negación mutila al hombre con graves consecuencias en el orden antropológico y moral. Nada mejor que para cerrar esta introducción que escuchar al Aquinatense: “La forma del *cuerpo humano* es el alma racional”,<sup>3</sup> aunque “el intelecto o la razón, *no es cuerpo* ni acto de un órgano corporal; ni en consecuencia la voluntad que también es racional”.<sup>4</sup> “El alma racional informa mediante el *cuerpo humano* absolutamente a todo el hombre”.<sup>5</sup> “El *cuerpo humano* dice orden natural al alma racional que es su forma propia y motor”,<sup>6</sup> en cambio “el cuerpo de los animales brutos no tiene relación con el alma racional (...), por lo que no es lo mismo que el *cuerpo humano*”.<sup>7</sup> “El hombre nace con *cuerpo y alma*, no porque de ambos surja una sustancia, sino porque de ambos se hace una persona”,<sup>8</sup> y así “el *cuerpo* es sujeto del espíritu”.<sup>9</sup> “De este modo, el alma intelectual es cierto horizonte y límite entre lo corpóreo y lo incorpóreo, en cuanto es sustancia incorpórea y no obstante forma del *cuerpo*”,<sup>10</sup> por lo que “el *cuerpo humano* es el más noble entre los cuerpos inferiores”.<sup>11</sup> “No todo cuerpo pertenece a la naturaleza

<sup>3</sup> *Summa Theologiae* I-II, q. 85, a. 6 Sed Contra 3.

<sup>4</sup> *Ibid.* II-II, q. 95, a. 5 corpus.

<sup>5</sup> *Ibid.* III, q. 6, a. 1 Sed Contra.

<sup>6</sup> *Ibid.*, q. 8, a. 2 corpus.

<sup>7</sup> *Ibid.* ad 2.

<sup>8</sup> *Ibid.* q. 35, a. 2 ad 1.

<sup>9</sup> *Ibid.* q. 57, a. 3 ad 2.

<sup>10</sup> *Summa Contra Gentiles*, II, c. 68, n. 5.

<sup>11</sup> *Ibid.* c. 70, n. 6.

humana sino solamente el cuerpo humano. Un *cuerpo es humano* si es vivificado por la unión con el alma racional”.<sup>12</sup> “Es propio de la esencia del alma humana el que sea unible al *cuerpo humano* porque no tiene en sí su especie completa, sino que el complemento de la especie lo obtiene en el mismo compuesto”.<sup>13</sup>

#### RACIONALIDAD, LEY NATURAL Y DINAMISMO EMOCIONAL

La inteligencia divina y la humana traducen en sus obras, que siempre incluyen pluralidad, una configuración ordenada, consistiendo precisamente en esto la perfección que puede plasmar un artífice en lo que de él depende: *orden, armonía, equilibrio*. Por ello, el mundo está ordenado, desde el corazón mismo de la diversidad y de la multiplicidad, al poseer cada ente una estructura inteligente, participación de la sabiduría divina, llamada *naturaleza* (“naturaleza” como esencia específica), que determina en cada ente una configuración estructural que lo especifica y distingue del resto [Inteligencia creadora] y, como contracara dinámica, una *teleología* (“naturaleza” como fuente radical de operaciones) que lo orienta a sus fines perfectivos propios [Inteligencia providente].

Este diseño inteligente que se registra en todos los seres naturales, se concreta de modo particular en el ser humano, pues en él se da una doble línea de operación: una *natural*, ínsita en la misma estructura esencial, que es participación en la esencia divina conforme a su sabiduría, y que orienta la operación (como en todo ente natural) hacia sus connaturales fines perfectivos y, otra, *racional y libre*, de la que el mismo hombre es dueño y, por lo tanto, de resultados contingentes, hipotéticos y, por ende, falibles. En consecuencia, se hace necesario modelar o corregir este actuar racional conforme a fines, recurriendo a alguna forma ejemplar, aunque extrínseca, por requerimiento de la misma racionalidad natural del actuar humano. Es el requerimiento de una medida racional que, cual guía ejemplar, reasegure el mismo curso natural de la libertad humana. Y éste es el orden racional de la normatividad, orden de la razón práctico-moral frente al destino existencial de la naturaleza humana, sea como *norma-modelo*, o como forma obligatoria *norma-precepto* o *ley moral*. De

<sup>12</sup> *Ibid.* IV, c. 37, n. 4.

<sup>13</sup> *Q. Disp. De Anima*, q. un., a. 3 corpus.

ahí la definición de ley moral: *la ley no es más que una prescripción de la razón, en orden al bien común, promulgada por aquel que tiene el cuidado de la comunidad.*<sup>14</sup>

La ley natural comparte con toda ley su carácter de ser un producto racional. En primer lugar, es “ley”, porque su contenido específico lo constituyen proposiciones racionales fruto de la ordenación natural de la razón humana, como participación en la ley eterna. Segundo, es “ley moral”, porque sus preceptos no son meros enunciados descriptivos, sino juicios imperativos, y de los más radicales, que mandan seguir lo que es intrínsecamente bueno y prohíben lo que es intrínsecamente malo. Por eso, ostenta la máxima superior de todo el orden moral: “se debe hacer el bien y se debe evitar el mal”, máxima que cualquier norma humana, individual o colectiva, no hace otra cosa que aplicar. Por último, cabe destacar que, también, como toda ley, la ley natural no es una mera moción o impulso a obrar proveniente de la voluntad, porque el acto principal que estructura la proposición legal es un acto prescriptivo o “imperativo” (*imperium*), que es de naturaleza racional. A su vez, y por lo mismo, es el único acto de la razón que tiene fuerza de obligación, es el único que “se impone”.

Ahora bien, sin duda, en el dinamismo humano la razón y la voluntad se implican mutuamente, y las atribuciones de una u otra son a efectos de una analítica conceptual, que en la realidad se da en una unidad sin fracciones. Sin embargo, es posible señalar campos específicos de competencia. Así, en la deliberación previa a la orden prescriptiva, en que la razón considera los medios para ofrecer a la decisión voluntaria, observamos un remanente en uno y otro acto. Pues, es evidente que para deliberar hay que querer hacerlo (elemento de impulso eficiente) y en la decisión hay un elemento de orientación y sentido racional (elemento de especificación formal), porque en el acto propio de ambas potencias, una continúa virtualmente en el acto de la otra, por la circularidad integradora del psiquismo humano.

Así mismo, la razón práctico-moral depende psíquicamente en su ejercicio de la afectividad sensible con toda su carga subjetiva, tanto del apetito

<sup>14</sup> *Summa Theologiae*, I-II, q. 90, a. 4 corpus. Es interesante reparar en que Tomás considera al concepto de ley como analógico, siendo su analogado principal el de la ley humana, ya que sólo a la especie humana cabe la moralidad. Por esto, su demostración de la conexión necesaria entre razón y ley moral es estrictamente filosófica, sin extrapolación de una reflexión teológica de la ley eterna, ni religiosa de la ley divina. Sólo lo hace cuando quiere distinguir los preceptos de la ley, en su sentido propio, de los preceptos ceremoniales y judiciales (*Summa Theologiae*, I-II, q. 100, a. 1 corpus).

to concupiscible como del irascible, porque ellos movilizan directamente los miembros y energías físicas que hacen ingresar las operaciones humanas en la vida concreta. Al igual que el conocimiento intelectual finaliza su captación del objeto real a través de una conversión a través de la imaginación, así las determinaciones prácticas del psiquismo intelectual-volitivo lo hacen a través de la afectividad sensible. Diferente cuestión es la orientación y cualificación de la afectividad sensible en la concreción de la operación, si es congruente o no con la natural armonía de la estructura psicofísica del hombre y su consecuente centro de control funcional intelectual-volitivo. Porque en el hombre la parte no racional, incluso el nivel biológico, a diferencia del animal, no puede considerarse “en absoluto”, ya que por la constitución armónica natural del ser humano, lo racional puede ser “racionalizable”.<sup>15</sup>

En esto comprobamos cuán alejado está del hombre real y concreto el pensar que su naturaleza y todo lo que responde “naturalmente”, si bien tiene la regularidad, espontaneidad y constancia de lo dado ontológicamente, sea un sustrato inerte e incompatible con la circunstanciada vida humana. La misma libertad, incluso los actos interiores de obrar inmanente, como la contemplación, la investigación científica, la creación artística, los procesos místicos, requieren de una tranquilidad, un control, un equilibrio en las tensiones, lo cual incluye, también, una respuesta corporal. Éste es el ámbito en el que cabe dar una respuesta a los condicionamientos psicológicos y sociológicos de la conducta moral, pues la idea de una libertad “desencarnada” que ignora sus límites y las fuerzas impersonales que colaboran en la posición del acto humano, termina siendo una libertad despótica. Esto la conduce a negar la importancia del condicionamiento orgánico y de la influencia de las fuerzas no espirituales, y se llega a una mutilación del ser humano, lo cual es contrario a su naturaleza.

<sup>15</sup> Es decir, el hombre, a diferencia del animal “no se mueve inmediatamente a impulso del apetito irascible y concupiscible, sino que espera el mandato del apetito superior, que es la voluntad. Pues, en todas las potencias motoras ordenadas unas a otras, la segunda no se mueve sino en virtud de la primera; por eso el apetito inferior no basta para mover hasta que el superior lo consienta... De este modo, por lo tanto, el apetito irascible y el concupiscible están sometidos a la razón”. *Summa Theologiae*, I, q. 81, a. 3 corpus.

## LAS PASIONES

1. *Sujeto de las pasiones*<sup>16</sup>

Para Santo Tomás, el apetito es el término más general para designar toda tendencia, desde el hombre hasta el ente inanimado, porque el bien se difunde a todo ente, tanto como todos los entes lo son por participar del acto de ser. El apetito es el principio de movimiento esencial en el ente porque “propiamente se apetece algo que no se tiene”,<sup>17</sup> algo que no posee y por no poseerlo y a la vez necesitarlo, lo busca con vigor; “apetecer no es otra cosa que tender hacia algo a lo cual está ordenado”.<sup>18</sup> La tendencia básica es el apetito natural, que consiste en el mismo dinamismo fundamental de todo ente natural frente a la actualidad de la forma, de su conservación y consumación. La forma superior de apetito es el apetito elícito, sensitivo e intelectual, que es consecuente de la presencia intencional inmediata del bien en el conocimiento, porque a “toda forma le sigue una inclinación”, y se constituye en una potencia del alma, diferente del conocimiento y principio próximo de operación. Esta mayor dignidad no es por el conocimiento en cuanto tal que le antecede, cuanto por lo que éste posibilita a la tendencia: el ente cognoscente tiene posibilidad de otra forma de amar, una forma nueva, el poder ser no sólo él mismo sino los otros.

Esta relación constitutiva entre el apetito elícito y el conocimiento inmediato posibilita que las formas intencionales abran al apetente a otras cosas diferentes de sí, pero no según el modo propio de existencia en el conocimiento, sino según el modo como esas cosas existen en la realidad. Pero, el realismo del apetito elícito y su carácter centrífugo, también se realizan de un modo peculiar. El apetito elícito sigue a la forma intencional aprehendida por el conocimiento, en cuanto guarda con el apetito una afinidad, una conveniencia, una *connaturalidad*: en el apetito sensitivo (*sensualitas*) con el sentido, como el apetito intelectual (*voluntas*) con el in-

<sup>16</sup> Tomás utiliza el término “pasión” en su sentido etimológico como “movimiento del apetito sensitivo, o acto elícito de la potencia sensitiva apetitiva que sigue a la aprehensión de una forma en los sentidos”. Sin embargo, en la psicología contemporánea, con distintas variantes, la restringen a “las inclinaciones o tendencias que rompen el equilibrio de la vida psíquica” acompañadas de un fuerte componente hedónico. El término en español que más se le aproxima es el de “emociones”.

<sup>17</sup> *In Sent.* I, d. 45, q. 1, a. 1 ad 1.

<sup>18</sup> *De Verit.* q. 22, a. 1c.

telecto. El apetito sensitivo moviliza para buscar algo o huir de él; mientras que la voluntad no es movida como tal sino desde sí, al captar algo bajo la razón de bien o mal.<sup>19</sup>

El apetito sensitivo “juzga” la bondad del objeto, no por referencia al bien universal sino por la conveniencia o inconveniencia con el sujeto cognoscente, por lo que ante lo deleitable (porque le es conveniente) no puede no apetecerlo, ya que el animal no es dueño de sus actos, no los gobierna: *unde non agunt, sed magis aguntur*. Esto sucede porque el apetito sensitivo reside en órgano corporal, como lo tiene el conocimiento sensible que le antecede, en tanto que todas las potencias sensitivas son una estructura unitaria, constituidas por la forma accidental que es la potencia respectiva más el órgano. Así, la afectividad sensible no puede no estar muy próxima a las cosas corporales, ni dejar de apetecerlas cuando desatan su moción, de modo tal que resultan movidas por esos bienes concretos y materiales. En esto radica la diferencia con el apetito intelectual o voluntad, el cual, al no residir en un órgano corporal no está determinado a inclinarse al apetecible presentado por el conocimiento intelectual antecedente, en cuanto éste, también incorpóreo, puede captar los fines como tales y los medios que a ellos se ordenan.<sup>20</sup>

## 2. Naturaleza de las pasiones

Las pasiones son movimientos del apetito sensitivo, de modo tal que el “padecer” no es meramente receptivo sino que va acompañado de movimiento y alteración.<sup>21</sup> La pasión sensible o emoción consiste *en el movimiento de un sujeto corporal que pasa de una cualidad a otra contraria como efecto de la acción de un agente*. Es una alteración cualitativa que sólo puede darse en un sujeto corporal, ya que se da con pérdida y sustracción de los compuestos de materia y forma, como es el caso del animal o del hombre. Sin embargo, en un sentido “lato” de *padecer*, como recepción de una forma sin ninguna sustracción – como ocurre en la sensación o la intelec-

<sup>19</sup> *In Sent.* II, d. 24, q. 2, 1. 1c.

<sup>20</sup> *De Malo*, q. 6, a. un.c.

<sup>21</sup> Tomás distingue tres sentidos de padecer (*De Veritate*, q. 26, a. 1; *Summa Theologiae*, I-II, q. 22, a. 1): 1. Sentido *lato*, que significa “recibir”, porque toda recepción es una forma de padecer aunque nada se sustraiga. 2. 1. Sentido *menos propio*, cuando se sustrae a la cosa lo que no le es conveniente. 2.2. Sentido *más propio*, cuando el agente contraría al paciente, privándole a éste de algo de su sustancia.

ción –, entonces puede aplicarse al alma misma. Esta atribución del padecer al alma es “accidental”, porque más bien importa una perfección. De dos modos se registra la atribución de la pasión al alma. Un *primer modo*, en cuanto forma del cuerpo, que le da el ser y lo vivifica, la pasión se inicia en el cuerpo pero finaliza en el alma. Aquí hablamos de *pasión corporal*, como cuando el cuerpo sufre una lesión y repercute en el alma aunque accidentalmente. El *segundo modo*, que sucede cuando la pasión se inicia en el alma, en tanto que ella es principio motor de la corporeidad, a través de lo cual ejerce sus operaciones. Se trata de la *pasión animal* que incluye una apercepción y tendencia del alma misma. Es el caso que en la medicina, en psicología o en la bioética, se distingue entre “dolor” y “sufrimiento”.<sup>22</sup>

### 3. *Sustento orgánico de las pasiones*

Las pasiones son, propiamente, movimientos del apetito o afectividad sensible que es el verdadero impulsor de las pasiones, pero que se expresan en la realidad a través de las potencias motoras que explican los movimientos, reacciones, alteraciones, etc., que acompañan las pasiones. Por ello que la función del apetito sensitivo es el resultado vital armónico del componente primariamente psico-afectivo (lo formal) que proviene del apetito, y su alteración orgánica (lo material) que proviene de la corporeidad. El componente formal de la parte emocional, es una actividad vital e inmanente que se desencadena ante la percepción de un bien o mal concreto (algo satisfactorio o perjudicial), suscitando, respectivamente, atracción o retracción.

Ahora bien, siendo las pasiones actividades vitales del apetito sensible, como toda potencia sensorial reside en un órgano, sin embargo, particularmente si son intensas, no alteran sólo el órgano que las sustenta sino que repercuten en toda la corporeidad. Los estudios más actuales reconocen un fundamento orgánico neurológico de la vida emocional y afirman que ella es posible por una íntima interacción, vital, mente-cerebro-cuerpo, y vice-

<sup>22</sup> El dolor emocional, es el sentimiento negativo que surge ante determinadas situaciones o problemas, generalmente relacionadas con una pérdida o con un problema que nos afecta de manera importante. Surge en el instante en que somos heridos física o emocionalmente. El sufrimiento va un paso más allá. El sufrimiento es la respuesta cognitivo-emocional, que tenemos ante un dolor físico o ante una situación dolorosa. Es un conjunto de emociones y pensamientos que se entrelazan, adquiriendo mucho más intensidad y duración que el dolor emocional. De hecho, el sufrimiento puede durar indefinidamente, aunque la situación que lo provocó ya se haya solucionado.



versa, cosa que la neurología por sí sola no puede explicar en sus razones más profundas, debiendo limitarse a describir y mostrar las razones próximas de los fenómenos neurobiológicos observados. En la vida emocional el hombre se muestra como una unidad psico-somática de operación.

Se han de distinguir las “emociones” de los “sentimientos”.<sup>23</sup> La *emoción* es la combinación de un proceso de valoración simple o complejo, con respuestas a esos procesos que emanan de las representaciones disposicionales (presentes en distintos circuitos neuronales del cerebro), dirigidas principalmente hacia el cuerpo propiamente tal, con el resultado de un estado emocional corporal, y orientadas también hacia el cerebro mismo (núcleos neurotransmisores en el tallo cerebral), con el resultado de cambios mentales adicionales. El conocimiento sensible se basa en representaciones disposicionales situadas en el hipotálamo, en el tallo cerebral y en el sistema límbico, y están relacionadas con la regulación biológica y la supervivencia, por ejemplo: el control del metabolismo, las pulsiones y los instintos.

Por su parte, los *sentimientos* son un proceso de monitoreo continuo, esa experiencia de lo que el cuerpo hace mientras se despliegan pensamientos sobre contenidos específicos. Si una emoción es una colección de cambios en el estado corporal, conectados a imágenes mentales precisas que han activado un sistema específico del cerebro, la esencia de “sentir una emoción” es la experiencia de dichos cambios en yuxtaposición con las imágenes mentales que iniciaron el ciclo. En otras palabras, un sentimiento depende de la yuxtaposición de una imagen del cuerpo propiamente tal, con una imagen de alguna otra cosa (la imagen del objeto que dio origen a la emoción).

En síntesis, “hay una relación íntima entre cuerpo y cerebro, en donde el cerebro estimula al cuerpo y recibe a su vez información de todos los cambios y estados del mismo, vale decir que ambos sienten e interaccionan de modo constante. El cerebro tiene siempre una imagen de todas y cada

<sup>23</sup> Damasio Antonio R., *El Error de Descartes*, Ed. Andrés Bello 1ra. Edición, Santiago de Chile, 1996. Del mismo autor, *The Feeling of What Happens: Body and Emotion in the Making of Consciousness*, Harvest Books, Pennsylvania, 2000. Cf. Guillermo Romero (doctor en medicina, cardiólogo) “El cuerpo humano y las pasiones del hombre”, en *Actas XXXII Semana Tomista: “Filosofía del cuerpo”*, Buenos Aires, septiembre 2007. Antonio R. Damasio es catedrático de Neurobiología y Director del Departamento de Neurología de la Facultad de Medicina de la Universidad de Iowa, quien ha examinado el tema de la afectividad sensible (emociones y sentimientos) a la luz de la concepción antropológica de Tomás de Aquino, y en contraposición a la teoría cartesiana.

una las partes del cuerpo, una imagen dinámica, viva, podría decirse que es un “cuerpo-cerebro”. Vemos así un cuerpo humano informado por un alma humana, esto es racional, dando vida a todo el cuerpo, y esta vida es vegetativa, animal y racional, que siente y tiene emociones, y por último conoce y ama, que es el modo humano de vivir”.<sup>24</sup>

## PAPEL DE LAS PASIONES EN EL EJERCICIO DEL JUICIO PRUDENCIAL

### 1. *Ley natural y razón prudente*

En ocasión de la presentación de la ley natural, señalaba que, contrariamente a las teorías éticas contemporáneas, no hay incompatibilidad conceptual ni epistemológica entre ley natural, racionalidad práctico-moral y libertad. En este punto ya conclusivo, abordaré lo que suele llamarse “la moralidad de las pasiones”, justificando que aquélla trilogía tampoco es incompatible con la afectividad sensible o sus operaciones emotivas. Además, siendo el tema general de esta Sesión Plenaria *el hombre como animal humano*, trataré de aplicar el tema desde un punto de vista bioético y referirlo en particular a la procreación humana.

Tomás recoge la definición de Ulpiano de derecho natural,<sup>25</sup> insertándola entre los preceptos primarios de la ley natural, en el segundo grupo que refiere “a lo que el hombre tiene en común con todos los animales”.<sup>26</sup> Ulpia-

<sup>24</sup> *Ibid.* Romero, p. 6.

<sup>25</sup> Las referencias son tomadas de LENEL, Otto, *Palingenesia Iuris Civilis*, Editorial Analecta, 2007 (Reimp. de la ed. de Leipzig, Ex. officina Bernhardi Tauchnitz, 1889), a su vez citadas en un interesante artículo de Pedro D. Martínez, “Ulpiano y el derecho natural”, en *Gladius*, 26 (1993), pp. 145-159.

<sup>26</sup> “La lectura de los textos expuestos y las referencias indicadas manifiestan claramente que la realidad del derecho natural no es una afirmación aislada de Ulpiano sino, por el contrario, es un *locus communis* de los juristas clásicos. La naturaleza se presenta como una maestra que enseña a todos los animales. Enseñanza que es anterior e independiente de una decisión del hombre. Las consecuencias jurídicas de esa enseñanza de la naturaleza asumirán precisamente el nombre de *ius naturale*. Ésta será, en definitiva la distinción entre el *ius gentium* y el *ius civile*... Uno de los componentes que inmediatamente nos llama la atención es la extensión del derecho natural a *omnia animalia* no siendo algo *humani generis proprium*. Que los animales (*sic et simpliciter*) sean sujetos del derecho natural es algo contrario con la tradición intelectual romana... Sin embargo, el mismo Ulpiano dice en otro lugar que ‘un animal no puede causar injuria, porque está privado de razón’. Habría que pensar, entonces, que esta ‘extensión’ del derecho natural es un elemento de hecho. Es la exigencia de la naturaleza que los animales tienen en común con los hombres”. Martínez, *Op. Cit.*, p. 11.

no distingue entre derecho público y privado, y éste en natural, de gentes y civil. En lo que respecta al derecho natural “es aquello que la naturaleza ha enseñado a todos los animales, porque este derecho no es exclusivo del género humano sino que es común a todas las creaturas que nacen en el aire, en la tierra o en el mar. Conforme a este derecho procede la unión del varón y la mujer, que llamamos matrimonio, del cual se deriva la procreación y la educación de los hijos. Por eso constatamos que los otros animales actúan como dotados del conocimiento de esta ley”.<sup>27</sup>

Tomás de Aquino hace suya tal definición, incorporándola a la segunda categoría de las inclinaciones y preceptos naturales. Para algunos comentaristas, es ésta una doctrina “extraña” a la obra tomasiana, pero lo que ha sucedido es que el Aquinatense asume el concepto de naturaleza en su acepción etimológica, primaria y formal, que significa la naturaleza animal en su función de generación y nacimiento.<sup>28</sup> De ahí el enunciado del segundo precepto primario:

Todas las cosas hacia las que el hombre siente inclinación natural son aprehendidas naturalmente por la inteligencia como buenas y, en consecuencia, como necesariamente dignas de practicarse, y sus contrarias como malas y evitables... *En segundo lugar*, hay en el hombre una inclinación hacia bienes más específicos, conforme a la naturaleza que él tiene en común con los demás animales. En virtud de esta inclinación decimos que pertenecen a la ley natural aquellas cosas que “la naturaleza ha enseñado a todos los animales”, tales como la unión entre varón y mujer, la educación de los hijos, y otras semejantes.<sup>29</sup>

La ley natural, como toda ley es obra de razón, y su función no consiste simplemente en lograr una adhesión racional a ciertos juicios en

<sup>27</sup> Ulpian, *Pandect. Just.* I, tit. ii. Ulpiano usa extensivamente el concepto de “derecho natural” como “ley natural”, lo que no sucede en Tomás de Aquino, para quien la ley natural es determinante del derecho natural por comprender a todas las virtudes morales, mientras que el derecho natural refiere a los preceptos de la ley natural que regulan lo atinente a la virtud de la justicia y a la actividad jurídica del hombre.

<sup>28</sup> “El nombre naturaleza se impuso primeramente para significar la generación de los vivientes, que se llama nacimiento. Y como tal generación procede de un principio intrínseco, el nombre se extendió para significar el principio intrínseco de cualquier movimiento y así se lo define en el libro II de la Física. Además, como tal principio es formal o material, comúnmente, tanto la materia como la forma se las llama naturaleza. Y como la forma completa la esencia de cualquier cosa, comúnmente se llama naturaleza a la esencia de cualquier cosa...”. *Summa Theologiae*, I, q. 29, a. 1, ad 4.

<sup>29</sup> *Summa Theologiae*, I-II, q. 94, a. 2 corpus.

que se comprende el significado de la realidad moral, política o jurídica, sino que es una razón normativa, con derecho a reglar, medir e imperar, tanto la moralidad en general, como las leyes humanas y la vida del individuo y de la sociedad. Pero no es una norma absoluta o autónoma. Es una norma normada por el fin último de la existencia humana, que es el primerísimo de los principios de la sindéresis, y por ello, podemos decir que cualquier razón humana es *naturalmente recta*. Pero, el deambular hacia el fin último es un camino contingente e hipotético, por la falibilidad de la libertad humana y, como lo he señalado, porque requiere el concurso de la energía tendencial y motriz de la afectividad sensible, de ahí que se le exige a la razón un ejercicio de precisión dentro de una infinidad de casos y circunstancias de la libertad. Esto requiere la formación de una “razón recta” (*recta ratio*), que es una razón prudente, norma próxima de la moralidad, en cuanto asegura la ordenada rectitud del juicio de imperio.

Ahora bien, la *razón recta* es “plenamente recta” cuando obtiene, además, la perfección virtuosa de la prudencia, que consiste precisamente en lograr esa habilidad de aplicar los primeros principios práctico-morales a los casos concretos. Por otra parte, siendo que los fines en el orden de la acción funcionan como principios, porque la causalidad del fin es desencadenar la acción del que obra, atrayendo y motivando, entonces, la tarea de la prudencia, al aplicar los principios universales, no es otra que ordenar los actos a la consecución de los fines rectos (de las virtudes morales), proveyendo los medios que se ajusten a tales fines.

## 2. Prudencia y rectitud del apetito

“La verdad del intelecto práctico es diferente de la verdad del intelecto especulativo (como se dice en el L. VI de la *Ética a Nic.*). En efecto, la verdad del intelecto especulativo se toma de la conformidad del intelecto a la cosa conocida. Y como el intelecto no puede conformarse infaliblemente a las cosas contingentes, sino a las cosas necesarias, ningún hábito especulativo sobre las cosas contingentes es virtud intelectual, sino sólo sobre cosas necesarias. En cambio, la verdad del intelecto práctico se toma de la conformidad con el apetito recto; conformidad que no tiene lugar en las cosas necesarias, las cuales no dependen de la voluntad humana, sino solamente en las cosas contingentes, que pueden ser hechas por nosotros, bien sean actos interiores, bien sean operaciones exteriores. Por consiguiente la virtud del entendimiento práctico versa

solamente sobre las cosas contingentes: sobre las cosas producibles, el arte, y sobre lo agible, la prudencia”.<sup>30</sup>

Pareciera que caemos en un “círculo vicioso”, en cuanto la razón es recta por su conformidad con el apetito y, a su vez, el apetito es recto por conformarse con la razón recta,<sup>31</sup> porque la verdad del juicio práctico se tiene por su adecuación a la buena voluntad, y esto incluye la bondad moral del apetito sensible, puesto que, como se ha dicho, aportan las tendencias y mueven las energías motrices que concretan la operación. Salir del aparente “círculo vicioso” exige la rectificación de todos los poderes y facultades del organismo moral, lo cual requiere de la formación de los hábitos. En la potencia rectora, la razón práctica, la virtud de la prudencia, para que dirija, oriente e impere la conducta humana, y en la afectividad sensible, las virtudes de la templanza y la fortaleza para que no fallen en la ejecución.<sup>32</sup>

Éste es el diseño armónico del organismo moral y de su funcionamiento; la cuestión surge cuando ha de implementarse en la realidad moral que es vital, particular, contingente y de resultados probables. Es aquí donde debemos reparar en la participación del dinamismo emocional de las pasiones en el juicio prudencial. Recordemos que la “premisa mayor” del *silogismo práctico recto* es dictada por la *sindéresis* (o la ciencia moral), que es aceptada en la intención de la voluntad que es naturalmente recta y refiere al fin último en común o los fines propios indeterminada y universalmente. La “premisa menor” que refiere a los fines concretos particulares, es formulada por la prudencia sugerida y anticipada espontáneamente por las virtudes morales de la afectividad sensible. Así, la prudencia arriba a la conclusión bajo el impulso y la inclinación de la atracción natural de la voluntad al fin universal y los fines rectos de las virtudes morales, que son propios y particulares. Como se advierte, es en la premisa menor donde se juega la articulación armónica y virtuosa entre las potencias espirituales y la afectividad sensible.

La vida afectiva en el ser humano, a diferencia del animal, está impregnada de racionalidad, por lo tanto las interrelaciones que guarde con el psiquismo superior no puede ser meramente instrumental o “despótica”, siendo que la afectividad sensible goza de una cierta autonomía, aunque imperfecta, en lo que llamamos emociones primarias, por esa unidad sin fraccio-

<sup>30</sup> *Ibid.*, q. 57, a. 5 ad 3.

<sup>31</sup> Cf. Ramírez, S.M., *La prudencia*, Palabra, Madrid, 1978.

<sup>32</sup> *Summa Theologiae*, I-II, q. 65, a. 3 ad 1.

nes entre cuerpo y alma y, por ende, entre razón, voluntad y vida sensible. Sin embargo, esos movimientos espontáneos y originarios pueden ser “prevenidos”, porque participan del dinamismo libre de la voluntad y de ahí susceptibles de aprobación o reprobación moral.<sup>33</sup> Siendo que el juicio prudencial articula la dirección, orientación e imperio de la razón recta con la tendencias e impulsos eficientes de la voluntad y la afectividad sensible, la participación rectificadora de las pasiones requiere, por una parte, del concurso de los sentidos internos, en especial de la memoria y la cogitativa y, por otra, de una subordinación dócil de la afectividad sensible a la voluntad. Esto no debe entenderse como procedimientos separados o yuxtapuestos, sino como elementos que confluyen en un mismo acto, se interconectan, se influyen mutuamente, por lo que todos pueden colaborar u obstaculizarse. Sin duda el amor humano puede corromperse cuando el hombre por su operación desvía o tergiversa la orientación de su apetito, al constreñir toda su capacidad amorosa a la óptica emocional del amor sensible de concupiscencia. Pero no es que la voluntad resulte dominada por el apetito sensible, sino que ella misma asume la orientación de lo pasional. Lo cual ratifica (por oposición) que seguimos en el ámbito de lo racional, ya que hablamos de “desregulación”.<sup>34</sup>

La memoria en el hombre tiene una función más alta que en los animales que sólo recolectan hechos pasados, pues puede “indagar, casi silogísticamente, el recuerdo de los sucesos pasados, teniendo en cuenta todos sus aspectos individuales”.<sup>35</sup> Desde ahí se apoya la cogitativa, que percibe lo provechoso o perjudicial, comparando las experiencias pasadas con las circunstancias presentes, por lo que puede aportar sucesos similares para extraer una conclusión singular y concreta. Pero, a su vez, la cogitativa no sólo tiene una participación en el conocimiento circunstanciado – gozando de una excelencia extrínseca derivada de su obediencia a la razón humana, y de allí su nombre – sino que intrínsecamente participa en la misma libertad de la voluntad “porque puede ser principio del acto voluntario [es en cierto modo

<sup>33</sup> *De Veritate*, q. 25, a. 5 ad 5. *Summa Theologiae*, I-II, q. 74, a. 3 ad 2.

<sup>34</sup> “A la tendencia concupiscible natural le es propio que se oriente a lo desahojado por el sentido. Empero, en cuanto es tendencia concupiscible humana se le adjunta que quiera su objeto *bajo la regulación de la razón*. De modo tal que cuando tiende *desenfrenadamente*, en cuanto humana no le es natural, sino más bien es *contra la naturaleza* de lo que le es propio. Y por esto *merece una culpa*, máxime considerando que la naturaleza humana cae totalmente bajo la regulación racional”. *Sent.* II, d. 30, q. 1, a. 2 ad 4.

<sup>35</sup> *Summa Theologiae*, I, q. 78, a. 4.

“libre”] y en consecuencia sujeto de pecado”.<sup>36</sup> Es decir, que a diferencia de la estimativa animal, permite que en el dinamismo emocional pueda darse un corte entre padecer alteraciones fisiológicas (secreción de glándulas suprarrenales, tiroides, gonadales, sensaciones de frío, calor, sed, hambre, etc.) sin experimentar las reacciones psicológicas emotivas correspondientes. En otros términos, la experiencia emotiva siempre va acompañada de alteraciones corporales; pero, dichas emociones no se producen “necesariamente” por los impulsos fisiológicos (instintos) sin que medie ese cierto “juicio” de la cogitativa que, por lo dicho, participa en el psiquismo superior.

Es por ello caricaturesco, como antropológica y psicológicamente falaz, el concebir a la razón práctica y a la voluntad como dos emperatrices aisladas y desencarnadas de la vida concreta de los hombres. Ante todo, porque las excelsas decisiones y órdenes que tienen lugar en el alma racional son vehiculizadas hasta la operación por la sensibilidad cognoscente y afectiva y, por lo mismo, porque la subordinación dócil de las emociones es consecuente con la lógica de la naturaleza del ser humano que es un cuerpo vitalmente animado.

Retomando los juicios prudentiales, en punto a los planteos iniciales de este trabajo, de su legitimidad y validez científica frente a aseveraciones de verdad y falsedad, de bien o mal, se ha de afirmar que en los juicios morales particulares o en aquellos juicios universales no primerísimos, el criterio es una *armonía, equilibrio, orden*, de esa tensión o desnivel propios del orden moral, entre dado-darse, ser-deber ser, real-ideal, en sí-para mí, pero también entre las certeza y las dudas, o dificultades, propias de la falibilidad de la conducta libre humana. Puesto que, en cuanto virtud intelectual tiene certeza de rectitud y de dirección no especulativa sino práctico-afectiva y, consecuentemente, es una *razón vital y afectiva*, siendo su tarea esencial la de encarnar la moralidad en la vida concreta de los hombres suscitando *un amor ordenado a los fines rectos que le permiten cumplimentar la vocación existencial del ser humano*.

#### LEY NATURAL Y PROCREACIÓN HUMANA

A partir de la Declaración Universal de los Derechos Humanos, algunas corrientes ideologizadas han avanzado buscando ciertas reivindicaciones

<sup>36</sup> *Ibid.*, I-II, 74, a. 3 ad 2.

que trasgreden la índole propia de la sexualidad y de la procreación humanas. Me refiero al avance cada vez más agudo del feminismo exacerbado que introduce la teoría de género y los “derechos femeninos”, con la pretensión de reprogramar las relaciones entre varón y mujer; sostener nuevos prototipos de “familias” y, en fin, manipular la procreación humana a través de métodos inicuos o de la biotecnología. Es lo que se ha dado en llamar *derechos sexuales y reproductivos*<sup>37</sup> que han incursionado en los organismos internacionales y nacionales, en sus políticas y declaraciones, en el orden jurídico y económico, fomentando una suerte de reconversión cultural y un nuevo paradigma ético de la salud y de la convivencia humana. Tales “derechos” se definen como “el poder de tomar decisiones sobre la propia fertilidad, la procreación y cuidado de los niños, la salud ginecológica y la actividad sexual, así como los recursos para poder llevar a cabo esas decisiones de modo seguro y efectivo”.<sup>38</sup>

Entre dichos “derechos sexuales y reproductivos” es interesante destacar los siguientes: a) El ejercicio de la independencia sexual, así como el derecho a disfrutarla según las propias preferencias, y el derecho a que esto se proteja jurídicamente. b) Sexualidad placentera y recreativa, independiente de la reproducción. c) Amor, sensualidad y erotismo en las relaciones sexuales. d) La educación sexual que sea apropiada, comprensiva, laica, científica y sensibilizada hacia el género. e) El rechazo a toda intervención externa en una actividad sexual. f) Libertad frente al miedo, la vergüenza, la culpabilidad y otras creencias impuestas que inhiben la sexualidad de una persona y disminuyen sus relaciones. g) Elección de compañeros sexuales para ejercer la sexualidad sin coerción o violencia. h) Maternidad voluntaria, para decidir y vivir la maternidad desde la propia elección y no por obligación. i) Métodos contraceptivos libres o gratuitos con información pública, seguimiento y responsabilidad por parte de aquellos a quienes se lo prescriban. j) Matrimonio o familia o la libertad de no tenerlos. k) Paternidad y el derecho a decidir cuándo se tienen hijos. l) Participación igual de las mujeres y de los hombres en el cuidado de los niños, construyéndolo creati-

<sup>37</sup> Se inspiran en tres documentos de 1996: “La Declaración de los Derechos Sexuales y Reproductivos de la Federación Internacional de Planificación Familiar”; la obra de Mari Ladi Londoño “Sexual and Reproductive Rights” y el “Foro Abierto para los Derechos Sexuales y Reproductivos” en Chile.

<sup>38</sup> Corra, S.Y. – Petchesky, R., “Reproductive and Sexual Rights. A Feminist Perspective”, en Sen, G. – Germain, A. – Chen, L. (ed.), *Population Policies Reconsidered: Health, Empowerment and Rights*. Harvard University Press, Cambridge (MA), 1994.



vamente por los tradicionales roles de género. m) Adopción y derecho a un tratamiento completo y accesible para la fertilidad.<sup>39</sup>

Los *derechos sexuales y reproductivos* merecen las críticas del constructivismo propio del Positivismo Jurídico, pues se inscriben dentro de un concepto “positivista” del derecho, en que se reduce: a) todo derecho al derecho positivo y b) y el derecho a los derechos subjetivos, y por lo tanto, ningún derecho humano se ajusta a las conductas morales objetivas y reales, ni es consecuencia de la función normativa de las normas jurídicas naturales, sino que sólo son facultades de hacer u obrar, prerrogativas, a las que se accede por legislación positiva humana que las concede un sujeto jurídico. En consecuencia, se elaboran en oposición crítica al derecho natural que reconoce una ley natural consecuente al orden de las naturalezas a sus fines propios y beneficiosos de cada naturaleza.

Desde el punto de vista ético, se inscriben dentro de la “nueva ética”. Sin embargo, desde que existe un moralista sobre la tierra, la tarea de la ética es encauzar lo anormal, lo incorrecto, lo ilegítimo hacia lo normal, lo correcto y legítimo, porque la moral consiste precisamente en ordenar la conducta hacia los fines rectos que son los que plenifican a la persona en cuanto persona. La propuesta de los *derechos sexuales y reproductivos* se inscribe en la así llamada “nueva ética”, que es un “consecuencialismo moral” como una forma posible del utilitarismo moral, ed. que una conducta es “correcta” si produce tanto bien como cualquier otra acción posible, y “obligatoria” si produce más bien. Por lo tanto, todo puede caer bajo la misma “norma moral”: lo normal y lo anormal, lo permitido y lo permisivo, lo universal y la excepción.

Todas estas deformaciones de las relaciones humanas de convivencia, tienen como raíz un desorden del papel que juega el dinamismo emocional en la vida del hombre, y la escisión entre las inclinaciones naturales que buscan la plenitud de la existencia humana y su concreción vital, a través de un amor retorcido y egoísta. La conciliación entre el amor natural, el amor sensible y el amor espiritual, se da por la ausencia de oposición o contradicción entre el amor del bien propio, el amor de concupiscencia y el amor de amistad. Porque lo naturalmente amable y conveniente a la esencia del hombre es lograr el pleno desarrollo de sus posibilidades perfectivas (*amor natural*), que es un estado plenamente saturante y bienaventurado (*amor del bien propio-concupiscencia legítima*). Pero un tal estado no se alcanza sino en el

<sup>39</sup> Cf. Consejo Pontificio para la Familia, *Lexicón*, Palabra, Madrid, 2004.

encuentro objetivo y verdadero con las otras personas (*amor de amistad*), especialmente con el Absoluto personal en el que se consume todo bien en la unidad de su acto de ser subsistente. El amor humano en sentido cabal, es búsqueda del amor propio en la realización de un bien personal como bien de una comunidad de personas. Todo lo contrario del *amor de sí* (*concupiscencia ilegítima*), que es un amor reflexivo y egoísta, mientras que aquél ama su bien amando el bien. Y no es necesario recurrir a un sacrificio apático de postergación o a un deber formal por el deber mismo para que la auténtica dialéctica del amor sea una realidad existencial. El mismo amor natural, raíz de todo afecto, desde su origen, que es una forma incoada e imperfecta como amor del bien propio (primer sentido, *apropiación*), se consume y perfecciona al transformarse en el mismo bien (segundo sentido, *difusión*); ed. al amar el bien de los otros tanto como el suyo.

## THE PARAGON OF ANIMALS\*

JOHN O'CALLAGHAN

In the beginning, Genesis says, 'and [God] said let us make man to our image and likeness,...and God created man to his image, to the image of God he created him, male and female he created them...and God blessed them saying be fruitful and multiply'.<sup>1</sup> Let us suppose that human beings are essentially animals. I am an animal; you are an animal; every human being you have ever known has been an animal. Indeed, the second account of Genesis says that God formed the body of the man from the slime of the earth, 'and breathed into his face the breath of life', and the living body that resulted was Adam. He breathed into his face. But only animals have faces. And Eve was formed from the rib, a bodily part of Adam. As Genesis would have it, in creating us God created beings that are animals. When we consider ourselves as the recipients of life, of the breath of God, there is no suggestion that we are something other than animals. We are dust, and unto dust we shall return. After all, we engage in the living activities characteristic of all the other animals. We move in self directed ways informed by a cognitive grasp of the world in pursuit of sustenance that spurs our growth and life. We pursue partners for reproduction fulfilling God's original blessing and command to be fruitful and multiply.

But let us not forget that while we are created animals, something more is said in the biblical account – we are made in the *image* and likeness of God, and that is said of no other animal. Supposing this apparent tension in the

\* The themes explored here are discussed much more extensively in O'Callaghan, John, 'Aquinas on Augustine's Mind and the *Imago Dei*', invited contribution to *Aquinas as Augustinian*, Catholic University of America Press, 2007.

<sup>1</sup> '...et ait faciamus hominem ad imaginem et similitudinem nostrum...et creavit Deus hominem ad imaginem suam ad imaginem Dei creavit illum masculum et feminam creavit eos...benedixitque illis Deus et ait crescite et multiplicamini', Latin Vulgate, I:26-28.

way we think about being human, the question I want to raise today is whether a living animal can actually be the image of God as Genesis tells us. This is an important question for Christian belief generally, but in Western thought and history it also lies at the intersection of the engagement of theological reflection upon revelation with our philosophical understanding of the world. How can a living animal be an image of God who is not an animal, indeed, not even a body? Contemporary philosophy tends to discuss human nature under the rubric of the mind-body problem. How does the mind relate to the body – is it a distinct substance from the body, or is it identical to the body or some part of the body like the brain. But, this purely philosophical discussion of mind and body can be seen in historical terms to be the secular residue or inertia of older discussions of the relation of soul and body informed by both Christian and pagan belief in immortality. Indeed, this way of conceiving of the philosophical task of reflecting upon human nature as between possibly conflicting notions of mind and body has a long history in Western thought predating the advent of Christianity; but it was taken up by the early Christians as they tried to understand the relationship between what Scripture revealed about human kind, and what the Greek and Roman philosophers had said. As a result, Western thought has struggled and continues to struggle with making sense of our place in nature, our lives as rational beings, and the distinctiveness of human dignity in a world of animals, plants, and minerals – is it or is it not in virtue of our being in some measure related to God as his images among ourselves that we possess an inviolable dignity.

However, given the long history, what is striking about the contemporary discussion in philosophy is what is absent from it, namely, a reflection upon the claim about how our philosophical understanding of human nature might engage a revelation that says that human beings are made in the image and likeness of God.

I will consider this question by looking at Thomas Aquinas' discussion in the *Summa Theologiae*. The background for his discussion is by and large Augustine's discussion in his *De Trinitate*. Here I can only afford to list those themes from Augustine that animate Aquinas, and from which he will depart fairly radically.

#### AUGUSTINE

Augustine's discussion of human nature and the *imago dei* was animated by two theological principles, the affirmation of the divine unity of being

against the Arians and the affirmation of the real plurality of persons against the so called Sabellians.<sup>2</sup> So with the orthodox doctrines in mind, Augustine found the adequate image of God as Trinity *only* in the human mind, which he asserted is the essence or substance of the human soul. Every creature is a likeness of God, but only the mind is an image of God. And Augustine admonished his readers that mind as essence or substance of soul must be clearly distinguished from the principle that he says 'quickens the body' and all of its activities. The life of the body is part of the outer man, and consists in all of those activities we share in common with animals. He writes:

Anything in our consciousness that we have in common with animals is rightly said to be still part of the outer man. It is not just the body alone that is to be reckoned as the outer man, but the body with its *own kind of life attached*, which quickens the body's structure and all the senses it is equipped with in order to sense things outside.<sup>3</sup>

The acts we share in common with animals are the acts of the outer man, while the activities of mind that are distinctive of our rational life constitute the life of the inner man. St. Augustine's stress upon these two different areas of our life is so strong that he comes close to suggesting two principles of life in human nature. The mind is one principle, and the other is this principle he refers to enigmatically as the principle that 'quickens the body'.

And Augustine suggests that the mind and the body are distinct *in being* when he rejects as a candidate for the image the trinity of sensation, mental attention, and will. He rejects it on the basis of the claim that there is not a sufficient *unity of being* between the bodily acts of sensation and the mental acts of attention and will. The Anti-Arian image of unity is to be found in the unity of mind itself, while the Anti-Sabellian image of plurality is to be found in the plurality of what Augustine identifies as the mind's three acts – memory, which is the image of the Father; intellect, which is the image of the Son, and will, which is the image of the Holy Spirit. And so, strictly speaking, according to Augustine there can be no image of God in the vital activities of animals as such, or in what counts as the vital animal life of the human being, all those activities we share in common with animals.

<sup>2</sup> Pope Dionysius condemned Sabellianism, while Arianism was condemned by the Council of Nicea.

<sup>3</sup> In the translation of Edmund Hill O.P., *The Works of St. Augustine, A Translation for the 21st Century: The Trinity*. Brooklyn: New City Press, 1991. p. 322. *De Trinitate*, Lib. XII, #1.

Augustine also considers and rejects the appearance of a trinity in human reproduction as found in father, mother, and child. He does this because he cannot get the persons of the Trinity to match up with the persons of father, mother, and child. But the family is also part of the life and activity we share in common with animals; so, while there is a kind of unity in family life, nevertheless insofar as it involves an activity shared in common with the animals, namely, sexual reproduction, there is insufficient unity of life, for it involves bodily life.

Finally, Augustine makes a curious claim, namely, that if something is an image of God, there can be no other being that is a greater image of God. To be the image of God is to be the highest possible image of God. Anything else that would count as an image of God would be neither higher nor lower than any other image – a kind of democratic equality of images. Though Augustine does not discuss the angels, that is, purely spiritual beings, it would seem to follow from his position that the angels are not greater images of God than the human mind.

No doubt much of what Augustine says about the mind is deeply indebted to Neoplatonism. But before moving on to Aquinas, I want to summarize the relevant points in Augustine for what follows. First, the mind must be clearly distinguished from the body and whatever principle gives rise to bodily activity. Second, the mind is the essence or substance of the soul. Third, the *imago dei* is to be found in the mind alone, in its unity as the image of the divine unity and the acts of memory, intellect, and will as the images of Father, Son, and Holy Spirit. Consequently, the image of God *cannot* be found in a bodily activity such as human reproduction. Finally, there can be no greater and lesser images of God; in particular, if the angels are images of God the human mind cannot be a lesser image of God than they are.

#### THOMAS AQUINAS

Now let's turn to Aquinas who inherits this discussion. In order to understand Aquinas' discussion of the *imago dei* in question 93 of the first part of the *Summa*, we have to understand his earlier rejection of the Plurality of Substantial Forms position in question 76. For Aquinas as an Aristotelian the soul or substantial form of the body isn't something distinct from the body that uses the body as a kind of instrument, the way a sculptor might use a hammer; it just is the origin and manifestation of the uni-

fied activity displayed by the living body. Your soul is not hidden from me as something other than your body manipulating it, anymore than the sphericity of the bronze sphere is hidden from me. I apprehend your soul, when I apprehend you acting in the human animal ways you act. The formal cause in substances makes those substances to be what they are. Their matter makes them to be changeable, while their form makes the changes they undergo distinctive of what they are. A dog changes differently from the way a salmon changes because the respective bits of matter that are elements of the two different animals are informed by different substantial forms. So when we say *what* some substance is, we are specifying its substantial form. You are human beings. My dog Bailey is a Labrador. You and he engage in different characteristic activities as a result of the different substantial forms that give being to the matter they inform.

But substantial forms are not merely principles of classification for species specific behavior. They are intrinsic principles of act – being actually this or that as the origin of characteristic activities. It is the substantial form that provides for the intrinsic *unity* of the substance engaging the world. And so the soul or substantial form of an animal is different from a form like the sphericity of the bronze because it structures or forms the expression of the act and activity of the substance in question, where the sphericity is merely a passive condition of the bronze as something else moves it.

Now Aquinas is concerned in question 76 to combat various positions on the relation between the intellectual soul and the body that place some sort of fissure or mediating principle between the two. Here he engages the so called Plurality of Substantial Forms position that animated much of the 13th century on into the 14th. At the risk of great oversimplification, the problem centered on whether in living material things in addition to the substantial form responsible for the life of the substance, that is, the soul, there is another substantial form responsible for the substantiality of the bodily matter, often called the bodily form. In the case of the living *human* substance, a further complication arises. In a human substance might there be a substantial form or quasi substantial principle of the living human body in addition to the immortal rational soul?

But within the Augustinian context that all of the medieval Christian theologians shared, we can see that this controversy takes on an added valence. The plurality position on substantial forms ought to appear clearly attractive to anyone wanting to maintain the Augustinian position on the mind as having a kind of substance or essence apart from the life of the body and its ‘quickenings’ principle, which mind is then the proper *imago*

*dei*. So it is no surprise that figures like St. Bonaventure, Scotus, and Ockham tend to adopt some version of it. However, because everyone in the 13th and 14th centuries now had to work with the Aristotelian terminology, the Augustinian would typically maintain that the rational soul is indeed one substantial form within the living human being, while there is at least one more substantial form or principle that is responsible for bodily substance or life. The principle that Augustine had enigmatically described as 'quickening the body and all of the acts we share in common with animals' need no longer be seen as another non-essential or non-substantial part of the soul distinct from the mind but still part of one and the same soul. Instead it can now be an essential or substantial principle in its own right, the substance or essence of the body, perhaps very closely related to the rational soul in some larger formal context. The death of the body and the ceasing to be of this bodily substantial form has little to do with the life of the mind, as the mind can be conceived of as a substantial form, but not one primarily responsible for the life of the body. We can see then in the various Pluralist positions any number of different mind-body dualisms or more. And the fissure that Augustine had posited in human life between the life of the body and the life of the mind as *imago dei* is easily preserved.

Aquinas, however, rejects the plurality position. The rational soul is the only substantial form present within a human being, and it alone is responsible for the life of the body. Consider the following objection on behalf of pluralism that Aquinas discusses:

[Aristotle] says that the genus is taken from matter, and the difference from the form. But *rational*, which is the constitutive difference of a human being, is taken from the intellective soul, while he is called *animal* because he has a body animated by a sensitive soul. Therefore the intellective soul is related to the body animated by the sensitive soul as form to matter. Therefore the intellective soul is not of the same essence as the sensitive soul in a man, but presupposes it as a material supposit.<sup>4</sup>

The Aristotelian setting is clear from the use of the language of *genus*, *difference*, and *species*, the fundamental terms of definition within Aristotelian logic. The genus is the broad classification of human beings as animals. The specific is the classification of them as human. But to get the generic to match the specific, we need to add a difference, something that

<sup>4</sup> *ST* Ia.76.3 obj.4.



narrows the generic to the specific, and that is the character of being rational. So the objection amounts to the claim that we have descriptions of the life of the body that make no reference to reason, the descriptions in terms of sensitive animal life one might get within biology, while we have a term like 'reason' that appears to make no reference to the life of the body. According to the objection, these two descriptions when they enter into a definition of a human being are in fact describing two distinct substantial principles, the principle of animal life and the principle of rational life. It is easy to think here of the principle that Augustine had described as quickening or animating the body apart from the mind. So it plausible to read this objection as an Augustinian objection couched within Aristotelian language.

However, Aquinas rejects the position. The first point he makes is that a plurality of descriptions does not imply a plurality of things described. We are all familiar with this linguistic phenomenon. The morning star is identical to the evening star, despite the different descriptions we employ in order to talk about it. According to Aquinas one and the same soul can be understood in many ways. In particular, it is known *through* the powers that derive from it and manifest its characteristic activities as the kind of thing it is. So, it can be understood insofar as powers of sensation and bodily life derive from it. It can also be understood insofar as the powers of intellect and will derive from it. These powers have diverse manifestations leading to diverse ways of knowing the soul. These different ways of knowing the soul do not, however, entail that two or more things are being known. One and the same soul is understood in these different ways. We are not compelled by the language of plural descriptions to adopt the Pluralist position.

This is, however, merely a negative response to the Pluralists. Aquinas goes on to give several positive arguments for the simple unity of the substantial form, one of which I want to focus upon here. It stresses the simple unity of human life. This is the unity Augustine had denied in positing the mind as distinct from the quickening principle of the body. As we've seen a substantial form is the principle of unity in a being. Diverse substantial forms would imply a diversity of substantial beings; in other words, if a human being had two or more substantial forms, he or she would in fact be two or more substances leading two or more substantially different forms of life. The two lives would be merely accidentally related to one another. On the contrary, a human being displays a unity of life in his or her acts integrating reason as the form of the acts that a human *animal* engages in, even if those acts share a description that at a certain level does not distinguish them from the acts of other animals, acts like eating, or reproducing, and so on.

We can describe the act of a dog and of a human being as eating or reproducing, and so on. But we have not adequately or fully described the human act until we have specified it formally as rational eating or rational reproduction. For Aquinas, reason is not posited as a cause distinct from bodily behavior that brings about bodily behavior by a *quasi* efficient or agent causation like the sculptor shaping the bronze or the child rolling it; instead, reason is exhibited or manifested as the adequate formal structure of the bodily behavior. It does not *make* the body behave; it is the *way* the body behaves. Aquinas gives the classic Aristotelian example of a *white man*.<sup>5</sup> He holds that on the Pluralist's position the life of reason would be no more united to the animate life of the human animal than is *being white* united to the life of a human animal, that is, almost not at all and merely accidentally. This claim he thinks is manifestly false. On the contrary, reason is *per se* and internally related to the life of a human animal as its formal act. Aquinas is in effect presenting a fundamentally different picture of human life than the Augustinian presupposes; he is presenting it as the life of an animal formally determined by reason. The life of the rational soul just is identically the life of the animal body.

Indeed, according to Aquinas it is precisely because of this unity of substantial form in the rational animal that our intellect is called 'rational'. Rationality, which is characterized by the back and forth of argument proceeding from one thing known to another, and so on, is the form that intellect takes in our lives as animals. It has this discursive mode because of its engagement with sensation. It draws its content from sensation and the engagement of the body with the material world, which is always partial and calling out for more information, and the organization of the partial bits of knowledge that it possesses. It follows from this, of course, that even though angels and God are intellectual beings, neither is rational.<sup>6</sup> Reason is the act of an animal; for us *rational* is the form of the animal acts we engage in, eating, reproducing, and so on. Therefore, reason is not a power or second essence or substance within us that *separates* or *distinguishes* us *from* animals. Reason distinguishes us *as* animals.

Now suppose we turn to Aquinas' explicit discussion of the *imago dei* in the *Summa* against the background of this very different philosophical

<sup>5</sup> See Aristotle, *Metaphysics*, Bk. V, chpt. 7, *Bekker number*. And *Posterior Analytics* 1.81b10?

<sup>6</sup> Of course, 'intellectual' must itself be said by analogy of human beings, angels, and God.

account of rationality and animality. There are two points that I want to consider. The first point to consider is where the image of God is to be found in human nature. In the *Summa*, Aquinas must locate the image of God somewhere other than the mind if he is to preserve the emphasis upon plurality in unity. In the *Summa* the mind is the intellect alone, not Augustine's memory, intellect, and will. So the mind may well have unity, but it will not have plurality.

However, given Aquinas' rejection of the Plurality of Substantial Forms, there is an obvious candidate for the anti-Arian image of divine unity, and that is the unity of the soul itself as substantial form of an animal. Aquinas preserves St. Augustine's distinction from the *De Trinitate* between a *likeness* and an *image* proper. All creatures are likenesses of their creator. God as creator is the exemplar cause from which all things derive their being. In articles one and two of question 93, however, Aquinas makes clear that 'image' is a likeness of an exemplar that is both copied from the exemplar (a.1), and also attains in some fashion to the *species* of the exemplar (a.2) It is these latter features that narrow the broader notion of a likeness to the more narrow notion of image.<sup>7</sup> He writes:

some things are like God in the first place and most commonly simply because they exist; in the second place because some [that exist also] live; and in the third place, because [some that exist and live] also know and understand...Therefore, it is intellectual creatures alone, properly speaking, who are said to be to the image of God.<sup>8</sup>

Existing is a common *generic* feature of likeness. Life as a *difference* serves to limit or contract that broad *notion* of likeness. But life is not a *specific* or *ultimate* difference, so we do not yet have a *species* of likeness that can be called an *image of God*. The *ultimate difference* comes from knowledge and understanding. Thus only existing, living, intelligent creatures are made *to the image of God*. *Knowledge* and *understanding* are playing the role here that *reason* played in the definition of human nature in Aquinas' argument against the Plurality of Substantial Forms. So here is the definition of an *imago dei* – *an existing living thing that knows and understands*.

In that case, the unity of the soul is the *imago dei* because it is the principle of unity, existence, and life for a knowing understanding being, the human animal. But the unity of the soul, as the substantial form of an ani-

<sup>7</sup> *ST Ia.93.2.*

<sup>8</sup> *ST Ia.93.2.*

mal, just is the unity of life of the living animal body. We saw that result in Aquinas' earlier argument against the Pluralists. The soul is the unitary life of the body, not something other than it. So for Aquinas it is in fact the living human being who is the adequate image of God, not the soul alone, and certainly not the mind or intellect. Throughout the rest of the *Summa*, Aquinas will speak indifferently of the soul *or* the human being, the rational animal, as the image of God. He is able to do what Augustine had thoroughly rejected, namely, argue that a particular kind of animal, a bodily thing, can be more than just a likeness, but, rather, the very image of God, as Genesis had said, after God had breathed into that animal's face.

But at this point you might wonder how Aquinas can maintain the image of divine plurality that Augustine emphasized. Hasn't Aquinas' Aristotelianism made him sacrifice the anti-Sabellian image of plurality in favor of the Anti-Arian image of unity? If the image of unity is to be found in the soul, indeed in the living human body, there no longer seems to be any reason to distinguish the powers of memory, intellect, and will from all the other powers of the soul, the powers of the animate life of an animal, like eating and reproduction. In fact, Aquinas now changes the basis for the anti-Sabellian image of plurality. He focuses more upon the way in which understanding *proceeds* from the intellect and expresses itself in a kind of mental word, a *verbum mentis*. This mental word expressed by the intellect is seen to be an image of the Divine Logos or Word, the second person of the Trinity that is expressed or generated from the first, the Father. 'In the beginning was the Word, and the Word was with God, and the Word was God'. From the expression of the mental word expressing understanding an act of will or love then follows. So the image of plurality is not found *in* the intellect, but rather *according to* the intellect, the origin from which the inner word springs, which then proceeds to love as an expression of the will, as the Son, the Word with which the Gospel of John begins, proceeds from the Father, and the Spirit who is love proceeds from both. The image of unity is found in the living human animal, and the image of the Trinitarian life is found in the rational procession of understanding and love that is distinctive of human animal life.

#### THE ANGELS AND US

Finally I want to consider the issue raised implicitly by Augustine's discussion: whether human beings are the highest images of God. Augustine had not considered the question of whether human beings are the greatest

images of God in that form. After all there is no direct biblical warrant for it, as Genesis only applies the notion of 'image' to human beings. However he did say that if a human is to be the image of God, there can be no greater image. But recall that in Aquinas' rejection of the Plurality of Forms, he maintained that reason is proper to human beings because of their embodied natures. Angels are not rational, but they do have intellect. Recall also that in Aquinas' definition of the *image of God*, he did not use *reason* as the limiting feature, but *knowledge* and *understanding*. So it follows that insofar as angels exist, live, and understand that they are images of God, a conclusion Aquinas readily accepts.

But then Aquinas has a problem. Even though Augustine had not considered the angels, he had said that human beings could not be images of God if there were any creatures closer to God in respect of being an image of God. In the *Summa*, Aquinas is at pains to explain that human beings are not of the same intellectual kind as any angel.<sup>9</sup> The soul is not of the same kind of spiritual substance as an angel because the soul is the substantial form of a body. And earlier in the *Summa*, in his discussion of angels themselves, Aquinas had argued that their mode of intellectual life is higher than the rational life of human beings, and thus as intellectual creatures angels are greater intellectual beings and closer to God than human beings are. So we should not be surprised that discussing the *imago dei*, Aquinas devotes an entire article to the issue 'whether the angels are more to the Image of God than a human being is?'

His response is very complex. St. Augustine's claim about the human mind being the highest image of God is brought up in the first two objections that he considers to the effect that an angel cannot be a greater image of God than a human being is. The first objection cites a sermon of St. Augustine's asserting that 'God gave his image to no other creature than man'. So it would seem angels are not to be counted images of God at all. The second objection cites another work of St. Augustine's to make the same point he had made in the *De Trinitate*. 'According to Augustine,..., a man is so much to the image of God that he is formed by God with no creature interposed [between the man] and God...Therefore an angel is not more to the image of God than a man is'.

In his general response, Aquinas clearly argues that angels are images of God. So responding to the first objection, he points out that Augustine

<sup>9</sup> *ST Ia.75.7.*

only intends to exclude animals that lack intellect from the image, not intellectual beings in general. Thus, angels can be taken to be images of God without going against Augustine. In response to the second, he argues that if one considers human beings and angels at the generic level of 'intellectual creatures' then there is a certain kind of equality between them; considered in that way, one is not higher than the other. But that says very little, since it is akin to saying that at a certain generic level dogs and human beings are equally animals. It fails to address whether angels and the soul are equal considering them as what they specifically are, angelic versus human; and so Aquinas writes that such a *generic* consideration 'does not exclude that an angel may be more to the image of God' in some other way. And on that specific point,<sup>10</sup> he argues that angels are in fact greater images of God considered absolutely with regard to their specific natures.<sup>11</sup> He writes, 'the image of God is in angels more than in human beings because the intellectual nature is more perfect in them'. So, it looks as if Aquinas has indeed rejected Augustine's thesis about human beings as the greatest images of God, just as he had rejected Augustine's thesis that the image of God is to be found in the mind.

But then Aquinas makes a startling turn. He says that one can consider the *image of God* in another fashion with regard to the way in which one can find a certain imitation of God, namely, with regard to the production of one human being from another. He writes that this imitation is 'insofar namely as man is from man, as God is from God'. (*inquantum scilicet homo est de homine, sicut Deus de Deo*). 'And according to this [consideration]..., the image of God is in a human being more than in an angel'. (*Secundum haec...magis invenitur dei imago in homine quam in angelo*). Of course, for any Christian the reference to the generation of God from God calls to mind the Nicene creed that had animated Augustine's anti-Arian discussion and the affirmation of the unity of the divine nature, 'one in being with the Father', at the heart of the image. The Nicean clause also affirms the real plurality of persons.

The production of a human being from another pertains to sexual reproduction generally as the act of a certain kind of animal. Aquinas is

<sup>10</sup> Merriell says Aquinas differs from Bonaventure on this, and says this is a traditional question. Find out what Bonaventure's position is, as well as the traditional position, and relate it to the question of the unity of form.

<sup>11</sup> See Q. 58, a. 3, and 79, a. 8.

arguing that not only is the life of a particular kind of animal an image of God, but it is an image precisely in an activity characteristic of some living bodies – sexual reproduction – that human beings are greater images of God than even the angels. Here again, we see a distinct conflict with St. Augustine insofar as he denied any image in the act of an animal as such, and had explicitly raised the possibility of seeing the image in human reproduction in the relation of father, mother, and child, only to reject it completely. Of course Aquinas had argued earlier that as an angel is a pure spirit completely free of matter, and matter is the principle of multiplicity within a species, an angel completely exhausts its species. So if there are many angels they are all of different kinds. Thus an angel cannot produce another of the same nature as if ‘angel from angel’.

Still, looking at the image of God in this way is still ‘according to reason’ for Aquinas. Consider this objection – dogs reproduce dogs, so one might be able to say that they are higher images of God than the angels, for they reproduce dog from dog as God from God. But anticipating this kind of objection Aquinas’ reaffirms what he had done earlier in the rejection of the Plurality of Forms argument. Reason cannot be separated off in reality from the mode of existence and life of the human animal. He writes that this reproductive image of man from man ‘[does] not belong to the notion (*ratio*) of the divine image in man, unless the first imitation [involving reason] is presupposed, which is according to the intellectual nature’. The reproduction of other animals in their kinds is not an image of God, because it is not according to, and informed by reason. But in the human case it is genuinely an image because it is ‘according to reason’. Reason is the adequate *form* of human reproduction; it does not *make* us reproduce; it is the *way* we reproduce, and in this respect we are greater images of God than even the angels.

The heart of Aquinas’ claim here is his rejection of the Plurality of Substantial Forms. That rejection has allowed him to extend the theological notion of image to this secondary embodied and animal sense in which human beings are greater images of God than the angels. God cannot bless and command an angel to ‘be fruitful and multiply’, as he commands human beings immediately after proclaiming them to be made to the image of God. If we are to take a lesson from Aquinas for engaging contemporary modes of thought, I think it is the need to recover an authentic notion of substantial form as the unity of substance, not as a quasi being in itself that interacts and also stands above bodily nature. Thank you.

# NATURAL LAW AS THE LAW OF SURVIVAL: AN EXEGESIS OF THOMAS AQUINAS'S *SUMMA THEOLOGIAE* 1-2.94.2

KEVIN L. FLANNERY, S.J.

Thomas Aquinas's *Summa theologiae* 1-2.94.2, on whether the natural law contains many precepts or one only, has been studied extensively by a wide range of scholars. That might suggest that yet another study could be of little use. And yet great attention to such a *locus classicus* can often have the effect of preventing it from speaking to a particular intellectual culture in the manner and the precise terms intended by its author: interpretation of the text comes to substitute for the text itself. The present essay attempts to put forward a straightforward and sober exegesis of *ST* 1-2.94.2. It is extremely unlikely that it will succeed altogether in avoiding interpretation of the type that impedes the original meaning from coming through. The hope, however, is that it might clear away at least some obstacles to understanding, whether caused by Thomas himself or by later interpretations.<sup>1</sup>

## I. THE OBJECTIONS AND THEIR SOLUTIONS

The three objections in *ST* 1-2.94.2 all argue that the natural law contains only one precept. Thomas acknowledges that a certain single precept is primary in so far as it serves as the organizing principle for other precepts, but his overall concern is to show that these other precepts are also part of the natural law.

<sup>1</sup> I wish to thank those who made comments when an earlier version of this paper was read at the *plenaria* session of the Pontifical Academy of St. Thomas Aquinas, June 18-20, 2010. I also profited greatly from subsequent comments by Fr. Stephen Brock and Fr. Robert Wielockx; I am grateful also to Fr. Dominic Farrell, who made me aware of the passage from Cajetan cited below.



The first objection argues that law falls under the genus 'precept' and so, if there were many precepts of the natural law, there would have to be many 'natural laws'. Thomas neither affirms or denies that the various precepts of natural law fall under the same genus ('precept'); he does insist, however, that they are all 'referred to' one first precept ('referuntur ad unum primum praeceptum'). So, right from the start, Thomas is thinking about types of ordering: genus/species (or genus/individual) ordering as opposed to what Aristotle would call a *pros hen* ('toward one') ordering. In this case, Thomas comes out in favor of the latter. We will see below, however, that this particular *pros hen* ordering is not wholly independent of a genus/species ordering, as when the genus 'substance' is narrowed down to the species 'animal' and then to the subspecies 'rational animal' (man).

The second objection is a sort of 'slippery slope' argument. If we concede that natural law contains many precepts, it maintains, we are going to have to allow into natural law the most disorderly inclinations of human nature such as sexual desire (which belongs to the concupiscible part of the soul). Better therefore to say that natural law contains just one precept. Thomas's answer touches upon another factor (besides types of ordering) that plays an important role in the *corpus*: reason. His reply is that even such seemingly lawless inclinations are regulated by reason.

So, as we consider the *corpus* of the article, we should bear in mind that Thomas's ultimate position is that in man even propensities that he shares with non-rational creatures fall under the faculty of reason – at least when they are involved in genuinely human action. In other words, functions that are present only in the subspecies 'rational animal' characterize the species 'animal' and the genus 'substance' in so far as these latter are present in the members of the subspecies, making even the substantial and animal functions in man subject to reason (and by nature, therefore, reasonable).

It is also interesting that in his reply Thomas adds something to what is mentioned in the objection. He speaks, that is, not just of the concupiscible part but also of the aggressive ('irascibilis') part. He is alluding to the fact that activities such as fighting and defending oneself are subject to rational treatment and, therefore, to natural law. As we shall see, at the heart of natural law, according to Thomas, is the desire to survive; it is no accident that he mentions here the aggressive part of the soul.

The third objection in effect picks up on the connection between natural law and reason: if law and reason are so linked and if reason is one, law (that is, natural law) must contain just one precept. In his response, Thomas acknowledges that, yes, reason is one, but it *orders* (is 'ordinativa')

of) all that pertains to man. So, we might conclude from this, although the non-rational inclinations are subject to reason (and in that sense reasonable), they retain their proper natures as the type of inclinations they are, for reason is quite different from them. (Reason is quite different from, for example, the inclination to reproduce). The lower inclinations are referred to reason as something distinct from themselves; they are in a *pros hen* relationship with it. But, again, this does not mean that other orderings of the same inclinations (such as a species-genus ordering) are to be ruled out.

## II. IMMEDIATE PROPOSITIONS AND THE *PER SE* KNOWN

In the *sed contra*, Thomas argues that the precepts of the natural law are many since they are in the realm of human action what the first indemonstrable principles are in the realm of science: since these latter are many, so also are ‘the precepts of the law of nature’ (*praecepta legis naturae*). What are these first indemonstrable principles of the sciences? Following Aristotle, Thomas elsewhere associates the concept ‘indemonstrable’ with the concept ‘immediate’ (ἄμεσος).<sup>2</sup> An immediate principle (or proposition) is one between whose two terms a third *demonstrative* term, such as might serve as the middle term in a demonstration, does not exist. This does not mean that one cannot put forward arguments (syllogisms) that have immediate propositions as conclusions; it means only that, if such an argument is put forward, it is not a demonstration, for the premisses from which it follows will not be better known than the conclusion (the immediate proposition). Being ‘better known’ than their conclusion is also a mark of the first indemonstrable principles of demonstrations (see *APo.* i,2,71b21-22).

It is important to note that Thomas is identifying as basic here beings of reason that are articulated. A single term grasped by the intellect (or νοῦς) and standing on its own is not an immediate proposition, for an immediate proposition must, of course, contain two terms (it is ‘bipolar’). This articulation allows the structure (the order) of theoretical reason to run parallel to that of practical reason. If an immediate proposition of theoretical reason involves a predicate holding of a subject, a first precept of practical reason

<sup>2</sup> See Thomas’s *in APo.* 1.4.211-213: ‘ostendit quod demonstratio sit ex primis et immediatis, sive indemonstrabilibus’. In *APo.* immediates are first mentioned at i,2,71b21. At i,2,71b27 Aristotle substitutes the term ἀναπόδεικτος (indemonstrable) for ἄμεσος.

involves an action (or prospective action) that go towards an object: toward an end or term (in the sense also of a terminus of an action).

In order for such a passage from origin to object to be immediate, the *sense* of so acting has to be immediately apparent. Just as immediate propositions in the theoretical realm can be the conclusions of syllogisms (containing middle terms) without ceasing to be immediate, an immediate practical precept might involve intermediate terms (or termini). A soldier might have to secure one objective and then another before he is finally in a position to engage and defeat the enemy, but the intelligibility of his engaging the enemy does not depend on those objectives but rather vice-versa. The soldier secures the intermediate objectives in *order* to engage and defeat the enemy; acting to defeat the enemy is, therefore, more intelligible (better known) than the intermediate stages.

At the beginning of the *corpus*, Thomas draws attention a second time to the parallel between first principles of theoretical reason and the first precepts of practical reason, this time adding, however, that both are known *per se*. A first principle (or precept) can be known *per se* either *secundum se* or *quoad nos*.<sup>3</sup> The common mark of the known *per se secundum se* and the known *per se quoad nos* is that the predicate is part of the very sense of the subject ('cuius praedicatum est de ratione subiecti'). The proposition 'man is rational' is known *per se secundum se* but not *quoad nos* because not everyone knows the definition of man; but, once one does one knows the definition, one knows that part of the sense of the subject 'man' is his being rational. By contrast, and to use an example that comes later in the *corpus*, knowing the truth of the proposition 'every whole is greater than its part' does not wait upon learning the definition of whole: in grasping the *meaning* of the term 'whole', one understands that it is greater than any of its (proper) parts.

<sup>3</sup> Or, more precisely, a first principle or precept can be known either *secundum se* or *secundum se et quoad nos*. That which is known *per se quoad nos* is also *per se* known *secundum se*, although not everything known *per se secundum se* is also so known *quoad nos*. In what follows the phrase *quoad nos* is to be understood as meaning *secundum se et quoad nos*. See ST 1.2.1c.

### III. THE KNOWN *PER SE SOLIS SAPIENTIBUS*

At this point in the argument, Thomas cites as an authority for this distinction Boethius:

And thus [*inde*] it is that Boethius says in the book *De hebdomadibus* that there exist certain axioms or propositions known *per se* commonly to everyone. Such are those propositions whose terms are known to all, such as ‘every whole is greater than its part’ and ‘things that are equal to one and the same thing are equal to one another’.<sup>4</sup>

Continuing, Thomas says that some other propositions are *per se* known *solis sapientibus*, who

understand the terms of the propositions, what they signify; for example, to one who understands that an angel is not a body it is *per se* known that it is not circumscribed in a place – something which is not apparent to the unlettered, who do not grasp this.

Although Thomas cites Boethius, what he says is different from what the latter says in some interesting ways. Boethius writes as follows:

A common conception of the mind is a statement which, when heard, anyone accepts. Of these, there are two sorts, for one is common in this way: it accessible to all men.<sup>5</sup> For instance, if you should say, ‘if you take equals away from two equals the things that remain are equal’, no one who understands it would deny it. But the other conception is accessible only to the learned, although it is derived from just such common conceptions of the mind, for instance, ‘things which are incorporeal are not in a place’ and the like. These the learned but not the unlettered masses recognize.<sup>6</sup>

<sup>4</sup> ‘Et inde est quod, sicut dicit Boetius, in libro *de Hebdomadibus*, quaedam sunt dignitates vel propositiones per se notae communiter omnibus, et huiusmodi sunt illae propositiones quarum termini sunt omnibus noti, ut, “omne totum est maius sua parte” et “quae uni et eidem sunt aequalia, sibi invicem sunt aequalia”’.

<sup>5</sup> On common principles, see Kevin L. Flannery, *Acts Amid Precepts: The Aristotelian logical structure of Thomas Aquinas’s moral theory* (Washington, D.C./Edinburgh: Catholic University of America Press/T.&T. Clark, 2001) 36-39.

<sup>6</sup> ‘Communis animi conceptio est enuntiatio quam quisque probat auditam. Harum duplex modus est. Nam una ita communis est, ut omnium sit hominum, ueluti si hanc proponas: “Si duobus aequalibus aequalia auferas, quae relinquuntur aequalia esse”, nullus id intellegens neget. Alia uero est doctorum tantum, quae tamen ex talibus communibus animi conceptionibus venit, ut est: “Quae incorporalia sunt, in loco non esse”, et cetera; quae non vulgus sed docti comprobant’. This Latin text is taken from H.F. Stewart, E.K. Rand, and S.J. Tester, *Boethius: The Theological Tractates, The Loeb Classical Library* (Cambridge, Massachusetts/London: Harvard UP, 1973) 40. Note that this edition (revised by Tester) improves upon our text as it appears in earlier editions of the same volume.

Let us take the second part of this quotation first, that is, the part about that which is accessible only to the learned. The statement that Boethius identifies as so accessible is not Thomas's 'an angel is not circumscribed in a place' but (in effect) 'that which is incorporeal is not circumscribed in a place'. The latter would qualify as known *per se secundum se* (but not *quoad nos*) in Thomas's sense since, in order to know it, one has to know a definition, but, once one knows the definition, it is obvious that an incorporeal thing is not circumscribed in a place.<sup>7</sup> The definition in question would seem to be the definition of 'corporeal thing'. Says Thomas in the commentary on the *Sentences*, a corporal thing 'by its essence – which is circumscribed about by the bounds of quantity – is designated to a place'.<sup>8</sup> As he explains in his commentary on *De hebdomadibus*, the learned man who knows this definition 'immediately removes from *incorporeal* things' the property 'circumscribed in a place', which pertains only to corporeal things.<sup>9</sup> The predicate, therefore, 'not circumscribed in a place' would be contained in the subject 'incorporeal thing'; the proposition would be known *per se* but *solis sapientibus*.

<sup>7</sup> See Thomas Aquinas, *Expositio libri Boetii De hebdomadibus* (Rome: Commissio Leonina, 1992), vol. 50 of *Opera Omnia* 1.149-85, where he speaks of all the common conceptions of the mind, including 'incorporea non esse in loco', as involving a predicate which is 'de ratione subiecti'. Rather strangely, at lines 151-153, he speaks of *all* common conceptions as being apparent to *any* intellect: '...unde dicuntur communes animi conceptiones, et communiter cadunt in conceptione cuiuslibet intellectus'. He goes on, however, to use as an example of a common conception (known only to the learned) 'incorporea non esse in loco'.

<sup>8</sup> *Sent.* 1.37.2.1c: 'Respondeo dicendum, quod esse in aliquo diversimode convenit spiritualibus et corporalibus: quia corpus est in aliquo ut contentum, sicut vinum est in vase; sed spiritualis substantia est in aliquo ut continens et conservans. Cujus ratio est, quia *corporale per essentiam suam, quae circumlimitata est quantitatis terminis, determinatum est ad locum*, et per consequens virtus et operatio ejus in loco est; sed spiritualis substantia quae omnino absoluta a situ et quantitate est, habet essentiam non omnino circumlimitatam loco'. Note that Thomas also says here that a spiritual (incorporeal) substance 'habet essentiam non omnino circumlimitatam loco', so one might say that in the meaning of 'incorporeal' is found the idea that it is not circumscribed in a place'. Also relevant is Aristotle's definition of place – ὅσπερ τὸ τοῦ περιέχοντος πέρας ἀκίνητον πρῶτον, τοῦτ' ἔστιν ὁ τόπος [*Phys.* iv,4,212a20-21] – which Thomas cites (or abbreviates) as 'locus est superficies corporis locantis' (see *Sent.* 2.12.1).

<sup>9</sup> 'Sed ad apprehendendam rem incorpoream solus intellectus sapientum consurgit, nam vulgarium hominum intellectus non transcendunt imaginationem, quae est solum corporalium rerum, et ideo ea quae sunt propria corporum, puta esse in loco circumscriptive, intellectus sapientum statim removet a rebus incorporeis, quod vulgus facere non potest' [1.178-85].

But what about Thomas's 'an angel is not circumscribed in a place'? Part of the definition of 'angel' is 'incorporeal thing,' and part of the definition of 'incorporeal thing' is 'not circumscribed in a place,' so it would seem that Thomas is pointing out – or, at least, suggesting – that, from propositions known *per se solis sapientibus*, conclusions can be drawn that are also known *per se (solis sapientibus)*. Such conclusions would not be among the indemonstrables (or immediate) principles mentioned in the *sed contra*. Since Thomas introduces these ideas as part of his account of natural law, it would seem that he wishes to indicate that there exist within natural law precepts that are known *per se* and yet are located in some sense below the strictly speaking common precepts.<sup>10</sup>

<sup>10</sup> As Fr. Dominic Farrell has pointed out to me, Cajetan speaks of the first precepts pertaining to the three inclinations listed later in *ST* 1-2.94.2c (the inclination man has qua substance, the inclination he has qua animal, and the inclination he has qua rational animal) as first precepts 'proper' to these orders. He speaks, for instance, of the 'prima praecepta propria illi inclinationi ad vivere' – i.e., proper to the first inclination. Proper precepts would be *quasi conclusiones* of the truly common precepts, such as 'good is to be done and pursued, evil avoided'. (As Fr. Stephen Brock argues, we need not assume that there is just one common precept of the natural law even at the level of the first precept 'bonum est faciendum et prosequendum, et malum vitandum' [Stephen L. Brock, 'The primacy of the common good and the foundations of natural law in Thomas Aquinas', *Ressourcement Thomism: Sacred doctrine, the sacraments, and the moral life*, Ed. Reinhard Hütter and Matthew Levering [Washington, D.C.: Catholic University of America Press, 2010] 250-55]). The pertinent passage in Cajetan finishes with the following remarks: 'Propter quod, quando legis aliquid esse contra prima praecepta legis naturae, non recurras statim ad communissima praecepta, quae sunt prima simpliciter; sed respice in qua materia est sermo, et recurre ad praecepta prima in illo ordine; et intuendo primum finem non quoad bene esse, sed quoad esse, perspicies quid veritatis habeant quae legis, etc. – Et quoniam principia prima in tali ordine reducuntur ad prima simpliciter; et dependent ab eis, et defenduntur ab illis; et rursus principia prima in tali ordine, licet secundum se sint per se nota, non oportet esse per se nota quoad nos, ac per hoc contingit quae sunt secundum se principia per se nota, esse quoad nos conclusiones: idcirco prima praecepta propria illi inclinationi ad vivere, appellantur quandoque conclusiones, vel quasi conclusiones, et secundaria praecepta, respectu primorum simpliciter; et quoad nos' [Thomas Aquinas and Thomas de Vio Cajetan, *Summa theologiae cum commentariis Thomae de Vio Caietani Ordinis Praedicatorum*, Opera omnia, vv. 4-12 (Rome: Typographia polyglotta S.C. de Propaganda Fide [Commissio Leonina], 1888-1906) v. 7 169]. Cajetan is not saying that the precepts below the first precept of practical reason are conclusions derived from it but rather that they are 'quasi conclusiones' – or, more precisely, 'quasi conclusiones' only 'quoad nos'. So, following Cajetan, they would remain, in a sense, first precepts, although 'quoad nos' they are 'secundaria praecepta'.

## IV. EQUALS, WHOLES AND PARTS

Let us consider now the first part of the above quotation from Boethius's *De hebdomadibus*. Before speaking of propositions known *per se solis sapientibus*, Thomas cites as an example of a proposition known *per se communiter omnibus* (or *quoad nos*) another 'Boethian' principle: 'things that are equal to one and the same thing are equal to one another'. Actually, however, this is not the principle mentioned by Boethius in the above quotation but another of Euclid's common notions: the first of the first book on the *Elements* (Boethius mentions the third).<sup>11</sup> Thomas also adds a principle that is quite different from anything that appears in *De hebdomadibus*, the principle we considered briefly above, 'every whole is greater than its part.' Why does he make these adjustments? My guess is that he has doubts both about whether the former principle is known *per se communiter omnibus* and also about whether its proper logical form can plausibly be described as that of a subject joining up with a predicate.

The principle (or axiom) that actually appears in Boethius runs as follows: 'if you take equals away from two equals the things that remain are equal.' If one forces this principle into the procrustean subject-predicate bed, presumably the subject would be 'an equal thing'; to this one would apply the predicate, 'something which, when together with something equal to it, is deprived of equals, remains equal to that to which it was equal originally'. Note that Thomas says that the common axioms are propositions 'whose *terms* are known to everyone'. It may be that the subject term 'equal thing' is grasped by everyone, but is the predicate 'something which, when together with something equal to it, is deprived of equals...' (and so on) grasped readily by even all the members of the Pontifical Academy of St. Thomas Aquinas? And then there is the issue of the entire principle's proper logical form, which would seem to be more complicated than the subject-predicate form of the Aristotelian syllogistic.<sup>12</sup> The quasi-Boethian principle that actually appears in *ST* 1-2.94.2 ('things that are equal to one and the same thing are equal to one another') is a

<sup>11</sup> See Thomas L. Heath, *Euclid, the Thirteen Books of the Elements: Translated with introduction and commentary* (New York <Cambridge, 1925>: Dover, 1956) 1.155. The axiom appears in Aristotle's *APo.* at i,10,76a41, 76b20-21; i,11,77a30-31.

<sup>12</sup> On all these issues, I refer the reader to Jonathan Barnes, 'Logical form and logical matter', *Logica, mente e persona*, Ed. A. Alberti (Florence: Leo S. Olschki, 1990) 7-119.

somewhat more plausible object of the ascription 'known *per se communiter omnibus*', but it faces similar objections.

As we have seen, however, Thomas adds to the 'equals principle' the principle 'every whole is greater than its part', which, by contrast, is of a much more simple structure and very plausibly described as known *per se communiter omnibus*. The way in which it is known to all is important for the larger argument of *ST* 1-2.94.2, as is the bipolar simplicity of its subject-predicate structure. Consider first its being apparent to all. If one has before one's mind's eye a whole, to whatever minimal extent one is aware that it *is* a whole, one is aware that it is larger than any of its proper parts: anything else would be the dissolution of the very thought of that whole as a whole. This principle is so bound up in the intelligibility of the physical universe itself that a grasp of it is attributable even to mere animals, provided that one specifies that this grasp does not involve rationality. A dog, for instance, who opts to eat a part of the food in front of him instead of swallowing it whole, demonstrates an awareness of the part-whole principle. Even a plant, when it struggles to survive (one thinks of the competition among plants in rainforests for light and food) 'desires' to do so as a whole. Survival itself, even at this most basic level, is a matter of avoiding disintegration. In some subrational way, therefore, even plants recognizes that the (integral) whole is greater than its part.

As already noted, the bipolar logical form of the part-whole principle is also important for the larger argument of *ST* 1-2.94.2. A simple predication ('B holds of A') finds an easy parallel in the practical sphere since the basic unit in the latter is of something (A) that goes towards another thing (B). The number of elements is the same; the difference is only one of 'direction'. If in the theoretical sphere 'life-preserving' (B) might hold of a soldier's 'struggle' with the enemy (A), so in the practical sphere a soldier's struggling (A) might be *aimed* at preserving his life (B). At issue here is the role of objects (whether of the interior or the exterior act) within the sphere of practical reason.<sup>13</sup>

<sup>13</sup> See *ST* 1-2.18.6c: 'In actu...voluntario invenitur duplex actus, scilicet actus interior voluntatis, et actus exterior, et uterque horum actuum habet suum obiectum'.



## V. BEING AND GOOD AS PARALLEL

In the next section of the *corpus* of ST 1-2.94.2, Thomas draws a parallel between the first principle of theoretical reason and the first principle (or precept) of practical reason. The former is the principle of non-contradiction: 'one ought not at the same time to affirm and deny'; the latter Thomas formulates as 'good is to be done and pursued, evil avoided'.<sup>14</sup> Each of these, says Thomas, has a foundation: the first principle of theoretical reason is founded upon the *ratio* of being, says Thomas; the first precept of practical reason, upon the *ratio* of good, which is the very fact that all things desire the good (or, at least, a good).<sup>15</sup> Thomas puts forward this parallel stratification as the initial step in his ordering of these two most general spheres of consideration. In the theoretical sphere, if the first principle is founded upon the *ratio* of being, all other principles of this sphere are founded upon the first principle; similarly, in the practical sphere, if the first precept is founded upon the *ratio* of good, 'all the other precepts of the law of nature' ('omnia alia praecepta legis naturae') are founded upon the first precept. The fact that either realm can be so ordered shows, according to Thomas, that the practical realm can (in a certain sense) be multiple and yet not inherently chaotic.

This insight into the way in which even the messiest aspects of human nature can be ordered gives him, as we have seen, an answer to objections 2 and 3. But what has happened in this section to the part-whole principle (and, therefore, the insistence upon a bipolar structure)? It makes no appearance here and, in fact, is not mentioned in the rest of ST 1-2.94.2. It is also not immediately apparent how we are to conceive of the principle 'one ought not at the same time to affirm and to deny' as a proposition the predicate of which is understood in understanding the subject. Must we say then that the part-whole principle, far from constituting a normative pattern, was for Thomas simply a convenient *example* of a proposition known *per se communiter omnibus*? Are practical objects not as central to his

<sup>14</sup> The first principle of theoretical reason: 'non est simul affirmare et negare'; the first precept of practical reason: 'bonum est faciendum et prosequendum, et malum vitandum'.

<sup>15</sup> 'Et ideo primum principium in ratione practica est quod fundatur supra rationem boni, quae est, bonum est quod omnia appetunt'. (The words 'bonum est quod omnia appetunt' are a reference to EN i,1,1094a2-3; Thomas often identifies them as such, as at ST 1.5.1.) Because of notorious difficulties of translation, I leave the word *ratio* untranslated.

account of practical reason as was previously suggested? To draw such conclusions would be to move too fast, for there is good reason to maintain that Thomas conceives of the principle of non-contradiction as possessing a structure similar to that of the part-whole principle.

In *Metaph.* iv,3, Aristotle says that the principle of non-contradiction must be non-hypothetical because ‘anyone who understands any being must have it’ [*Metaph.* iv,3,1005b15]. Moreover, it must come *to* the person who has it; it is not something *he* acquires (with effort).<sup>16</sup> In his commentary on this latter condition (which is basically the condition that the thing be known naturally or *per se communiter omnibus*),<sup>17</sup> Thomas remarks as follows:

In order that this might be apparent, one needs to know that, since the operation of the intellect is twofold – one by which it knows the ‘what it is’, which is called ‘understanding of indivisibles,’ and another by which it composes and divides –, in both there is something primary. Indeed, in the first operation, there is something primary that falls into the conception of the intellect, i.e., what I call ‘being’; nor by means of this operation is it possible to conceive of anything with the mind unless one understands being.

And because this principle (‘it is impossible to be and not to be at the same time’) depends upon understanding being – just as does this principle: ‘every whole is greater than its part’ depends on understanding ‘whole’ and ‘part’ – therefore also this principle is naturally primary in the second operation of the intellect, i.e., the operation of composing and dividing. Neither can one understand anything according to this operation of the intellect unless this principle is understood. For, just as ‘whole’ and ‘part’ are not understood unless being is understood, so neither is the principle ‘every whole

<sup>16</sup> ἦν γὰρ ἀναγκαῖον ἔχειν τὸν ὅτιοῦν ζυγιέντα τῶν ὄντων, τοῦτο οὐχ ὑπόθεσις· ὁ δὲ γνωρίζειν ἀναγκαῖον τῷ ὅτιοῦν γνωρίζοντι, καὶ ἦκειν ἔχοντι ἀναγκαῖον [*Metaph.* iv,3,1005b15-17] (with MS E reading ἔχοντι for ἔχοντα, as apparently does Thomas’s Latin translation: ‘Quod enim necessarium habere quodcumque entium intelligentem, hoc non conditionale. Quod autem cognoscere est necessarium quodcumque cognoscentem et venire habenti est necesse’). One notices that Aristotle speaks here in the plural of *beings*: τὸν ὅτιοῦν ζυγιέντα τῶν ὄντων; so that it would be possible (although awkward) to translate *Metaph.* iv,3,1005b15 as ‘anyone who understands any one of the beings must have it’ (i.e., the principle of non-contradiction).

<sup>17</sup> ‘Inquantum vero est naturaliter principium, sic patet quod advenit habenti, et non habetur per acquisitionem’ [*in Metaph.* §604].

is greater than its part' understood unless the aforesaid 'most firm principle' is understood.<sup>18</sup>

Thomas's point here is that at the basis of the principle of non-contradiction is being, grasped by means of individual terms; but, just as the part-whole principle is not just about the term 'part' or 'whole' but about understanding *that* the whole is greater than its part, so also the principle of non-contradiction is about the bringing together or separating of terms such as occurs in affirmation and negation, respectively. Thus, as we move into the next section of *ST* 1-2.94.2, it is reasonable to bear in mind the simple bipolar structure of the part-whole principle – as well, naturally, as the first principle of practical reason, according to which 'good is to be done and pursued, evil avoided'.

## VI. THREE TIERS FOR SURVIVAL

In the rest of the *corpus* of *ST* 1-2.94.2, Thomas speaks of three tiers of precepts of the natural law, each depending on an inclination proper to a division of created things. The first, depending on the inclination any substance has to continue to exist according to its proper nature ('quaelibet substantia appetit conservationem sui esse secundum suam naturam'), contains precepts regarding acts by means of which the life of a man is conserved and things contrary to life are impeded ('contrarium impeditur'). We said above that even a plant has a subrational grasp of the part-whole principle (it 'knows' the difference between integration and disintegration).

<sup>18</sup> 'Ad huius autem evidentiam sciendum est, quod, cum duplex sit operatio intellectus: una, qua cognoscit quod quid est, quae vocatur indivisibilium intelligentia: alia, qua componit et dividit, in utroque est aliquod primum. In prima quidem operatione est aliquod primum, quod cadit in conceptione intellectus, scilicet hoc quod dico ens; nec aliquid hac operatione potest mente concipi, nisi intelligatur ens.

Et quia hoc principium, impossibile est esse et non esse simul, dependet ex intellectu entis, sicut hoc principium, omne totum est maius sua parte, ex intellectu totius et partis: ideo hoc etiam principium est naturaliter primum in secunda operatione intellectus, scilicet componentis et dividit. Nec aliquis potest secundum hanc operationem intellectus aliquid intelligere, nisi hoc principio intellecto. Sicut enim totum et partes non intelliguntur nisi intellecto ente, ita nec hoc principium omne totum est maius sua parte, nisi intellecto praedicto principio firmissimo' [*in Metaph.* §605]. The last remark ('praedicto principio firmissimo') is a reference to *Metaph.* iv,3,1005b11-12: βεβαιωτάτη δ' ἀρχὴ πασῶν περὶ ἣν διαψευσθῆναι ἀδύνατον.

With a similar grasp of its own action, it goes toward its own being – that is, its own being that which it is – as a desired end. It has no rational appreciation of the end as an end; but, still, we can say that it ‘desires’ to remain in existence as what it is and as a whole. When a man struggles to survive, this involves the same sort of inclination – that is to say, the inclination has the same structure and end – although, unlike the plant, the man does grasp the end in an intellectual way.

Prior to going through the three tiers, Thomas makes the following remark:

But because good has the *ratio* of an end, evil the *ratio* of its contrary, thus it is that all those things toward which man has a natural inclination, reason [*ratio*] naturally apprehends as goods and, therefore, as things to be pursued effectively and their contraries to be avoided.

The multiple occurrence of the word *ratio* here is connected with what we have just been saying. Thomas has already said that the *ratio boni* pertains to all things,<sup>19</sup> so there is a *ratio* (a *ratio* as end) in whatever any nature aims at. But only *ratio* (that is, reason) can apprehend such a *ratio* as a *ratio*. It is for this reason that, as we have seen, all the precepts of the natural law are ordered toward reason in a *pros hen* manner. It remains true, however, that, when a man does something with a view to his own survival, the structure of his act is the same as that of any substance doing the same sort of thing.

The second tier involves an inclination ‘to things more specific according to the nature which man shares with other animals’ (*ad aliqua magis specialia, secundum naturam in qua communicat cum ceteris animalibus*). One notices that here (as distinct from what he says regarding the first tier) Thomas does not actually tell us what this inclination is *for*, except to say that it is an inclination ‘to things more specific’. He then says that, for this reason, things that nature teaches all animals, such as ‘intercourse between male and female, the raising of progeny, and similar things’, belong to natural law.<sup>20</sup>

<sup>19</sup> ‘Et ideo primum principium in ratione practica est quod fundatur supra rationem boni, quae est, bonum est quod omnia appetunt’ [*ST* 1-2.94.2c].

<sup>20</sup> ‘Et secundum hoc, dicuntur ea esse de lege naturali quae natura omnia animalia docuit, ut est coniunctio maris et feminae, et educatio liberorum, et similia’. The phrase ‘dicuntur ea esse de lege naturali quae natura omnia animalia docuit’ goes back to Ulpian (see Justinian’s *Digest* 1.1.3), although Thomas probably did not know this work directly. His wording is closer to what is found in Gratian’s *Decretum*: ‘Ius naturale est commune omnium nationum, eo quod ubique instinctu naturae, non constitutione ali-

Let us consider first the point about the things that are more specific ('*aliqua magis specialia*') – more specific, that is, than the things mentioned in tier one. Whatever the inclination that informs this tier might be, it clearly must be a specification of the inclination to continue in being and not a wholly separate species (or type) of inclination. Since Thomas mentions here 'intercourse between male and female, the raising of progeny', etc., the thought that immediately comes to mind is that he is regarding the inclination to reproduce as an inclination to perpetuate the existence of the species (in this case, the human species). But that cannot be correct since he is well aware that substances lower than the animals – plants, for instance – are also inclined toward the continued existence of *their* species.<sup>21</sup>

The inclination to perpetuate one's species must, therefore, be part of the first tier inclination of substances to continue to exist.<sup>22</sup> One recalls that Thomas describes this as an inclination that any substance has to continue to exist 'according to its proper nature'; continuing to exist according to a substance's proper nature would for most substances involve perpetuation of the species.<sup>23</sup> This itself can be connected with the part-whole principle.

qua habetur, ut uiri ac feminae coniunctio, liberorum successio et educatio...' [Paulus Krueger and Theodorus Mommsen, *Corpus Iuris Civilis* (Berlin: Weidmann, 1900-1905) v. 1 col. 1]. (According to the Krueger-Mommsen edition, in Isidore's version of the list, 'liberorum successio' is 'liberorum susceptio'). One notices that, in Thomas's rendering, procreation of children ('liberorum successio') does not appear – perhaps because procreation (if not procreation of *children*) pertains not to the second tier but to the first (and the inclination that man shares with all substances). For comments in this regard, I am grateful to Fr. Robert Wielockx.

<sup>21</sup> He would have read this, for instance, in Aristotle's *Generation of animals* [GA], with which he was well familiar. At the beginning of GA, Aristotle says first that he will be enquiring into the origin of *movement* in animals; and then, 'To inquire regarding this last and to inquire regarding the generation of each [animal] is in a certain way the same thing' [GA i,1,715a14-15]. In the last chapter of the same book, he says: 'In all animals which can move about, the sexes are separated, one individual being male and one female, though both are the same in species, as with man and horse. But in plants these powers are mingled, female not being separated from male. That is why they generate out of themselves, and do not emit semen but produce an embryo, what is called the seed' [GA i,23,730b33-731a4 (Revised Oxford Translation)].

<sup>22</sup> For this point, I am grateful to Fr. Stephen Brock. See Brock, 252; see also Lawrence Dewan, 'St. Thomas, John Finnis, and the political good', *The Thomist* 64 (2000): 366-67. See also above, note 20.

<sup>23</sup> According to Aristotle, not all substances have this inclination; in particular, those generated (as he maintains) by spontaneous generation do not have it, for, just as such a substance comes from something specifically different from itself, so it has no inclination

In *ST* 1-2.90.2, that is, just a few questions before *ST* 1-2.94.2, Thomas says that ‘every part is ordered to the whole as imperfect toward perfect’. A plant is a part of its species; it is inclined, therefore, by nature toward the common good of that species.<sup>24</sup> This is an application of the part-whole principle in the ‘practical’ sphere: the idea is not the theoretical one that every whole *is* greater than its parts but that the (imperfect) parts in some sense *go towards* the whole.

So what is the second tier about if it is not about the perpetuation of the species? Well, it *is* about the perpetuation of the species – although this perpetuation is effected in a particular way: by way of intercourse between the two sexes, connected as it is to the raising of progeny. The progeny of some animals requires care in order that the species itself might continue to exist (as a species of that nature). In man, this involves the ‘education of children’ (*educatio liberorum*): clearly an activity engaged in by *rational* animals. But, *qua* raising of progeny, even the education of children by rational animals is still something such animals share with mere animals – or, at least, with those whose progeny cannot survive on their own at the beginning of their lives.

Besides the education of children, this second tier of natural law precepts obviously contains precepts having to do with sexual activity; but, just as in the first tier the inclination toward individual survival is not separate from the inclination toward survival as a species, so here the sexual urge is not separate from the natural inclination to raise children. Whenever human beings engage in sexual activity that deliberately excludes progeny *or* is heedless of the issue of their education, they are not being true to the intelligibility of that very urge – which emerges, surely, from the ‘irrational’ part of the soul but is by no means irrational in itself. That, as we have seen, is the general point of *ST* 1-2.94.2: that even the seemingly irrational inclinations are subject to law (natural law). Only actions that are potentially reasonable can be subject to law.

On the other hand, although human sexuality is certainly much more noble than mere animal sexuality, the corresponding inclination is something we share not just with other animals but, because it is a specification

to generate something specifically like itself. See *GA* i,1,715b4-16; see also *De an.* ii,4,415a27-28. Perhaps Thomas does not mention perpetuation of the species when he describes in *ST* 1-2.94.2 (so briefly) the first tier because he is aware of this complication and does not wish to enter into it.

<sup>24</sup> On this whole issue, see, again, Brock.

of the first tier inclination, with any substance. A sexual act falls under the genus which is the first tier as the *movement* of a substance towards continued being; its analysis necessarily involves, therefore, consideration of the point in space and time where it would find completion.<sup>25</sup> For this reason, the moral analysis of a human sexual act involves, besides such issues as whether it corresponds to natural sexual inclinations, the very basic issue: *where* the act is headed (which is not unconnected, of course, with the issue whether it is natural).

Finally, in the third tier Thomas places precepts depending upon 'the inclination to good according to the nature of reason'. Thomas associates this inclination with man's natural inclination to know the truth about God and to live in society. Since these are natural inclinations, says Thomas, the avoidance of ignorance (simply speaking) and offenses against those with whom one must live (and other such things) pertain to natural law.

The two inclinations mentioned – the one having to do with knowledge of God, the other with living in society – are obviously not present in the first and second tiers *qua* separate tiers, although they are not separate from them either. Just as the second tier is more specific than (a species of) the first, so also the third is more specific than (a species/subspecies of) the second and the first. The *differentia*, however, that characterizes a species characterizes also the individual members of that species *qua* belonging to the genus to which the species belongs, for there is no genus that is not the genus of a species and no species that is not the species of at least one individual. This entails that, although 'the inclination to good according to the nature of reason' serves to specify the precepts that pertain to man *qua* rational (the precepts of tier three), rationality has a bearing upon *all* human inclinations, even, for instance, the inclinations for integral survival and to reproduce. In this way, as suggested above, a genus-species ordering is combined with a 'toward one' (*pros hen*) ordering in such a way that all human inclinations, even the 'irrational' one, are subject to natural law as it applies to man: that is, 'according to the nature of reason'.

<sup>25</sup> See *ST* 1.60.3c: 'Manifestum est autem quod in rebus cognitione carentibus, unumquodque naturaliter appetit consequi id quod est sibi bonum; sicut ignis locum sursum. Unde et angelus et homo naturaliter appetunt suum bonum et suam perfectionem. Et hoc est amare seipsum'. Also, as we have seen (above, note 21), Aristotle associates sexual activity between distinct sexes with movement.

Because the third tier falls (as a subspecies) under the first tier, in some sense the two inclinations mentioned in connection with it must have to do with survival *qua* individual substance and *qua* species. The sense in which the second, ‘avoid offending others’, might be about survival (both personal and social) is fairly obvious. To the extent that one offends others, one cuts oneself off from society and may even incur banishment. Man, especially in Thomas’s day, requires the city so that he might survive and prosper. And the city itself requires order so that it might hold together as a political entity: revolutions and other factious tendencies harm the fabric of society.

Understanding matters in this way provides Thomas with a more straightforward approach to the morality of killing than is found in some contemporary authors. Precepts regarding killing in self-defense and in war emerge directly from the inclination proper to the first tier of substances to remain in existence; but so also does the precept against homicide – although it emerges from that basic inclination as it exists at the third tier or the level of human rationality.<sup>26</sup> Homicide is a way – a very drastic way – of offending other humans.<sup>27</sup> It is to be avoided if one wants to survive: human nature *demand*s this. By contrast, a philosopher or theologian who presumes that basic in ethics are human goods (life, knowledge, play, etc.) must expend a good deal of effort explaining how, if homicide is wrong because it goes against life, lethal self-defense and war (in which life is deliberately taken) can be justified. The same goes, obviously, for the morality of capital punishment, which, however, is easily explained in Thomistic terms as directed toward integrity of the whole, that is, the whole city, even at the expense of a part.<sup>28</sup> For Thomas the precept ‘protect oneself and one’s

<sup>26</sup> The fact that it would make no sense to ban homicide among dogs shows that the prohibition of homicide must pertain the third tier.

<sup>27</sup> See *ST* 1-2.100.5 ad 5: ‘...homicidium et falsitas sunt secundum seipsa horribilia, quia proximus et veritas naturaliter amantur...’.

<sup>28</sup> The Church itself has had difficulty giving a clear account of the morality (and immorality) of capital punishment: see Kevin L. Flannery, ‘Capital punishment and the law’, *Ave Maria Law Review* 5 (2008): 399-427. Thomas sometimes invokes a practical version of the part-whole principle. See, for instance, *ST* 1-2.96.4, where, having first stated that just laws are just (at least partially) on account of their end, the common good, he says: ‘Cum enim unus homo sit pars multitudinis, quilibet homo hoc ipsum quod est et quod habet, est multitudinis, sicut et quaelibet pars id quod est, est totius. Unde et natura aliquod detrimentum infert parti, ut salvet totum’. See also *ST* 2-2.64.2: ‘Quaelibet autem persona singularis comparatur ad totam communitatem sicut pars ad totum. Et ideo si aliquis homo sit periculosus communitati et corruptivus ipsius propter aliquod peccatum,



own' (even by means of lethal force) is not an exception to the precept 'avoid killing.' In fact, for Thomas, the latter is not included among the precepts of natural law, strictly speaking; what *are* included are specifications of the inclination to remain in existence.<sup>29</sup>

But what about the precept 'avoid ignorance'? This precept has no apparent connection with survival, either personal or collective. But it is important to note that Thomas associates this precept with our inclination to know the truth about God.

In the tenth book of his *Nicomachean Ethics*, Aristotle discusses what he regards as the proper function of man: philosophical contemplation (*theoria*). Man is capable of such activity on account of one small part of him, the intellect, which is divine; the intellect itself is directed ultimately toward things divine (see *Metaph.* i,2). At one point Aristotle considers a possible objection to his recommendation of philosophical contemplation as the best activity a man might engage in. Some would argue, he says, that, being men, we should think of human things, not divine things. He responds as follows:

But we must not follow those who advise us, being men, to think of human things, and, being mortal, of mortal things, but must, so far as we can, make ourselves immortal, and strain every nerve to live in accordance with the best thing in us; for even if it be small in bulk, much more does it in power and worth surpass everything.<sup>30</sup>

So, even philosophically (and following the Philosopher), knowledge is to be associated with survival: by means of it, we, 'so far as we can, make ourselves *immortal*'.

But in sacred doctrine this connection becomes more clear. Divine beatitude, says Thomas, is the vision of God; this is an intellectual vision and it *is* itself eternal life.<sup>31</sup> Thomas finds this idea, of course, in the Gospel of

laudabiliter et salubriter occiditur, ut bonum commune conservetur, modicum enim fermentum totam massam corrumpit, ut dicitur 1 Cor. 5,6'.

<sup>29</sup> Any sort of killing (even killing of animals) would however be against the 'first intention' of natural law: see Flannery, 'Capital punishment and the law', 415-22.

<sup>30</sup> *EN* x,7,1177b31-1178a2 (Revised Oxford Translation).

<sup>31</sup> 'Praeterea, ultima beatitudo hominis consistit in visione Dei... . Sed in hoc consistit vita aeterna, ut patet Ioann. 17, 3: 'Haec est vita aeterna, ut cognoscant te solum Deum verum, et quem misisti Jesum Christum'. Ergo beatitudo est idem quod vita aeterna' [*Sent.* 4.49.1.2.3]. See also SCG 3.61. As Prof. Enrico Berti points out in his 'The Historical Basis of S.T. I-II, q. 94, art. 2: The Aristotelian Notion of Nature as a Generation Principle' (published in the present volume), Aristotle maintains that whatever living things do, including

John: 'Haec est vita aeterna, ut cognoscant te solum Deum verum, et quem misisti Jesum Christum' [17, 3]. Nor does the connection between knowledge and immortality pertain just to the individual. In *ST* 1-2.90.2 ('Whether the law is always something directed to the common good?'), the article already cited in which Thomas invokes a practical version of the part-whole principle, we read the following:

The first principle in practical matters, which fall under practical reason, is the ultimate end, and the ultimate end of human life is happiness or beatitude... . It is appropriate, therefore, that the law should regard principally the order which is in beatitude. Moreover, since every part is ordered toward the whole as the imperfect toward the perfect and since a single man is a part of perfect community, it is necessary that the law regard properly the order toward common happiness.

As mentioned above, this article comes just a few questions before *ST* 1-2.94.2, where, as we have seen, Thomas will associate knowledge (and especially knowledge of God) with survival: eternal life. Here in *ST* 1-2.90.2, it is apparent that beatitude – the divine intellectual vision – is beatitude in common: beatitude in the ultimate 'perfect community', the communion of the saints.<sup>32</sup>

especially feed and reproduce themselves, is a participation (as far as possible) in the eternal and the divine [*De an.* ii,4,415a25-b2].

<sup>32</sup> In pursuing divine beatitude, do we pursue it just for ourselves individually? In *ST* 1-2.4.8, Thomas asks, 'Utrum amici sint necessarii ad beatitudinem' and replies in the *corpus* that 'de perfecta beatitudine quae erit in patria, non requiritur societas amicorum de necessitate ad beatitudinem, quia homo habet totam plenitudinem suae perfectionis in Deo'. He also says in ad 3: '...si esset una sola anima fruens Deo, beata esset, non habens proximum quem diligeret'. But he goes on in the *corpus* to say: 'Sed ad bene esse beatitudinis facit societas amicorum'. If one has the desire for perfect beatitude, one certainly has the desire that that beatitude be present 'bene' – and this latter desire is part of the same desire for beatitude that would be satisfied if one were to be the only soul enjoying the intellectual vision of God in perfect beatitude. The proper object of the desire for perfect beatitude is neither one's own enjoyment nor that of one's friends; the proper object is rather God, who is 'the common good of all things' [*ST* 2-2.26.3]. Still, one does desire beatitude for oneself and the good that one desires for oneself one desires also for one's friends: 'In amore vero amicitiae, amans est in amato, in quantum reputat bona vel mala amici sicut sua, et voluntatem amici sicut suam, ut quasi ipse in suo amico videatur bona vel mala pati, et affici. Et propter hoc, proprium est amicorum eadem velle, et in eodem trisitari et gaudere secundum Philosophum, in *EN* ix,3,1165b28-29 et in *Rhet.* ii,4,1381a3-5' [*ST* 1-2.28.2c].

## V. CONCLUSION

The results of this exegesis of *ST* 1-2.94.2 are several, but two principal ones stand out. First, Thomas demonstrates in *ST* 1-2.94.2 a preference for simplicity. He mentions more complicated principles, such as those we find in Boethius's *De hebdomadibus*, but he deliberately introduces the more simple part-whole principle. This principle itself is easily formulable as a simple subject-predicate proposition – the use of which structure allows Thomas, in turn, to make the parallelism between theoretical and practical reason more apparent.

Secondly, this analysis in terms of more simple structures allows Thomas to argue more convincingly that even the principles of the natural law such as are specific to rational animals are specifications of principles that govern all animals and all substances. This allows him to depict an ordering within natural law that is both a *pros hen* ('toward one') ordering and a genus-species ordering. There is no doubt that in natural law reason is supreme, although it is not unconnected with the 'desire' the most simple substance has to survive as a whole and to avoid disintegration. All substances strive for continued existence: rational substances (rational animals) might achieve this in knowing God...and Jesus Christ, whom He has sent.

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## RIESAME DEL DIRITTO NATURALE IN ARISTOTELE E S. TOMMASO DINANZI A MODERNE CRITICHE

HORST SEIDL

Dopo la seconda guerra mondiale, con le disastrose conseguenze del diritto positivistico nella dittatura nazista, vi fu una breve ripresa del diritto naturale re-introdotta da rappresentanti del neotomismo (V. Cathrein, J. Messner e altri). Ma il tentativo di difenderlo non era di lungo successo, rinviando soltanto ad alcuni luoghi in S. Tommaso, soprattutto nel quadro teologico, senza studio di tutti i testi anche filosofici e delle fonti platoniche, aristoteliche, stoiche e neoplatoniche, nonché patristiche. Di fatto, negli anni settanta in poi, la tendenza positivistica ritornò nella giurisprudenza di lingua tedesca, usando argomenti filosofici giuridici con una serie di critiche contro il giusnaturalismo. Queste non furono mai contraddette completamente. Perciò mi pare utile affrontarle oggi di nuovo; tanto più perché si osserva nei nostri giorni un nuovo interesse alla questione sul diritto naturale.

La distinzione tra diritto positivo e quello naturale risale all'antico empirismo dei sofisti che dichiarano tutte le leggi, con i rispettivi diritti, come solamente relative, soggette a continui cambiamenti, secondo le circostanze, considerando come l'unico "diritto per natura" quello del vantaggio del più potente che vince nella lotta politica con i suoi interessi individuali. Si basano sulla concezione della natura umana come istintiva.

Nei tempi moderni l'empirismo assume, insieme ai bisogni primari (condivisi con gli altri animali: cibo, generazione ecc.), anche esigenze umane (individuale felicità, benevolenza verso altrui) che gli inglesi attribuivano a un sentimento (*feeling*) umano e i neokantiani, nonché i neopositivisti, a un pensiero ideale (non uccidere, non offendere, a ciascuno il suo). Ma è sempre lo Stato che detta le norme secondo i suoi interessi che cambiano secondo le circostanze.

### 1) CRITICHE MODERNE ALLA DOTTRINA TRADIZIONALE DEL DIRITTO NATURALE

Dalla ampia letteratura con le controversie sul diritto naturale<sup>1</sup> riassumo alcune critiche principali e le riporto in seguito:

1. I bisogni primari che si osservano dalla natura animale dell'uomo sono certi fatti ma non norme obbliganti per la ragione autonoma. In generale, da fatti fisici naturali non si lasciano derivare norme morali e giuridiche.
2. Per quanto riguarda gli ideali umani, sia che provengano da un sentimento o da un pensiero o da una coscienza morale, essi non vengono negati ma sono meri ideali che contrastano con la realtà della prassi umana che esige compromessi.
3. Per quanto certe norme vengono formulate, nel nome del diritto naturale, esse hanno una forma universale rigida immutabile, in contrasto con la dinamica della vita umana che si sviluppa in forme sempre nuove. Nessuna legge può pretendere di essere immutabile.
4. Soprattutto i tradizionali "sillogismi pratici" vengono criticati perché deducono da norme astratte universali le azioni da compiere in una concreta situazione. Essi vengono anche accusati di una "fallacia naturalistica", perché intendono una volta il bene morale come un fatto naturale, altra volta come un ideale in pensiero.
5. C'è anche l'aspetto esistenzialistico secondo cui la libertà viene minacciata da norme a priori prescrittive delle azioni, mentre l'individuo dovrebbe decidersi in ogni situazione di nuovo con libertà creativa come debba agire.

### 2) FRAINTESI NELLA CRITICA MODERNA AL TRADIZIONALE DIRITTO NATURALE

Per prendere posizione riguardo alle critiche summenzionate vorrei prima rilevare i fraintesi che si trovano in esse riguardo alla dottrina tradizionale e rivolgermi, poi, ai testi rispettivi in Aristotele e S. Tommaso:

Al 1. Come vedremo, i testi classici sul diritto naturale non rinviano solo alla natura fisica animale dell'uomo, secondo un frainteso naturalistico della prima critica, bensì alla natura razionale, perché comprendono nella

<sup>1</sup> Ho usato il volume collettivo, ancora molto istruttivo: *Naturrecht oder Rechtspositivismus*, ed. da Werner Maihofer, Darmstadt 1972 (Wege der Forschung, vol. 16).

natura umana anche – anzi primariamente – la ragione. Dal fatto della priorità (ontologico-antropologica) della ragione si deriva l'obbligo morale di realizzarla. Il diritto naturale morale dice di agire sempre così che la priorità della ragione venga rispettata.

È vero che la giurisdizione concerne i rapporti degli individui tra di loro ma da ciò non segue necessariamente che essa dovrebbe essere separata dalla morale, la quale si limiterebbe alla sfera interna degli individui. Si può riconoscere che il diritto ha un lato morale perché la morale si estende pure alla sfera esterna delle azioni.

Infatti, una morale limitata alla sfera interna degli uomini sarebbe solamente una morale di intenzionalità, la quale starebbe in opposizione con l'etica di fatti, come in Max Weber (*Gesinnungsethik – Tatethik*). Tuttavia la sua dottrina di tale opposizione non si è mantenuta, poiché le due caratteristiche confluiscono in realtà: ogni intenzione anticipa già il fine di una azione, e nessuna azione può realizzarsi senza precedente intenzione.

Tommaso d'Aquino distingue tra gli atti esterni che sono le stesse azioni e gli atti interni, che sono quelli della volontà e dell'intelletto, con l'intenzione del fine e la decisione dell'azione.

L'argomento che dall'essere non si può derivare un dovere morale, origina dall'empirismo, il quale identifica l'essere con il fatto esterno di condizioni "naturali" come fisico-materiali, il che è sbagliato. Infatti, l'essere – come nota trascendentale di tutte le cose – comprende tutto l'ente, sia quello esterno dell'uomo sia quell'interno in lui, l'anima razionale. Le virtù che acquisiamo per il bene agire sono qualità dell'anima sostanziale (*poiôtes tes psyches*), già per Aristotele. Da questo essere dell'uomo qualificato dalle virtù provengono le dovute azioni, cosicché si avvera che dall'essere segue un dovere.

Al 2. Il frainteso della seconda critica consiste nella divisione empiristica tra la sfera reale, ristretta ai fatti osservabili nella prassi esterna, e la sfera interna, inclusa l'anima, come ideale. Il grande rappresentante del positivismo giuridico, Hans Kelsen, non nega le norme, riconosciute in generale: cioè di non uccidere, di non ledere altrui, di dare a ciascuno il suo, ma li dichiara come meri ideali, mentre la dura realtà della prassi chiede compromessi. Tuttavia, questo argomento viene contraddetto dal fatto che la realtà non si limita soltanto alla prassi esterna, bensì si estende altrettanto alla stessa anima razionale che sussiste come realtà sostanziale. Infatti le azioni reali provengono da intenzioni nella ragione come realtà.

Contro la critica positivista al diritto naturale come mera idealità, il noto rappresentante del diritto romano W. Waldstein si confronta dettaglia-

tamente con H. Kelsen, rinviando anche al politologo E. Voegelin,<sup>2</sup> nonché a Joh. Messner la cui opera sul diritto naturale<sup>3</sup> rileva il punto debole della critica positivista in quanto usa un concetto troppo stretto di realtà, limitandola alle cose empiriche, fondate sull'intuizione sensitiva. Al contrario, occorre riconoscere anche quella realtà cui appartengono pure le norme fondamentali del diritto naturale. Di questo noi uomini abbiamo una *communis intellegentia*, secondo un'espressione di Cicerone, il quale mira alla natura umana nel senso realistico:<sup>4</sup>

Infatti noi possiamo distinguere una buona legge da una falsa soltanto per la norma della natura (atqui nos legem bonam a mala nulla alia nisi naturae norma dividere possumus).

Waldstein invece, dal suo punto di vista fenomenologico, arriva soltanto alle norme del diritto naturale come "formazioni spirituali" (*geistige Gebilde*). Di fatto, la fenomenologia non parla più dell'anima, ma soltanto dei vissuti ossia delle formazioni spirituali nella coscienza.<sup>5</sup>

Al 3. La terza critica concerne un problema moderno circa il rapporto delle norme universali immutabili con le azioni concrete mutabili, le quali evitano però i testi classici, perché distinguono tra le azioni dell'uomo e la sua vita, che è il suo essere, nel doppio significato del semplice esserci e dell'essere tale, secondo l'essenza umana; infatti la tradizione distingue tra la vita e l'azione come tra l'essere e il movimento.

Mentre quest'ultimo si svolge da un inizio verso la fine, attraverso stadi intermedi, attuando gradualmente una potenzialità, l'essere attuale è compiuto in se stesso, trovandosi già fin dall'inizio nella fine (come l'indicano anche i concetti: *en-ergeia*, *en-telecheia*).

Per l'empirismo moderno, come nel pragmatismo, la vita umana è uguale alle azioni concrete che i concetti universali non raggiungono.

<sup>2</sup> Eric Voegelin, *Die neue Wissenschaft der Politik*, 1959, Sonderausgabe der Stifterbibliothek 1977, 49.

<sup>3</sup> Johannes Messner, *Das Naturrecht*, Berlin 1984.

<sup>4</sup> Cicerone, *Leg.* 1, 44.

<sup>5</sup> Fra i numerosi articoli con i quali Wolfgang Waldstein affronta il giuspositivismo sono i seguenti particolarmente istruttivi: *Naturrecht und naturalistischer Fehlschluß*, in: *Fides et ius, Festschr. f. Georg May zum 65. Geb.*, Regensburg 1991, 33 seg. – *Vom sittlichen Wesen des Rechts*, in: *Das Neue Naturrecht. Die Erneuerung der Naturrechtslehre durch J. Messner. Gedächtnisschrift f. J. Messner*, ed. A. Klose, H. Schambeck, R. Weiler, Berlin 1985, 101-123. – *Römische Rechtswissenschaft und wahre Philosophie*, in: *Index, Quaderni camerti di studi romanistici... Omaggio a P. Stein*, 2 (1994), 31-45. – *Das Naturrecht in der modernen Staatsphilosophie*, in: *Festschrift für Martin Kriele*, ed. B. Ziemke, Th. Langheid, H. Wilms, G. Haverkate, München 1997, 903-923.



Anche Robert Spämann intende la vita come la somma delle azioni. I classici, al contrario, che distinguono tra le azioni e la vita, riferiscono le norme morali, in concetti universali, alla vita/all'essere umano intelligibile in ogni individuo: hanno un significato trascendentale che comprende l'intelligibile negli individui. Le azioni sono movimenti mutabili, invece la vita/l'essere sostanziale dell'uomo è il fondamento stabile.

Come S. Tommaso insegna, l'agire presuppone l'essere dell'uomo, dicendo che l'agire segue l'essere (*agere sequitur esse*).

Certamente vale, in qualche senso, anche l'inversa proposizione che l'essere segue l'agire, in quanto dalle buone azioni risulta l'essere buono virtuoso. Tuttavia nella prima proposizione "l'essere" è inteso ontologicamente come l'essere sostanziale dell'anima umana, mentre nella seconda proposizione con "l'essere" si intende eticamente l'essere morale qualificato.

Come, in generale, i concetti universali rinviano alle essenze nelle cose, cioè alle loro cause costitutive, così anche le norme universali morali si riferiscono alle cause essenziali nell'uomo, cioè all'anima razionale che è la causa della sua vita. Quindi le norme universali, le quali mirano al bene comune, sono riferite alla causa essenziale nell'uomo, non più riconoscibile per l'empirismo.

Le norme universali della legge morale naturale, cioè di fare il bene e di evitare il male, e del diritto naturale: di non uccidere, non offendere e sim., non concernono ancora le azioni particolari, ma piuttosto il modo di vivere bene in generale, che non è ancora determinato specificamente rispetto ai diversi campi pratici, ma nondimeno riferito all'esserci e all'essere essenziale di ciascun uomo.

L'essere morale, come anche l'essere ontologico, non è una cosa accanto alle cose e all'uomo bensì un aspetto formale, oggettivo reale; e a questo corrisponde la nostra coscienza realistica, "un sapere concomitante" (*conscire*). A questo tema ho dedicato studi speciali altrove.<sup>6</sup>

La dimensione storica della vita umana non toglie la sua dimensione ontologica. Infatti la storicità dell'uomo ha tre presupposti sovra-storici, cioè nella natura – se non vi fosse la continuazione delle generazioni, la storia umana domani sarebbe finita –, inoltre nell'intelletto, che è l'autore delle azioni storiche, e infine in Dio che è il Creatore sia della natura che dell'intelletto umano; egli è il Signore della storia come rivela la Bibbia.

<sup>6</sup> Cfr. il mio trattato: *Sein und Bewußtsein. Erörterungen zur Erkenntnislehre und Metaphysik in einer Gegenüberstellung von Aristoteles und Kant*, Hildesheim 2001 (Olms-Verlag).

Il nostro intelletto non disporrebbe neppure di un concetto di tempo e di storia se non già da un punto di vista sovra-temporale e sovra-storico. S. Tommaso, seguendo una lunga tradizione, constata: *intellectus est supra tempus*. Perciò l'intelletto capisce la rivelazione biblica che comprende già tutta la storia, dall'inizio fino alla fine degli ultimi tempi.<sup>7</sup>

Al 4. La critica ai tradizionali sillogismi pratici li accusa di essere fallaci, perché concluderebbero da comportamenti come fatti sociali di agire in determinato modo ad azioni moralmente dovute. Tuttavia c'è un frainteso. Quei sillogismi non partono da comportamenti sociali (come la sociologia empirica li studia) bensì da determinate virtù per concludere alle corrispondenti azioni, procedendo dunque dalle cause morali ai loro effetti, le azioni morali. In tal modo il sillogismo ha una forma logicamente corretta, come possiamo illustrarla con il seguente esempio:

- I) La virtù di giustizia (definita nel termine medio) è giusta (termine maggiore).
- II) L'azione particolare (termine minore) appartiene alla virtù della giustizia.
- III) L'azione particolare è giusta (cioè da compiere).

Come Aristotele sottolinea, il sillogismo pratico, non è universale ma particolare, perché introduce nella premessa minore azioni dalle situazioni concrete.<sup>8</sup> La prudenza, che opera un giudizio su una azione particolare, richiede esperienza e intuizione del bene o del virtuoso. Perciò la prudenza è diversa dalla scienza teorica. Infatti, la premessa minore deve essere trovata in modo induttivo dall'intelletto pratico, per poter essere inserita nel sillogismo pratico deduttivo. Ma anche le virtù devono essere già stabilite in definizioni che si svolgono in procedure induttive, dai casi empiricamente dati verso la loro essenza. Come già menzionato, il diritto naturale è contenuto più nelle premesse universali, e il diritto positivo più nelle premesse speciali che conducono alle conclusioni nella prassi concreta.

Al 5. La quinta critica che è dell'indirizzo esistenzialistico, usa il metodo fenomenologico per descrivere esperienze vissute "esistenziali", che non si esprime più con razionalità concettuale, anzi, la respinge affatto.<sup>9</sup>

<sup>7</sup> Questo tema è discusso nel mio trattato: *Storia della filosofia e verità*, Roma (Mursia) 1999.

<sup>8</sup> Aristotele, *Ethica Nicom.* VI, 1143b 1-5, 1144a 31-36.

<sup>9</sup> Cfr. anche l'articolo di Friedrich August Freiherr von der Heydte: Existentialphilosophie und Naturrecht, in: *Wege der Forschung* (si veda nota 1), 141-158.

In tal modo si blocca l'autoconsapevolezza dell'intelletto con cui ha presente se stesso, nonché l'anima razionale, come realtà sostanziale. La dottrina del diritto naturale rinvia proprio alla natura razionale in modo realistico esistenziale.

Il problema dell'autorità del diritto naturale si risolve così che questa, di fatto, è la ragione pratica di fatto in ogni individuo, consapevole della sua posizione governatrice nell'ordine essenziale per l'uomo. Non c'è autorità esterna, nelle istituzioni statali, che non dovrebbe essere basata su quella interna della ragione che spetta al bene comune, come abbiamo visto sopra.

### 3) RIESAME DELLA DOTTRINA DEL DIRITTO NATURALE IN ARISTOTELE E S. TOMMASO

#### a) *La dottrina del diritto naturale in Platone*

Platone spiega la sua dottrina, nei dialoghi *Gorgias* e *Leges*, X, in confronto con i Sofisti i quali, per la prima volta, avevano introdotto la distinzione tra diritto positivo (di convenzioni o di leggi) e diritto per natura (*phýsei díkaion*) e li critica, perché consideravano tutte le leggi e le costituzioni (incluso tutti gli adempimenti culturali e religiosi) soltanto come convenzioni positive, mentre l'unico diritto naturale per loro era il vantaggio del più forte, secondo gli istinti dell'uomo. Platone corregge la concezione sofistica della natura dell'uomo,<sup>10</sup> perché essa non consiste solamente negli istinti ma anche nella ragione stessa, la quale istituisce leggi e costituzioni (nonché tutti gli adempimenti culturali). Perciò il diritto naturale riguarda l'indirizzo della ragione verso il bene comune, che è a vantaggio di tutti. Anche se le leggi sono positive, cioè poste da uomini, hanno nondimeno una qualità morale rispetto al diritto naturale: esse sono buone o cattive, a seconda che lo osservino o meno, mirando o meno al bene comune.

Nel dialogo *Gorgia*<sup>11</sup> Platone confuta la morale dell'istinto, rappresentata dal sofista come diritto naturale, e difende la morale delle virtù, basata sulla natura razionale, nonché sull'ordine nell'anima (*táxis*), con il governo della ragione sull'istinto.

Nella sua opera *Respublica* Platone definisce la giustizia, in quanto virtù principale, come quel bene o fine che si realizza quando nella totalità con-

<sup>10</sup> Platone, *Gorgias*, 482C/D seg.

<sup>11</sup> *Gorgias*, 503D seg.

sistente da parti ciascuna parte compie il suo dovere in funzione del fine della totalità, sia nell'individuo, sia nello Stato.

La definizione si riallaccia alla saggezza popolare che dice "che ciascuno faccia il suo", vuole dire: il suo compito in servizio al fine del totale.

Nello Stato le parti sono i cittadini, raggruppati in tre classi – cioè dei contadini o lavoratori, dei soldati e dei governanti – secondo i diversi compiti: provvedimento dei beni necessari per la vita, della difesa del paese e del governo politico. Lo sfondo "naturale" sta nel fatto che gli uomini dividono fra di loro i diversi compiti secondo i diversi talenti naturali. Infatti l'armonia del totale presuppone la diversità delle parti.

Passando al bene morale quale giustizia nell'individuo, Platone – analogamente alle tre parti dello Stato – espone tre parti nell'anima: cioè l'istinto (cupidigia), il coraggio (con gli affetti) e la ragione ossia l'intelletto, e spiega l'ordine in modo tale che ciascuna parte compia la sua funzione: cioè che l'istinto e il coraggio servano l'intelletto, mentre l'intelletto guidi il coraggio e l'istinto. In tal modo ciascuna parte acquisisce la sua virtù, cioè rispettivamente temperanza, forza e saggezza/sapienza, dalla cui coordinazione risulta la giustizia.

Questa si basa sulla disposizione naturale delle tre diverse facoltà, l'una a servire, cioè l'istinto, e l'altra a governare, cioè la ragione, mentre al coraggio spetta di ubbidire alla ragione e di governare insieme alla ragione sull'istinto (*Resp.* IV). Nel caso contrario, quando le parte agiscono contro le disposizioni naturali, allora sorge disordine e anarchia, sia nello Stato, sia nell'individuo.

Anche lo scritto spurio platonico, intitolato *Definitiones*, sottolinea l'aspetto dell'ordine della giustizia. Ecco il testo:<sup>12</sup>

Giustizia è una consonanza dell'anima con se stessa, e un bene disposto ordine delle parti dell'anima fra di esse e sull'esse. Giustizia è un atteggiamento che distribuisce a ciascuno ciò che corrisponde al valore; è un atteggiamento secondo cui colui che la possiede si propone ciò che gli pare giusto; è un atteggiamento che ubbidisce nella sua maniera di vita alla legge; è una eguaglianza comunicativa; è un atteggiamento che sostiene le leggi.

Le definizioni presentano la giustizia come virtù, quale atteggiamento di proponimento morale, sia in senso largo sia in senso stretto politico, in quanto sostiene le leggi. Riconosce una distribuzione dei beni ai concitta-

<sup>12</sup> *Defin.* 411E.

dini, in modo costruttivo della comunità ossia società; realizza l'ordine nella società statale al quale corrisponde un ordine nell'anima dell'uomo. Quindi la definizione molto preziosa determina che la giustizia è la consonanza dell'anima con se stessa, cioè un ordine interno nelle parti ossia nelle facoltà dell'anima, bene coordinate e subordinate.

b) *La dottrina del diritto naturale in Aristotele*

Aristotele ha assunto la dottrina del suo maestro, elaborando però di più quel bene morale che si deve realizzare nell'uomo stesso (*tò anthròpinon agathón*), cioè la virtù. La definisce come "atteggiamento di proponimento dell'anima che tiene il medio tra estremi affetti, come la ragione pratica la determina". Per poter acquisire le virtù l'anima deve già avere una naturale disposizione ad esse, come una "virtù naturale" (*aretè fisiké*) verso il bene in quanto esso è già noto e desiderato (*phýsei bouletón*) dall'intelletto e dalla volontà per loro natura. La Stoa rifletterà di più su questi presupposti naturali e S. Tommaso d'Aquino, seguendo la tradizione che include la Stoa, parlerà di una "inclinazione naturale" della volontà verso il bene e di una "notizia naturale" dell'intelletto circa il bene, in modo generale.

Aristotele distingue tra la giustizia in senso largo, che si può chiamare probità, comprendendo tutte le virtù, e in senso più stretto, come giustizia politica che appartiene al campo politico, realizzandosi nei rapporti tra gli individui *qua* cittadini dello Stato riguardo al bene comune (*koinòn agathón*). Aristotele espone la giustizia politica nel suo trattato *Politica*.

Alla base del diritto politico positivo sta il cosiddetto "diritto naturale". Aristotele, seguendo Platone, considera già come chiarita la questione se il diritto naturale esista, ma lo discute, in *Ethica Nicom.* V, 10, riguardo alla sua presunta immutabilità. Una posizione sofista naturalista la contesta, perché soltanto nelle cose naturali si trovano leggi immutabili (come per es. quella che il fuoco va sempre in alto, e la pietra sempre in basso), mentre nel campo umano tutto è mutevole. La risposta di Aristotele invece è affermativa e la spiega nel testo seguente:

...presso di noi (uomini) c'è qualcosa che pur essendo per natura è nondimeno del tutto mutevole. Tuttavia c'è qualcosa che è per natura mentre altro non lo è. Quale delle cose che possono essere anche diversamente siano per natura e quale cose no, ma per legge e per contratto, sebbene entrambe siano mobili, è chiaro, (perché) la stessa definizione si adatterà anche ad altri casi: (per es.) per natura la mano destra è più abile, eppure è possibile che tutti (gli uomini)

diventino abili ad ambedue le mani... Egualmente anche le cose non naturali, bensì umane giuste, non sono le stesse dappertutto, perché neppure le costituzioni (lo sono), tuttavia una sola (costituzione) è dappertutto la migliore (1134b 29 – 1135a 5).

Il problema cioè come nel campo umano in cui tutto è mutevole, nondimeno ci sia qualcosa per natura giusto, Aristotele lo risolve con la distinzione tra l'essere potenziale e quello attuale. La disposizione come potenzialità o capacità di fare azioni giuste rimane sempre la stessa, anche se si attua in diverse maniere; secondo l'esempio di Aristotele con le costituzioni che possono realizzarsi in una monarchia o in un'aristocrazia o in una democrazia, l'uomo può stabilire anche costituzioni cattive: cioè una tirannia o una plutocrazia o un'oclocrazia, ma allora lo farà contro la sua disposizione naturale secondo cui una costituzione è buona soltanto se rispetta il bene comune, come si avvera nella monarchia o nell'aristocrazia o nella democrazia. L'unica migliore costituzione, secondo Aristotele, è la monarchia, quando il re è allo stesso tempo un ottimo politico e un uomo moralmente ottimo.

Aristotele definisce il diritto naturale come giustizia politica, in quanto presente nelle leggi o norme universali, e lo illustra attraverso l'analogia con il corpo.

In Platone e Aristotele troviamo un frequente uso dell'analogia tra corpo e anima, parlando per es. della virtù come della salute dell'anima.

Il nostro testo parla della abilità biologico-fisica della mano destra che l'uomo attua con l'adatto esercizio (La teoria biologica di questa abilità che Aristotele menziona altrove, non ci interessa per l'argomento presente). Allora, l'uomo può anche attuare un esercizio anfidestro, ma contro la sua natura. Ciò vuol dire nel campo morale giuridico: quando l'uomo fa cose ingiuste allora pecca contro la sua natura razionale che è disposta – con "virtù naturale" – a fare cose virtuose e giuste in cui consiste il diritto naturale: cioè fare il giusto secondo la natura razionale, rivolta al bene comune.

La mutabilità del diritto naturale, mi pare, concerne, secondo il contesto, le deviazioni possibili verso un vizio, non la margine delle variazioni nella realizzazione di una virtù ossia di una norma universale *in concreto*. A quest'ultima, però, pensa il commento di Gauthier-Jolif, come anche l'interpretazione di A. Verdross, che Waldstein segue. Verdross pone la mutabilità del diritto naturale nella sua concretizzazione come tale e distingue due livelli, un "diritto naturale primario", nella sua forma universale, e un "diritto naturale secondario", nella sua forma concretizzata. Tuttavia, il testo non giustifica tale distinzione.

Infine vorrei ribadire che il discorso di Aristotele, *Ethica Nicom.* V, 10, sul diritto naturale presuppone il fondamento antropologico secondo cui l'anima umana possiede potenzialità o disposizioni ad acquisire le virtù.

c) *La dottrina della legge morale naturale negli Stoici*

La dottrina platonico-aristotelica del diritto naturale, presentata nel quadro del diritto politico, include il concetto più ampio di una legge morale naturale che riguarda globalmente la vita umana mirando al bene come fine ultimo della vita, mentre il diritto naturale concerne piuttosto il campo sociale-politico mirando al bene comune sociale-politico. In corrispondenza con ciò Aristotele distingue anche tra l'uomo buono e il cittadino buono. Erano gli Stoici che hanno elaborato il concetto della legge morale naturale, nel senso ampio, allargando il concetto del diritto naturale in quello della legge morale naturale.

Il termine "*nómos*" che prima si riferiva al diritto positivo viene adesso usato con riferimento alla moralità naturale, insita nella natura razionale dell'uomo.<sup>13</sup> La dottrina della legge naturale viene sviluppata nella disciplina dell'etica,<sup>14</sup> fondata sulla "fisica", cioè sulla filosofia della natura, incluso la teologia (panteistica). Perciò gli Stoici definiscono il bene morale non solo come "vivere secondo virtù" e "vivere secondo ragione", ma anche "vivere secondo natura", perché vedono la natura dell'uomo nella ragione. In essa risiedono "germi" o "semi" o "principi" come "inizi" di una moralità naturale, che è il fondamento per l'acquisto della moralità qualificata perfetta. Ciò corrisponde alla dottrina aristotelica della "virtù naturale", come menzionato sopra.

Dal principio universale: di fare il bene e di evitare il male, seguono immediatamente certi ulteriori principi universali, come quelli di non uccidere, non rubare e dei Dieci Comandamenti, sui quali S. Paolo dice che sono iscritti nei cuori degli uomini. Ciò non significa necessariamente un innatismo che questi principi sarebbero "innati"; basta che vengano riconosciuti dall'intelletto in modo intuitivo.

<sup>13</sup> In Aristotele soltanto l'aggettivo "*nómimos*" poteva avere il significato naturale normativo, col riferimento alla giustizia nel senso largo, comprensivo di tutte le virtù, cosicché il "giusto", se preso in senso largo, viene definito come "*nómimos*".

<sup>14</sup> Si veda *Stoicorum vet. frag.* I 42, 35 segg. et passim; altre testimonianze si trovano in Cicerone.

d) *La dottrina del diritto naturale in S. Tommaso*

Tommaso ha riassunto sia la dottrina platonico-aristotelica del diritto naturale, sia quella stoica della legge naturale, per integrarla nella sua grande etica filosofica e teologica. Mi limito ai testi maturi nella *Summa theol.*<sup>15</sup> su coscienza morale, intelletto e volontà, fine ultimo, atti internamente buoni e legge naturale.

1. Partiamo dalla I-II, *questione* 90, sulla legge; l'*art.* 1 definisce la legge in modo generale come un "dettame della ragione", la quale, a sua volta, viene definita come "regola e misura degli atti umani".

Ora, la legge che dice semplicemente che il bene è da fare e il male da evitare, manifesta che la ragione non è legislatrice autonoma, ma viene determinata dal bene ossia dall'ultimo fine della vita umana. Perciò l'*art.* 1 rileva il compito della ragione di ordinare le azioni, nonché gli atti interni della ragione e della volontà, verso il fine, già dato nell'anima razionale e in Dio: *rationis enim est ordinare ad finem, qui est primum principium in agendis, secundum Philosophum.*

L'*art.* 2 riprende il risultato dalla *questione* 1 segg. che il fine ultimo si trova, da un lato, nella perfezione umana – nella virtù più alta, la sapienza, connessa con la beatitudine – e, dall'altro, in Dio, cioè l'oggetto della sapienza contemplativa, in contatto con il quale essa si attua. Infatti, ogni fine si mostra in un ordine, quando cioè in una totalità, consistente da parti, queste sono attive per il fine del totale, cosicché la legge regola le parti per realizzare il fine del totale. La legge morale dunque regola le azioni cui contribuiscono tutte le parti costitutive dell'uomo individuale: quelle corporali e sensitive-irrazionali e quella razionale, per raggiungere il fine ultimo della vita. Riguardo allo Stato, le parti sono i cittadini con diversi compiti che collaborano in servizio del suo fine, cioè del bene comune.

2. Seguendo le fonti platoniche, aristoteliche, stoiche e neoplatoniche, tramite la patristica, Tommaso insegna che l'orientamento delle facoltà conoscitive e desiderative verso il bene stesso ossia l'ultimo fine, come il loro oggetto, è insito in esse per loro natura, *naturaliter*, cosicché anche la legge che seguono è una *lex naturalis*. Ciò vale sia al livello sensitivo istintivo (che l'uomo condivide con gli altri animali), sia al livello intellettuale (per cui l'uomo si distingue da tutti gli altri animali). Infatti, la *questione* 94, *art.* 2, offre l'argomentazione seguente: come le facoltà sensitive istintive

<sup>15</sup> Tommaso d'Aquino, *Summa theologiae* I, 79, e I-II, 90.



hanno il loro fine specifico fisico: cioè la conservazione del bene corporale e la propagazione, così analogamente anche le facoltà intellettuali sono rivolte al loro bene, cioè alla perfezione morale, con una inclinazione naturale, nonché con una cognizione naturale del bene stesso ossia dell'ultimo fine. Quindi la legge loro inerente è naturale: fare il bene ed evitare il male:

Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum.

Il bene stesso ha il significato del fine, come anche il male ha quello contrario. Perciò "tutto quello, al quale l'uomo ha una inclinazione naturale, la ragione comprende in modo naturale come il bene, e, per conseguenza, come qualcosa da perseguire operativamente, mentre il contrario essa comprende come il male da evitare. Secondo dunque l'ordine delle inclinazioni naturali c'è l'ordine dei precetti della legge naturale":

...omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona, et per consequens ut opere prosequenda, et contraria eorum, ut mala et vitanda. Secundum igitur ordinem inclinationum naturalium, est ordo praeceptorum legis naturae.

In seguito, sempre riprendendo le fonti, specialmente quelle stoiche, Tommaso illustra ciò che ha costatato in modo generale: la prima delle inclinazioni naturali è quella della "auto-conservazione dell'essere secondo la natura" (*conservationem sui esse secundum suam naturam*). "Quindi appartiene alla legge naturale ciò per cui l'uomo conserva la sua vita". Inoltre l'uomo persegue con legge naturale la procreazione nella sua specie, analogamente con gli altri animali.<sup>16</sup>

Poi, l'Aquinate passa al livello intellettuale e constata una inclinazione analogamente naturale, insita nell'uomo, secondo la sua natura razionale che è propria di lui, perché l'uomo ha una inclinazione naturale a conoscere la verità su Dio, nonché quella a vivere in società.

...inest homini inclinatio ad bonum secundum naturam rationis, quae est sibi propria: sicut homo habet naturalem inclinationem ad hoc quod veritatem cognoscat de Deo, et ad hoc quod in societate vivat.

In corrispondenza con questa inclinazione naturale la legge naturale prescrive di fare ciò che la promuove, e di evitare l'ignoranza o di non offendere gli altri con i quali deve entrare in conversazione. In prospettiva teologica, la legge naturale umana è "la partecipazione alla legge divina", cosic-

<sup>16</sup> Tommaso cita qui dal *Digesto* di Ulpiano, 1.1, tit. 1 (Iure operam), riguardo alla unione di uomo e donna, la nota espressione: *quae natura omnia animalia docuit*.

ché anche l'inclinazione naturale verso il bene umano include quella verso il bene divino assoluto da cui il bene umano dipende.

In conclusione possiamo far attenzione al grave frainteso di quelle critiche moderne alla tradizionale dottrina della legge naturale, le quali la squalificano in modo naturalistico, come se essa riguarderebbe soltanto ciò che l'uomo ha in comune con gli altri animali.

3. Infine dobbiamo connettere la conoscenza naturale della ragione sul bene con la coscienza morale di cui Tommaso ha trattato prima,<sup>17</sup> usando fonti stoiche, ma anche patristiche. Tommaso distingue tra lo stadio perfetto della coscienza e quello imperfetto, e la definisce, nel suo stadio perfetto, come capacità del giudizio che sa "applicare" il bene morale che è di forma generale alle azioni particolari nelle situazioni concrete. Egli allude anche all'etimologia di *conscientia*, la quale indica un sapere concomitante, perché accompagna la conoscenza dell'azione particolare con un sapere della sua qualità morale buona o meno.

Il personalismo che cerca di intendere l'essere umano come "essere con", e ogni conoscenza come "conoscere con" altre persone, interpreta anche la *conscientia* come sapere con altre persone. Ma il testo presente non permette tale interpretazione.

Nel primo stadio Tommaso la chiama con il termine greco *synderesis* (una forma corrotta da *synteresis*, nel senso di osservanza) come quella facoltà di comprendere immediatamente, in modo naturale, il bene generale. Questa è meno perfetta di quella sviluppata *conscientia* nello stadio avanzato, ma nondimeno fondamentale per essa. Inoltre, mentre la *conscientia* può errare, la *synderesis*, nel comprendere il bene in generale, è infallibile.

Se consideriamo la legge naturale in connessione con la coscienza morale, occorre coordinarla con la coscienza, come *synderesis*, nel suo primo stadio naturale, imperfetto sì, ma fondamentale per ogni progresso morale dell'uomo verso la sua perfezione.<sup>18</sup>

Del resto, se nella critica moderna alla tradizionale dottrina della legge naturale un motivo principale è la preoccupazione che essa enterebbe in concorrenza con la moralità autonoma, da esercitare in libertà creativa, possiamo dire che questo motivo è infondato. Infatti, la legge morale si tro-

<sup>17</sup> *Summa theol.*, I, q. 79, a. 12-13.

<sup>18</sup> Cfr. la mia interpretazione più dettagliata in: *Sintesi di etica generale. Coscienza, libertà e legge morale*, Roma 1994 (Città Nuova).

va al livello morale meno perfetto di quello avanzato da svilupparsi in moralità auto-responsabile e in libertà – tuttavia in una libertà non-autonoma, creativa, bensì sempre legata alla legge morale naturale, data all'uomo nella sua natura razionale.

#### POSTFAZIONE

In forma di complemento devo ancora aggiungere annotazioni sui punti seguenti:

1. Sulla domanda di S.E. Mons. Sánchez Sorondo che la mia conferenza includa anche la concezione di Tommaso sulla natura umana, che in questa Assemblea era un tema centrale di discussione, vorrei riprendere la questione della “pluralità delle forme” su cui la conferenza del Prof. John O’Callaghan si è concentrata particolarmente. Partendo dal testo in *S. theol. I, questioni 75* segg., intitolato: *De homine qui ex spirituali et corporali substantia componitur*, si vede che secondo Tommaso l'uomo è costituito da corpo e anima come da due sostanze. Il problema non è se il corpo sia sostanza – piuttosto lo è evidentemente – ma se l'anima sia sostanza incorporea, e come l'anima venga dimostrata quale causa formale per il corpo, il quale la riceve, diventando corpo organico. Il corpo, per se stesso, in quanto corpo tridimensionale, è già un ente in atto, ma nell'unione con l'anima come causa formale attuale diventa potenziale, come portatore materiale dell'anima. Quando alcuni testi dicono che l'anima è “l'atto del corpo” ciò si riferisce al corpo organico vivente; infatti, come corpo tridimensionale esso esiste già per il suo proprio atto.

L'anima umana, di nuovo, è un'unità complessa, avendo, come causa della vita umana, tre principi di vita: quello vegetativo, quello sensitivo e quello intellettuale, che vengono desunti dalle tre funzioni graduali della vita, cioè quella vegetativa, quella sensitiva e quella intellettuale. Il principio vegetativo è, per se stesso, un principio attuale, il quale nelle piante è la causa formale, ma trovandosi analogamente nell'anima umana, subordinato al principio superiore sensitivo, “perde” l'essere causa formale. Lo stesso vale, di nuovo, per il principio sensitivo, il quale negli altri animali è la causa formale, ma “perde” tale compito nell'anima umana, perché, pur rimanendo forza attiva vitale, viene subordinato al principio superiore intellettuale, diventando portatore potenziale di questo.

Come si vede, l'uno e medesimo ente può essere in un riguardo atto, in un altro potenza.

Comunque, la sensitività nell'uomo è specificamente umana, diversa da quella della bestia, perché disposta a ricevere e portare il principio spirituale. Se non lo ricevesse, l'embrione umano non potrebbe sopravvivere. Al contrario, nei nostri tempi la bio-antropologia di A. Gehlen<sup>19</sup> vede l'uomo come composto da bestia e spirito e lo definisce come "das noch nicht festgestellte Tier" ("la bestia non ancora determinata"). Questa espressione (provenendo da Nietzsche), nonostante la distinzione in tedesco tra "Tier" e "Lebewesen", come in greco tra *theríon* e *zôon*, e in latino *bestia* e *animal*, scieglie apposta il concetto "Tier", per sottolineare che nella sensitività/istintività non c'è una differenza essenziale tra l'uomo e gli altri animali.

Ho esposto l'interpretazione completa dei luoghi rilevanti in Tommaso altrove.<sup>20</sup> Due testi meritano speciale attenzione. L'uno, *S. th.* 76, 4c, sottolinea che vi sono, è vero, tre forme di vita nell'uomo: vegetativa, sensitiva ed intellettuale, ma le due inferiori sono contenute nell'anima intellettuale, soprannominata così dalla forma superiore, in virtù della quale essa è l'unica causa formale sostanziale dell'uomo. L'altro testo, *S. th.* I, 76, 1, ad 4, rileva che l'anima umana non è "immersa" totalmente nel corpo, ma solamente con le due forze inferiori, mentre niente impedisce che quella superiore (intellettuale) non sia più atto del corpo:

anima non est forma in materia corporali immersa, vel ab ea totaliter comprehensa ... et ideo nihil prohibet aliquam eius virtutem non esse corporis actum.

Il testo fonte si trova in Aristotele, *De anima*, II,<sup>21</sup> dove egli prima, in cap. 1, definisce l'anima come entelechia (causa formale-finale) del corpo organico che ha la vita potenzialmente. Ma poiché questa definizione offre soltanto il risultato della ricerca senza indicare questa stessa, che è la via induttiva verso la causa, il cap. 2 presenta questa via che parte dagli effetti della causa, cioè dalle funzioni della vita, ai tre livelli: vegetativo, sensitivo ed intellettuale, per concludere all'anima come causa della vita umana, e in quanto tale all'entelechia del corpo organico.

<sup>19</sup> Arnold Gehlen, *Der Mensch, seine Natur und seine Stellung in der Welt*, Berlin 1940 (Bonn 1958).

<sup>20</sup> Zur Geistseele im menschlichen Embryo nach Aristoteles, Albertus Magnus und Thomas Aquinas, in: *L'anima nell'antropologia di S. Tommaso d'Aquino*, Milano 1987, 123-157. – La versione italiana: Sull'anima razionale nell'embrione umano secondo Aristotele, Alberto Magno e Tommaso d'Aquino, in: *Per la filosofia* (n. 25), (9) 1992, 64-73.

<sup>21</sup> Cfr. anche la mia edizione: *Aristoteles, Über die Seele / De anima*. Text u. Übersetzung, mit Einleitung u. Kommentar, Hamburg 1995 (Meiners Philos. Bibl. 476).

Per quanto riguarda il problema per interpreti moderni di come accettare la concezione dell'uomo, quale composto da corpo e anima come da due sostanze, nonostante che l'uomo è una unità sostanziale, vorrei ricordare che Tommaso parla di un triplice essere: *esse corporis, esse animae, esse hominis*, unendoli nell'ordine di potenza e di atto: l'essere corporale è subordinato a quello dell'anima come il potenziale all'attuale, e l'essere dell'uomo è l'effetto nel sostrato corporale che riceve la vita dall'anima che è la causa.<sup>22</sup>

2. Nella discussione il Prof. Werner Arber si è dichiarato in favore di una finalità nella cellula vivente, che è l'oggetto della sua ricerca biologica. La sua dichiarazione, da un lato, suona straordinaria – la maggior parte dei suoi colleghi non direbbero lo stesso – ma, dall'altro, è anche un fatto che tutti gli scienziati della biologia ossia della bioscienza, nonché i genotecnologi, ricercano nella cellula vivente con una comprensione, direi, operativa dell'alta finalità nelle “funzioni vitali” che compiono i singoli elementi (DNA, geni ecc.). E proprio perciò hanno tanto successo! Tuttavia, nella teoria negano totalmente ogni finalità, nonché cause finali, e spiegano le “funzioni vitali” solamente con i movimenti degli elementi, con i loro “meccanismi”.

Ora, comprendo bene che la bioscienza che procede secondo i metodi della fisica e della chimica come suo ideale, non ha neanche disponibile il concetto di finalità o di causa finale, perché nel campo materiale non si trova ancora una finalità, neppure per Aristotele. Questa si mostra solo nel campo delle cose viventi, delle quali la tradizionale filosofia della natura ossia la biologia (nell'accezione classica) si occupavano, guardando alla finalità delle cose naturali come a una evidenza innegabile.

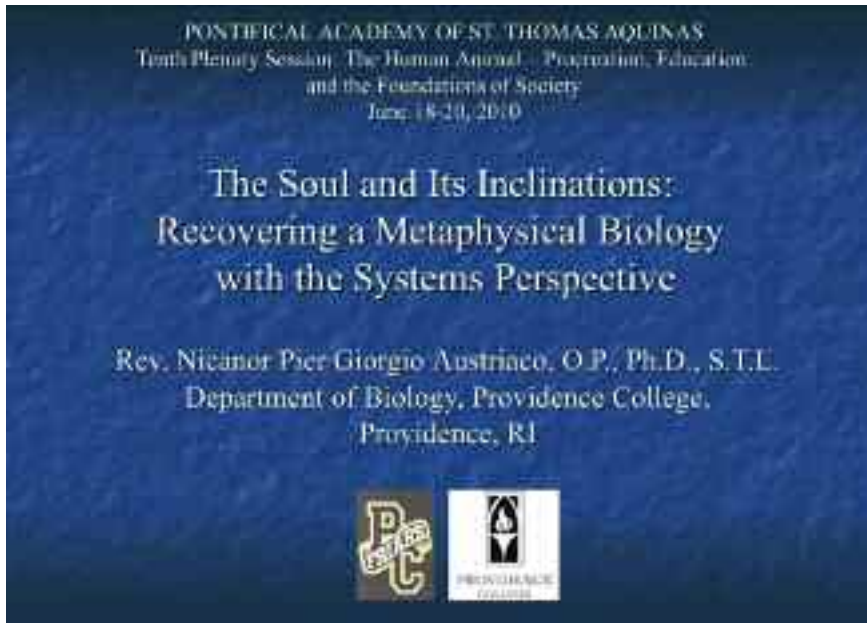
La bioscienza dei nostri tempi è distaccata dalla tradizionale filosofia naturale. Perciò, se i loro rappresentanti volessero parlare, di nuovo, della finalità nella cellula vivente, potrebbero farlo soltanto “per ipotesi”, perché la loro scienza segue l'ideale della fisica e della chimica organica, ristrette al solo campo materiale. Sotto queste condizioni sarebbe utile, a mio parere, ricordarsi della situazione interdisciplinare, nella quale i rappresentanti delle diverse discipline, quando si incontrano, rispettano certe regole epistemologiche e metodologiche. Infatti ogni scienza ha il suo campo limitato, nel quale partendo da determinati fenomeni problematici del suo oggetto cerca le cause per spiegarli.

<sup>22</sup> Si veda anche la mia bilingue e commentata edizione: *Thomas v. Aquin, Über Seines und Wesenheit / De ente et essentia*, Hamburg 1988 (Meiners Philos. Bibl. 415).

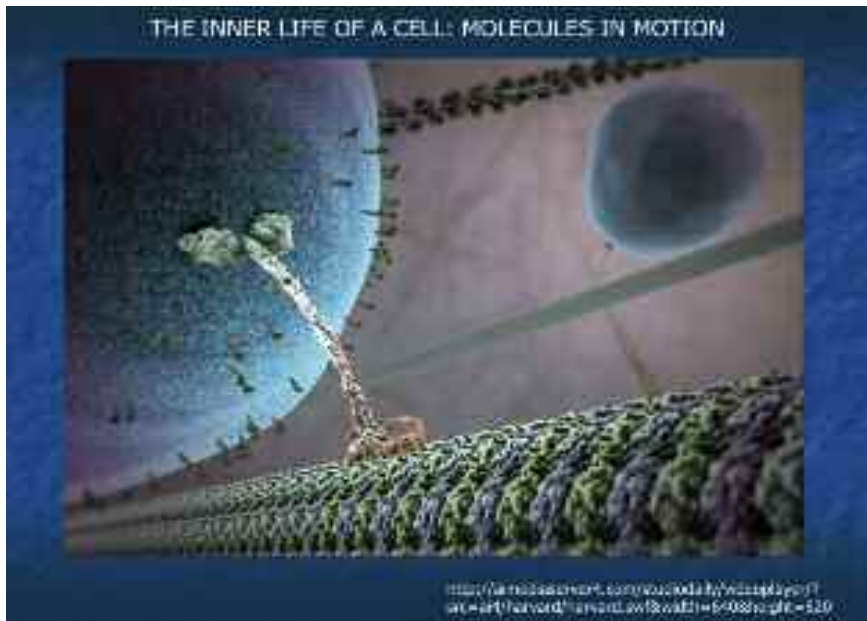
Quindi, ciascun rappresentante di una scienza deve essere consapevole dei limiti della sua disciplina, aprendosi alle conoscenze delle altre, senza entrare nelle loro ricerche o dare spiegazioni sui loro oggetti. È da evitare la *metábasis eis állo génos*. Nel nostro caso: la bioscienza, costituita metodologicamente come scienza secondo l'ideale della fisica e della chimica organica, eliminando dalla sua teoria il concetto di finalità, deve apprenderla dalla filosofia naturale (dalla quale, storicamente, era provenuta), con consapevolezza interdisciplinare. Del resto, si vede la grande opportunità per la Pont. Accademia S. Tommaso Aquino cioè di ricuperare la filosofia naturale dalla tradizione aristotelico-tomista per introdurla nelle discussioni attuali attorno ai problemi della vita.<sup>23</sup>

<sup>23</sup> A tale proposito ha contribuito il mio recente trattato: *Evolution und Naturfinalität. Traditionelle Naturphilosophie gegenüber moderner Evolutionstheorie*, Hildesheim 2008 (Olms-Verlag).

## TABLES

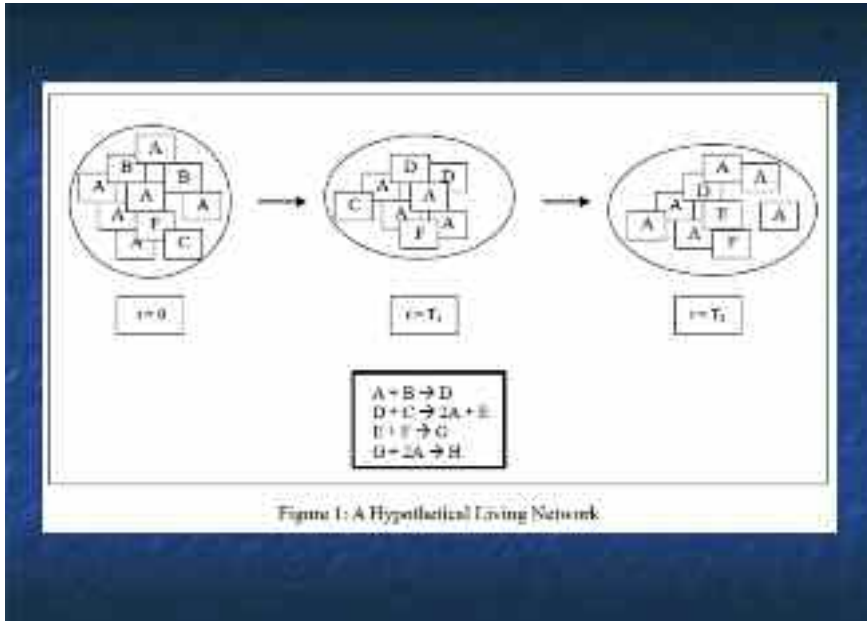


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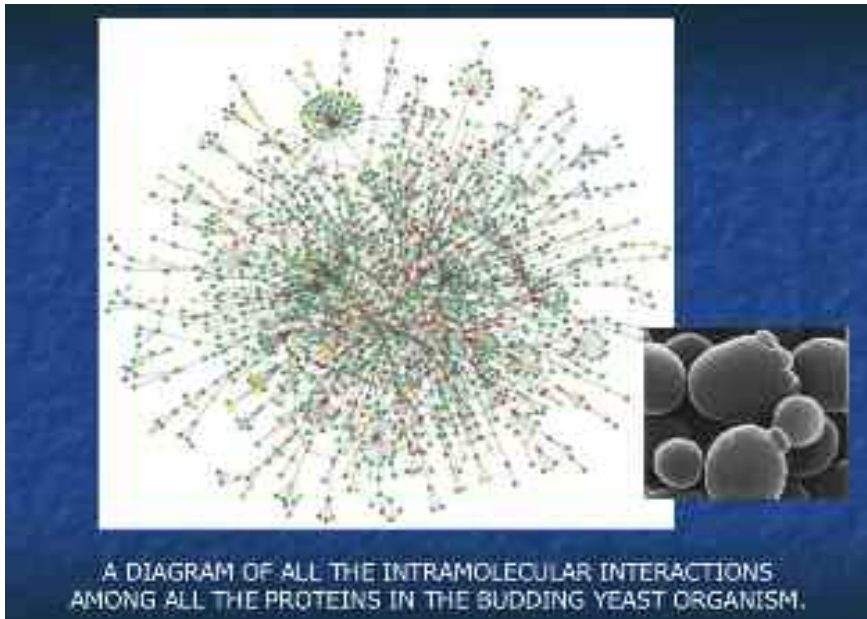


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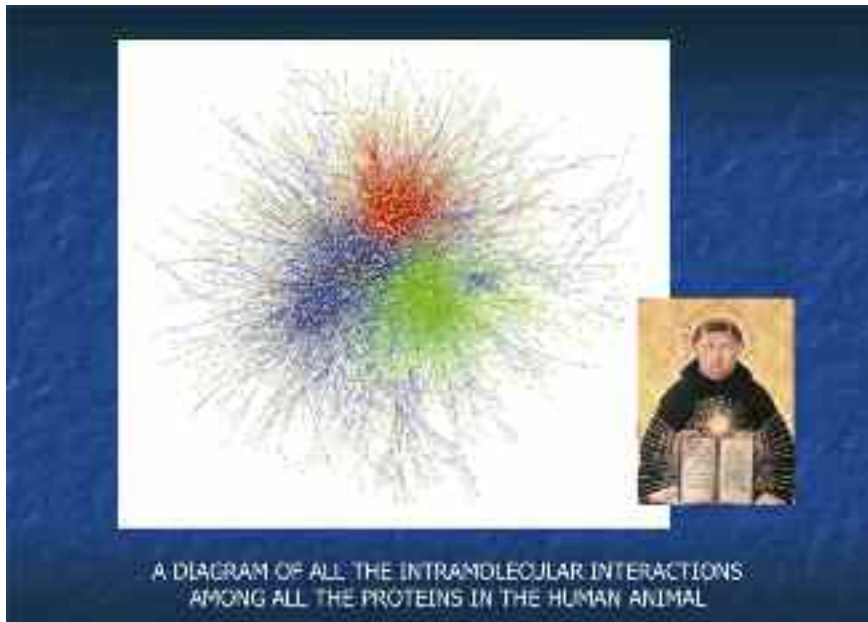




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