

Understanding the Common Good

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THE PRINCIPAL OBJECT OF this article is to explain the centrality and transcendence of the common good. To correctly address the nature of the common good of political society, one must first understand that, (1) before it is a political or social principle, the “common good” is an intrinsic constitutive principle of the moral, metaphysical, and theological orders, (2) it is a political principle *on the condition of being first* moral, metaphysical, and theological, and (3) it is an essentially *teleological* principle, an *end*. My aim is to focus on the work of St. Thomas Aquinas, which articulates a teaching found throughout the Catholic tradition and normative for it.

I will first refer to the common reading of the account of the common good in the Second Vatican Council’s *Gaudium et Spes* and attempt to clarify the strategic difference between this common reading and the stronger understanding to be found in the Catholic tradition. Second, I will offer an initial account of the transcendence of the common good as a central analogical principle within Catholic thought. Third, I will offer a few words about the common good of political society and the virtue of legal justice. Fourth, I will address the essentially teleological and theonomic character of the common good and its defining role for both natural and divine law as participations of the eternal law, especially in their normative relation to political and social order.¹

¹ Allow me to recommend on these questions the analysis of Charles de Koninck in his essays in *The Primacy of the Common Good Against the Personalists* and in his *In Defence of St. Thomas*. These works offer invaluable guidance

Contemporary Ecclesial Formulation

Gaudium et Spes §26 articulates the nature of the common good in this way:

Every day human interdependence grows more tightly drawn and spreads by degrees over the whole world. As a result the common good, that is, the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment, today takes on an increasingly universal complexion and consequently involves rights and duties with respect to the whole human race. Every social group must take account of the needs and legitimate aspiration of other groups, and even of the general welfare of the entire human family.²

This definition draws attention to the wider order of which one is a part, an order that is required in defining the rectitude of the part with respect to the whole. Yet “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment” may suggest that the common good is being viewed here as what we might identify as a “common utility” in economic language, a utility that finally reduces to the good of individuals *qua* individuals. Viewed in this way, the role of *communio*, of solidarity in good, and of noble higher good would be excluded from the account of *common good*. *Were this reading to be construed as the most formal account*, then the common good

and constitute a *sui generis* contribution to the commentatorial tradition. On this subject, I would also wish to direct readers to the excellent analysis of the political common good by Prof. John Goyette in the issue of the *National Catholic Bioethics Quarterly* that I guest edited (Spring, 2013), titled “On the Transcendence of the Political Common Good: Aquinas versus the New Natural Law Theory.”

² Second Vatican Council, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, §26: “Ex interdependentia in dies strictiore et paulatim ad mundum universum diffusa sequitur bonum commune—seu summam eorum vitae socialis condicionum quae tum coetibus, tum singulis membris permittunt ut propriam perfectionem plenius atque expeditius consequantur—hodie magis magisque universale evadere, et exinde iura officiaque implicare, quae totum humanum genus respiciunt. Quilibet coetus necessitatum et legitimarum appetitionum aliorum coetuum, immo boni communis totius familiae humanae, rationem habere debet.” Unless otherwise noted, all English translation of magisterial documents are from the Vatican website.

would be understood in a purely instrumental manner and the truth that certain common orderings of individuals in society are requisite to the good of individuals would *exhaust* the formal character of the common good.

Gaudium et Spes does not seem to be intended formally to address the question of whether the good of the individual itself is merely an “individual good.” It does not overtly address the foundational issue of whether good is reducible to private and incommensurable goods of individuals. It merely identifies that a common ordering is requisite to the good of individuals, whatever “good” may mean, leaving aside the issue of whether all goods of individuals *are individual, private goods*. Thus, *Gaudium et Spes* often is read as treating the common good materially and instrumentally. It appears to treat it materially in two ways. *First*, whatever the good for the human person is, there are aspects of the ordering of society that are requisite to, and instrumental for, this good—the good is treated not formally and in its nature, but merely materially as something to which other things must generally be ordained if it is to be achieved by individuals. *Second*, it is treated materially in that “the sum of these conditions”—clearly and unequivocally a *quantitative* formulation—is taken to comprise the “common good.” So, the formulation of *Gaudium et Spes*, apart from further reference to the tradition, can appear simply to assert that there are *conditions* that must generally obtain for the sake of human good and that the *totality* of these is what is intended by *common good*.

Yet it is one thing to say that methodologically there is room for an analysis of common utilities such that, in one plausible meaning of “common good,” we can refer to these as common goods, but quite another thing to answer the question of whether all goods of human persons *are* private goods. I wish to note that it can be argued that the proper translation of *Gaudium et Spes* §26 should be *not* “their own flourishing,” but rather “their proper perfection,” as the Latin is *propriam perfectionem*. This opens the reading of the document to the wider tradition. Yet, without more specific reference to the tradition, *propriam perfectionem* is not of itself adequately specified and may tend to be taken to refer to private goods. Since the right way to read such a document as *Gaudium et Spes* is always in accord with the universal tradition, we need to advert to that tradition.

The Transcendence of the Common Good in the Catholic Tradition

What I have called the “common reading” of *Gaudium et Spes* falls short of the normative treatment of the common good articulated in the Catholic tradition. Two points formally articulated within the Catholic tradition manifest this.

The first is that the common good, precisely *as* good, is not merely a totality of conditions that are instrumentally helpful; it is distinguished from private good not merely *quantitatively*, but *formally*. Aquinas has articulated the tradition on this point with great precision in question 58 of *Summa theologiae* [ST] II-II:

The common good of the realm and the particular good of the individual differ not only in respect of the *many* and the *few*, but also under a formal aspect. For the aspect of the *common* good differs from the aspect of the *individual* good, even as the aspect of *whole* differs from that of *part*. Wherefore the Philosopher says (*Polit. I. 1*) that *they are wrong who maintain that the state and the home and the like differ only as many and few and not specifically*.³

Thomas amplifies this teaching later in the *secunda pars*, arguing: “Now every part is directed to the whole, as imperfect to perfect, wherefore every part is naturally for the sake of the whole.”⁴ Note the emphasis on the normative *order* of part to whole—the relation is not merely *materially and extensively* quantitative, but addresses the *formal ratio* of part to whole as a *commensuration* of part to whole, a

³ *Summa theologiae* [ST] II-II, q. 58, a. 7, ad 2: “Ad secundum dicendum quod bonum commune civitatis et bonum singulare unius personae non differunt solum secundum multum et paucum, sed secundum formalem differentiam, alia enim est ratio boni communis et boni singularis, sicut et alia est ratio totius et partis. Et ideo philosophus, in I *Polit.*, dicit quod *non bene dicunt qui dicunt civitatem et domum et alia huiusmodi differre solum multitudine et paucitate, et non specie*.” All Latin quotations are taken from the University of Navarre’s *Corpus Thomisticum* site (www.corpusthomisticum.org/iopera.html). This is not because the author fails to value the Leonine texts, but because (a) no sufficient difference in the cited material exists to weigh against relying on the editions cited, and (b) the editions cited are somewhat more accessible. All English translations from the works of St. Thomas are my own, although I frequently consult and, where I approve, use the Old Blackfriars (Fathers of the English Dominican Province, revised ed. of 1920) for *ST* and Anton Pegis’s translation of the *Summa contra gentiles* [SCG] from the University of Notre Dame Press’s edition (1975).

⁴ *ST* II-II, q. 64, a. 2.

formal ordering of part to whole. This doctrine is of course found throughout the tradition. One thinks of Augustine arguing in the *Confessions* that “there is faultiness and deficiency in every part that does not fit in with the whole, of which it is a part.”⁵ Thomas insists strongly on this principle as intrinsic to his account of the nature of the good. As he puts it, “the common good takes precedence of the private good, if it be of the same genus.”⁶ One may rightly, on this view, *prefer* the common good to the individual good, something that is manifest in his treatment of the death penalty and of just war⁷ but that is also a principle of far greater formal importance and generality. While the semantics of this teaching to American minds raises the specter of collectivism—of a subordination of the individual to the collective conceived as *an alien good*—this would be to materialize the nature of common good, which is something *formal*. In other words, it is the human person as such who is ordered both to private *and* to common goods, and common goods are not *alien* to the person, but rather the higher perfection of the person. Indeed, the dignity of the human person is a function of the ordering of human nature to noble or common good.

The second point where the common interpretation of *Gaudium et Spes* falls short is that the common good is *an end*, is itself a good, *and a good of a radically different kind from individual or private good: it is a good that is radically more communicable by its very nature*. According to St. Thomas, the common good is “common, not by the community of genus or species, but the community of final cause.” As he puts it:

Actions are indeed concerned with particular matters: but those particular matters are able to be referred to the common good, not as to a common genus or species, but as a common final cause, according to which the common good is said to be the common end.⁸

⁵ Augustine, *Confessions* 3.8, trans. Rex Warner (New York: New American Library, 2001), 49.

⁶ *ST* II-II, q. 152, a. 4, ad 3: “Ad tertium dicendum quod bonum commune potius est bono privato si sit ejusdem generis.”

⁷ *ST* II-II, q. 25, a. 5, ad 2: “Et tamen hoc facit iudex non ex odio eorum, sed ex caritatis amore, quo bonum publicum praefertur vitae singularis personae.”

⁸ *ST* I-II, q. 90, a. 2, ad 2: “Ad secundum dicendum quod operationes quidem sunt in particularibus, sed illa particularia referri possunt ad bonum commune, non quidem communitate generis vel speciei, sed communitate causae finalis, secundum quod bonum commune dicitur finis communis.”

The common good has a universality that is not merely that of predication or of the mode of our conceiving it: it exhibits a *causal* universality, consisting in *the intrinsically greater communicability of its goodness as an end*. We may all share a pizza, but the food that one eats is not the food eaten by another, which is numerically distinct. *This is a private or individual good*. By contrast, consider the striving of many persons to discover truth, or to achieve victory in battle, or to see that justice prevails in some difficult matter. These goods are rejoiced in by all who labor for them. The truth is the good sought by all honest inquirers, victory is the good sought by all who fight for it; justice is the good sought by all who work for it. It is *the same numerical good* to which all have ordered their efforts, and while it is the private good of none of the parties, *it is indeed good for each*. It is a good *of* and *for* the individual, but it is *not* an individual good. Such a good is by its nature *communicable to many without diminution*; it is more intelligibly irradiant, more universal, precisely *as an end*.

By the very nature of truth or justice as *ends* of noble striving, *these may be enjoyed by many with no diminution*. The end or good of truth is not altered or diminished by being communicated to many. If we share a pizza and one person has more, the other, by force of necessity, must have less, but manifestly this is not the case with truth.⁹

⁹ Michael Baur has written well of this in his essay "Law and Natural Law" in *The Oxford Handbook of Aquinas*, ed. Brian Davies and Eleonore Stump (Oxford: Oxford University Press: 2014), 241: "In virtue of being common ('by way of causation'), a common good on Aquinas's account remains numerically one and undivided while simultaneously being desired by and perfective of many different parts, precisely insofar as they are parts. In other words, a good that is common by way of causation is essentially a shareable good. When one member of a community enjoys the goodness of a common good, this enjoyment by one part does not in itself entail subtraction from or detriment to the similar enjoyment of the same common good by another part or parts. When Lily and Grace discuss philosophy over a bottle of wine, the particular sips of wine that they imbibe and enjoy while conversing are particular goods. The very same sip of wine (the numerically one and undivided portion of wine) that Lily imbibes and enjoys simply cannot be imbibed and enjoyed by Grace, so when Lily imbibes and enjoys more of the wine, there is less of the wine to be imbibed and enjoyed by Grace. By contrast, the philosophical conversation that Lily and Grace are having (while imbibing the wine) is a common good; it can remain numerically one and undivided while both are enjoying the conversation. In itself, Lily's enjoyment of the conversation does not entail any subtraction from or detriment to Grace's enjoyment of the conversation. When Lily enjoys the conversation more, it does not follow that Grace has to enjoy the conversation less."

Likewise, if a judge does justice in one case, he is *not* compensatorily obliged to do injustice in the next. Justice as a common good is numerically one, but it is the singular possession of none, although this *is* the manner in which the tyrant loves the city, as assimilating it to his own private good, rather than as a noble good to be honored, guarded, sacrificed for, and served.

In this light, we discern that the common good *as truly good* is thus an object of noble striving. It does not properly capture the actual nature of what is at stake in the first wave at Normandy beach, where the soldiers bled the beaches red with their blood, to speak of that as sacrifice for a “common utility.” One may intelligibly sacrifice one’s private good for the common good, as Socrates so conspicuously did in refusing even to *seem* to undercut the law of Athens by fleeing an unjust verdict, choosing instead to abide by the sentence of death. One does not reasonably die for the sake of lowering phone bills in the metropolitan area, but one might reasonably do so in behalf of justice, truth, mercy, love, noble friendship, or communion with God. The common good is the nobler and more universal good *of* the individual, but it is *not* an individual or private good. As a parenthetical note, this same observation obtains in a derivative manner with respect to what Pope St. John Paul II described as the “virtue of solidarity,”¹⁰ something of which man *qua* man is capable *only* because human nature is ordained to common ends or goods that are nobler perfections.¹¹

¹⁰ See John Paul II, Encyclical Letter *Sollicitudo Rei Socialis* (1987), §38: “It is above all a question of interdependence, sensed as a system determining relationships in the contemporary world, in its economic, cultural, political and religious elements, and accepted as a moral category. When interdependence becomes recognized in this way, the correlative response as a moral and social attitude, as a ‘virtue,’ is solidarity [Agitur ante omnia de mutua copulatione, quae recipitur uti systema praeponderans rationum in mundo nostri temporis, in eius partibus, seu oeconomia, cultura, res publicae administrandi scientia, religione, et ut genus morale assumitur. Cum ita mutua copulatio agnoscitur et assumitur, ei respondet, tamquam habitus moralis et socialis, tamquam ‘virtus’ consensus].” See also §40: “Solidarity is undoubtedly a Christian virtue. [Non est dubium quin solida hominum coniunctio virtus sit Christiana].”

¹¹ John Paul II, *Sollicitudo Rei Socialis* §38, speaking of solidarity: “This then is not a feeling of vague compassion or shallow distress at the misfortunes of so many people, both near and far. On the contrary, it is a firm and persevering determination to commit oneself to the common good; that is to say to the good of all and of each individual, because we are all really responsible for all [quae igitur non simplex est et vagus misericordiae sensus vel levis miseratio tot

St. Thomas distinguishes between intrinsic and extrinsic common good. Intrinsic common good is the good of a “unity of order,” the good of right order in a multitude, whereas extrinsic common good is that *for the sake of which* the intrinsic common good exists. The right order of an army is for the sake of the extrinsic good of victory that is the good of the general, and the general intends the right ordering of the army *for the sake of* victory. As Thomas expresses it:

A good existing in the universe, namely, the order of the universe, is an end thereof; this however, is not its ultimate end, but is ordered to the extrinsic good as to the end: thus the order in an army is ordered to the general, as stated in *Metaph.* xii, Did. xi, 10.¹²

The intrinsic common good is *specified by* and is *for the sake of* the extrinsic common good.

The architectonic role of the common good is manifest in Thomas’s understanding of law *as such*, whether we speak of the law of the state, the natural law, or the divine law. Law is an ordinance of reason issued and promulgated by the one with the care of the community *for the sake of the common good*.¹³ As Thomas puts it in *ST* I-II, q. 90, a. 2, ad 3:

Just as nothing stands firm with regard to the speculative reason except that which is traced back to the first indemonstrable principles, so nothing stands firm with regard to the practical reason, unless it be directed to the last end which is the common good: and whatever stands to reason in this sense, has the nature of a law.¹⁴

personarum malis tributa, vicinarum aut longinquarum; sed est contra voluntas firma et cons tans bonum curandi commune, seu bonum uniuscuiusque et omnium, quia omnes vere recipimus in nos].”

¹² *ST* I, q. 103, a. 2, ad 3: “Ad tertium dicendum quod finis quidem universi est aliquod bonum in ipso existens, scilicet ordo ipsius universi, hoc autem bonum non est ultimus finis, sed ordinatur ad bonum extrinsecum ut ad ultimum finem; sicut etiam ordo exercitus ordinatur ad ducem, ut dicitur in XII *Metaphys.*”

¹³ *ST* I-II, q. 90, a. 4, resp.: “Et sic ex quatuor praedictis potest colligi definitio legis, quae nihil est aliud quam quaedam rationis ordinatio ad bonum commune, ab eo qui curam communitatis habet, promulgata.”

¹⁴ *ST*, I-II, q. 90, a. 4, ad 3: “Ad tertium dicendum quod, sicut nihil constat

Every *genuine* common good is a participation in the ultimate extrinsic common good of the universe: God. For *the* common good, absolutely speaking, is God, whose good is participated in every created good, and toward whom—both naturally and supernaturally—all things are ordered.

Of course, at this point, it should be clear that “common good,” as a good that is, by its nature, one in number but communicable to many, is an analogical perfection that may be found in progressively greater radiance, from the common good of political society, through the immanent common good of the right ordering of the universe *with respect to* God, and onward to the ultimate extrinsic common good of the universe, who *is* God. The law of the state is indeed reached either by *conclusion from* the natural law or by *determination of* the natural law in respect of some contingent matter that must be ordered in accord with the natural law in one of the ways in which it is prudently orderable.¹⁵ Further, the very natural order of ends that specifies human action and human virtue is itself a common good, inasmuch as it formally constitutes the natural good so that conformity with it becomes itself a noble end of striving.

We see the theonomic character of common good in the following lines of St. Thomas in the *Summa contra gentiles* [SCG]:

Further, a particular good is ordered to the common good as to an end; indeed, the being of a part depends on the being of the whole. So, also, the good of a nation is more godlike than the good of one man. Now the supreme good, namely God, is the common good, since the good of all things depends on him: and the good whereby each thing is good, is the particular good of that thing, and of those that depend thereon. Therefore all things are directed to one good, namely, to God, as their end.¹⁶

firmiter secundum rationem speculativam nisi per resolutionem ad prima principia indemonstrabilia, ita firmiter nihil constat per rationem practicam nisi per ordinationem ad ultimum finem, qui est bonum commune. Quod autem hoc modo ratione constat, legis rationem habet.”

¹⁵ ST I-II, q. 95, a. 2.

¹⁶ SCG III, ch. 17: “Praeterea, Bonum particulare ordinatur in bonum commune sicut in finem: esse enim partis est propter esse totius; unde et bonum gentis est divinius quam bonum unius hominis. Bonum autem summum, quod est Deus, est bonum commune, cum ex eo universorum bonum dependeat: bonum autem quo quaelibet res bona est, est bonum particulare ipsius et aliorum

This is decisive for law *as such*, since all true law is a participation in the eternal law and must derive from it and be in conformity with it:

Since then the eternal law is the plan of government in the Chief Governor, all the plans of government in the inferior governors must be derived from the eternal law. But these plans of inferior governors are all other laws besides the eternal law. Therefore all laws, in so far as they partake of right reason, are derived from the eternal law. Hence Augustine says (*De Lib. Arb.* i, 6) that “in temporal law there is nothing just and lawful, but what man has drawn from the eternal law.”¹⁷

It is precisely here that we must understand Thomas’s doctrine of natural law in order to grasp the profound unity of the common good and its spiritual, moral, political, and social normativity. Nonetheless, before turning to this more complete context for the understanding of the transcendence of the common good, it is reasonable first to speak of the limited but real transcendence of the *political* common good and its necessary relation to *virtue*.

The Transcendence of the Political Common Good

For Aquinas and for the Catholic tradition, the political common good is the good of an ordered multitude in relation to the happiness of the community, which is found in virtuous living. As Thomas writes regarding Aristotle’s teaching in the *Politics*:

For it is of the nature of the city that in it should be found everything sufficient for human life. . . . Third, he shows to what it is ordered: for it is originally made for living, namely, that men might find sufficiently that from which they might

quae ab ipso dependent. Omnes igitur res ordinantur sicut in finem in unum bonum, quod est Deus.”

¹⁷ *ST* I-II, q. 93, a. 3, resp.: “Cum ergo lex aeterna sit ratio gubernationis in supremo gubernante, necesse est quod omnes rationes gubernationis quae sunt in inferioribus gubernantibus, a lege aeterna deriventur. Huiusmodi autem rationes inferiorum gubernantium sunt quaecumque aliae leges praeter legem aeternam. Unde omnes leges, inquantum participant de ratione recta, intantum derivantur a lege aeterna. Et propter hoc Augustinus dicit, in I de Lib. Arb., quod *in temporali lege nihil est iustum ac legitimum, quod non ex lege aeterna homines sibi derivaverunt.*”

be able to live; but from its existence it comes about that men not only live but that they live well insofar as by the laws of the city human life is ordered to the virtues.¹⁸

It might be thought that this is simply what the common reading of *Gaudium et Spes* affirms, that the common good is the sum of the social conditions requisite to the good of persons. Yet, what is considered is not merely instrumentality toward goods that are private goods. Rather, what is at stake is the right ordering of a multitude *for the sake of* the community's happiness, which *consists in virtuous life*. Granted that the common good concerns also the survival and material flourishing of the community, all this is further ordered for the sake of the community's happiness and virtue. Virtuous life is, as it were, the extrinsic common good *for the sake of which* the common ordering is undertaken, and as every order is specified by its end, *this ordering is specified by the nobler, more universal, more communicable common good*, rather than by the merely private goods of citizens. Neither the private good of the individual nor the private good of the family is wholly sufficient for happiness and virtue. The dignity of the political community consists in the importance of its role in ordering citizens not merely to material prosperity but also to the life of virtue:

But every law aims at being obeyed by those who are subject to it. Consequently it is evident that the proper effect of law is to lead its subjects to their proper virtue: and since virtue is "that which makes its subject good," it follows that the proper effect of law is to make those to whom it is given good, either simply or in some particular respect. *For if the intention of the lawgiver is fixed on true good, which is the common good regulated according to Divine justice, it follows that the effect of the law is to make men good simply.*¹⁹

¹⁸ Aquinas, *In I pol.*, lec. 1, no. 31: "Secundo dicit, quod civitas est communitas perfecta: quod ex hoc probat, quia cum omnis communicatio omnium hominum ordinetur ad aliquid necessarium vitae. . . .Tertio ostendit ad quid est civitas ordinata: est enim primitus facta gratia vivendi, ut scilicet homines sufficienter invenirent unde vivere possent: sed ex eius esse provenit, quod homines non solum vivant, sed quod bene vivant, inquantum per leges civitatis ordinatur vita hominum ad virtutes."

¹⁹ *ST I-II*, q. 92, a. 1, resp. The Latin here is one of the crucial passages: "Si enim intentio ferentis legem tendat in verum bonum, quod est bonum commune secundum iustitiam divinam regulatum, sequitur quod per legem homines

He continues here: "If, however, the intention of the lawgiver is fixed on that which is not simply good . . . then the law does not make men good simply, . . . [and] thus a man is called a good robber."

This is, quite frankly, merely to point out that law is teleological, that it is ordained to good, either real or merely apparent, and that real good must consist in a genuine ordering to the life of virtue that alone can make the life of the community to be happy and peaceful. Yet there is no implication that the political common good exhausts or totally comprises the good for man: in fact, the political community itself is *further ordered* to the good, in relation to which it may be judged as good only *secundum quid* but as bad in itself (as its citizen may be made good by it only *secundum quid* and not properly: for example, when a citizen becomes a good communist or a good Nazi, this falls short of being good *simpliciter*). Yet the common good of political life consists in the direction to the good life and virtue, and as we have seen, it is a formal and normatively defining aspect of law that it *direct to the final end*:

Nothing stands firm with regard to the practical reason, unless it be directed to the last end which is the common good: and whatever stands to reason in this sense, has the nature of a law.²⁰

Thus also, legal justice, in commanding the moral virtues, is noblest of the moral virtues precisely because it causally directs all the other moral virtues to the common good that transcends private good. Thus, Thomas states that, "if we speak of legal justice, it is evident that it stands foremost among all the moral virtues, for as much as the common good transcends the individual good of one person."²¹ Indeed, for this very reason, the political common good

fiant boni simpliciter. Si vero intentio legislatoris feratur ad id quod non est bonum simpliciter . . . tunc lex non bonos facit homines simpliciter, sed secundum quid, scilicet in ordine ad tale regimen. Sic autem bonum invenitur etiam in per se malis, sicut aliquis dicitur bonus latro."

²⁰ ST I-II, q. 90, a. 4, ad 3.

²¹ ST II-II, q. 58, a. 12, resp.: "Respondeo dicendum quod si loquamur de iustitia legali, manifestum est quod ipsa est praeclarior inter omnes virtutes morales, inquantum bonum commune praeeminet bono singulari unius personae." One might say that *praeeminet* means only "excels," but the clear sense is an "excelling" that is of its nature intrinsically more excellent, that the common good of its nature "excels." The *sense* of the proposition is best rendered by "transcends."

is subordinate to and is judged in relation to *essentially nobler common goods*. Limitation on the power of the state flows not merely from below but also from above, owing to the teleological ordering of lower common goods to nobler common goods. Just as private good is ordained to common good, so a less diffusive common good is ordained to a more diffusive or communicable common good.

There is a tendency to suppose today that the only thing impeding a “nanny state” or a thoroughgoing collectivist disregard for the person is the health of private institutions. This is important, but even more important is the existence of authority that supersedes that of the political state and is associated with common goods that are nobler than that of the political state. For, the good of the political community cannot be a “good” if it is sealed off from the ordering of the person—*either in nature or in grace*—to the ultimate common good. The very definition of law expresses this, and it is the foundation of the judgment *mala lex, nulla lex*—an evil law is no law—a judgment that makes the same kind of distinction about the body of laws in a society that we make with respect to the biological good itself. As a tumor in some particular case is factively but not normatively a “part” of the body, so a putative law is in some case factively but not normatively a “part” of the body of laws. And, as in the former case no immediate particular therapy is dictated, so too in the latter: in each case, the effort to limit the bad effect of the disorder may take the form either of direct removal or some other form of mitigation. But the prudential limitations in correcting disorder do not imply that *any* command can *in itself* genuinely obligate anyone when it is contrary to the common good. Nor can such an edict be part of the normative body of law, just as the prudential limitations in treating bodily tumors do not constitute tumors as normative parts of the human body. The tumor and the unjust command are said to belong, respectively, to the body or to law only by a weak analogy of attribution. Thus Thomas writes:

As Augustine says (*De Lib. Arb.* i, 5) “that which is not just seems to be no law at all”: thus according as the law is just, so far does it have the force of law. Now in human affairs, a thing is said to be just inasmuch as it is right according to the rule of reason. But the first rule of reason is the law of nature, as is clear from what has been said above (q. 91, a. 2, ad 2). Wherefore every human law has just so much the nature of law according as it is derived from the law of nature. But if some-

thing it is at variance with the law of nature, it is no longer a law but a perversion of law.²²

The person is *not* subject to the political common good in all that he is and has precisely because the person *is* ordained to common goods nobler than the political common good, goods that *norm* and that are constitutive for the authentic common good of political society. Yet, while the degree to which the political community can conduce to virtue is limited both ontologically and prudentially, its contribution is nonetheless both real and essential.

The common good of the community must be *a good*, a *bonum honestum*, and so it must be in accord with the nobler good of the society of persons and encourage this good to the degree possible and certainly and minimally at least not undercut it. This is to say that there is a teleological hierarchy of common goods—of noble, universal ends—that terminates in the beatific vision itself, the celestial city of the *beati*, the saints. The virtuous life of the community *cannot* be furthered by the opposition of the political common good to the divine good, whether at the level of nature or at the level of grace; it can only be *impaired by such opposition, or possibly even destroyed by it*.

Deontology—rights, duties, and obligation—within such an account pertains to that which is necessary for the sake of the end, for the sake

²² ST I-II, q. 95, a. 2, resp.: “Respondeo dicendum quod, sicut Augustinus dicit, in I de Lib. Arb., non videtur esse lex, quae iusta non fuerit. Unde in quantum habet de iustitia, intantum habet de virtute legis. In rebus autem humanis dicitur esse aliquid iustum ex eo quod est rectum secundum regulam rationis. Rationis autem prima regula est lex naturae, ut ex supradictis patet. Unde omnis lex humanitus posita intantum habet de ratione legis, in quantum a lege naturae derivatur. Si vero in aliquo, a lege naturali discordet, iam non erit lex sed legis corruptio.” Thomas also notes, in ST I-II, q. 93, a. 3, ad 2: “Ad secundum dicendum quod lex humana intantum habet rationem legis, in quantum est secundum rationem rectam, et secundum hoc manifestum est quod a lege aeterna derivatur. In quantum vero a ratione recedit, sic dicitur lex iniqua, et sic non habet rationem legis, sed magis violentiae cuiusdam. Et tamen in ipsa lege iniqua in quantum servatur aliquid de similitudine legis propter ordinem potestatis eius qui legem fert, secundum hoc etiam derivatur a lege aeterna, omnis enim potestas a domino Deo est, ut dicitur Rom. XIII [Human law has the nature of law in so far as it accords with right reason; and it is clear that, in this respect, it is derived from the eternal law. But in so far as it deviates from reason, it is called an unjust law, and has the nature, not of law but of violence. Yet still, even an unjust law, in so far as it retains some likeness of law according to the order of the power of the one who made the law, is derived from the eternal law; since all power is from the Lord God, according to Romans 13:1].”

of the common good. Thus, *rights*—which articulate just claims that others have a *duty* to acknowledge and respect—are claims of justice that pertain in some way to what is positively or negatively required by the end. This means, however, that the truth about the end, and about *the order* to the end, is *prior* to any claim of right. Human rights are thus not the foundational discourse of political life, but derive from prior consideration of the nature of the good. Nor are rights absolute or unlimited, for they are limited from above—in relation to the *hierarchy* of ends that norms the political common good—and from below, in relation to the judgment of prudence indicating the constraints on such claims that may be placed by circumstance. Thus, rights as *deontological functions* are derivative of the truth about the order to the end. This is why rights claims and their proliferation today in Western society tend to engender radical disagreement. Lacking strong moral and legal consensus regarding the order of ends normative for the political common good, the proliferation of claims of right can lead only to mutual antagonisms and oppositions.

I have spoken repeatedly about the order of ends—which to a certain degree is to speak of the order of *common goods*—as itself constitutive for the common good of political society. I would like briefly to place these propositions in the context of the doctrine of natural law before saying a last word about the common good.

Natural Law and the Common Good

In *ST* I-II, q. 92, a. 2, Thomas formally speaks of the natural law as a rational participation in the eternal law. Yet he also speaks of a participation in the eternal law common to all things, from which all things derive their inclinations to their proper acts and ends. This mode of participation commonly is understood to be a *passive* participation whereby all creatures receive their being, nature, powers, and the ordering and activation of these powers toward objects and ends from God. Since this order terminates in the ultimate end proportionate to nature—because all things, according to their natures, are ordered toward the good of the cosmos and toward God as the First Cause and Last End of the cosmos, as the “beginning and end of natural good,” as Thomas says in differentiating it from God as supernatural beatitude²³—this order is a passively participated *teleological order*, an *order of ends*. Thomas makes it very clear that the *order* of precepts follows the

²³ *ST* I-II, q. 109, a. 3, ad 1.

order of inclinations.²⁴ And what does the order of inclinations follow if not the *order* of the ends that specify those inclinations? The *order* of precepts follows the *order* of inclinations, which follows the *order* of ends. Thus, in his famous analysis in *ST* I-II, q. 94, a. 2, St. Thomas teaches first that there is first of all the inclination of all creatures toward perseverance in being according to their natures and the precepts deriving from this inclination, second that there are inclinations that befall man because of the nature we share with other animals and the precepts derived from these, and third that there are those inclinations specific to reason and the precepts that follow.

Of course, precept as such is rational, but the *order* of precepts follows the *order* of inclinations, which follows the *order* of ends. Because this *order* normatively specifies the natural good, *just so far it is itself a common good*; and it specifies the complete and integral good of natural virtue. Because this is a less diffusive good than the good of the supernatural order, it is *itself* further ordered in grace to the supernatural good. For this reason, a private good of a *higher order* may be super-ordinate to a common good of a *lower order*—as the least subjective participation of grace, as a supernatural principle, is superior to the natural common good of the universe. Nonetheless, the supernatural common good—for instance, God as supernatural beatitude—absolutely transcends the private good of the individual.

The passive participation of the eternal law is often treated as merely physical, a brute necessary condition for natural law to obtain that, however, provides no normative content for the law. But clearly the *eternal law*—as the type of the governance of things *in the divine mind*, as Thomas defines it²⁵—cannot be directly cognized through man's natural powers. It can be known only *insofar as* this ordering wisdom of God that *is* the eternal law is *impressed upon nature*.²⁶

²⁴ *ST* I-II, q. 94, a. 2, resp.: “Secundum igitur ordinem inclinationum naturalium, est ordo praeceptorum legis naturae.”

²⁵ *ST* I-II, q. 91, a. 1.

²⁶ The teaching known as “ontologism,” holding that there is a direct natural essential knowledge of God—as distinct from an indirect knowledge that pertains to the essence but is not direct knowledge of the essence—remains under anathema. This persists in a statement signed by then-Cardinal Joseph Ratzinger as Prefect of the Congregation for the Doctrine of the Faith on July 1, 2001, explaining that Rosmini may be read differently, but stating the following: “At the same time the objective validity of the Decree *Post obitum* referring to the previously condemned propositions, remains for whoever reads them, outside of the Rosminian system, in an idealist, ontologist point

Thus, the passively participated teleological order is the impress of the eternal law not merely on physical creation but also on creation as such: it is that from which all things receive their inclinations to their proper acts and ends. This purely passive participation does not yet occur in the mode of law, since law passes *from the mind of the legislator to the mind of the one who is governed*, whereas passive participation of the eternal law is the ontological foundation for natural law. Only *when and insofar as* this passively participated order is received *rationally and preceptively*, as providing authoritative direction about what is to be done and what is not to be done, as communicating reasons for action, is this order received as *natural law*. *These reasons for action—ends—are not discrete and disconnected, in that what is a good in itself and an end will, in all but one case, be also further ordered toward nobler good.*

The reason for this consideration of the normativity of the *order of ends*, and hence of the *order of common goods*, is, I hope, manifest. Absolutely speaking, as St. Thomas teaches, *the common good is God*. *All goods* are analogical participations of the divine good *via* divine efficient, final, and exemplar causality and are *teleologically ordered to God* according to their natures. Thus, there is an *order of goods* wherein private good is ordained to common good; and there is an order of common goods rising through the political common good and surpassing the political common good. Political common good transcends private good and is irreducible to it. But there is an *order of ends that encompasses progressively more irradiant and profound common goods, all of which are ordered to the divine common good both naturally and supernaturally*. *It is this order that norms all human action whatsoever, and of which the political common good forms a part that is commensurated to it as to its proper whole*. It is for this reason that *Dignitatis Humanae* needed to insist, and did insist, that its teaching regarding religious liberty “leaves untouched traditional Catholic doctrine on the moral duty of men and societies toward the true religion and toward the one Church of Christ.”²⁷

of view and with a meaning contrary to Catholic faith and doctrine.” (www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20010701_rosmini_en.html).

²⁷ *Dignitatis Humanae*, §1: “. . . integram relinquit traditionalem doctrinam catholicam de morali hominum ac societatum officio erga veram religionem et unicam Christi Ecclesiam.” This doctrine also opens another window onto the contemplation of the *imago dei* in man. Although the common good is not common merely according to predicability or logically speaking, but rather *causally*, nonetheless: the capacity to be consciously guided in one’s conduct by

Conclusion

The common good of political community is constituted in relation to nobler common goods of justice, truth, friendship, virtue, and friendship with God, *and proportionately to the life of the community*, it either promotes motion *toward* these goods or at least seeks to preserve them from harm. The intrinsic common good of the right ordering of the commonwealth toward the specifying extrinsic common good of virtuous life and the happiness of the community *is itself* a limited conformity to the divine good.

Common good is an analogically central principle for Catholic theology and philosophy, as well as for the mystical life, precisely because, as Thomas affirms in chapter 17 of *SCG* III, “the supreme good, namely God, is the common good, since the good of all things depends on him” and, as he states a few lines further on, “therefore all things are directed to one good, namely, to God, as their end.” The common good truly is the higher, more universal, more communicable good of the individuals who participate it—who in one sense are as “parts” with respect to that good. Less diffusive common good also is subordinate to more diffusive and nobler common good, is specified in relation to it, and thus in a distinct sense, stands to it as part to whole. *Subordinate common goods are further specified by their teleological order to loftier common goods.* Thus, man is teleologically ordered to God through the hierarchy of progressively more communicable common goods, terminating in the common good who is God himself, communicated in beatific vision.

In the speculative order, there is a great deal to say about this owing to the illumination of the metaphysics of participation by the Aristotelian distinction of act and potency; and in the practical order, there are profound implications for contemporary discussions of religious liberty. But for the present, stopping short of these, nonetheless, perhaps the considerations taken up in this article may serve to underscore the transcendence of the common good and its normative centrality for theology, metaphysics, and the practical life. N.V

the understanding, willing, and intention of common good and the ordering of one's life in conformity to it is possible only for a creature whose nature contains a spiritual principle.