

Tolerance and the Indelibility of Natural Law

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THE USUAL meaning of “tolerance” is too weak to express the social good about which I am talking. Usually “tolerance” suggests that though I do not agree with you, I simply do nothing to hurt you. If you have ever been part of a backbiting community, then you know that this minimal sense of tolerance is no mean thing. But I want to speak about not mutual indifference but mutual assistance. In the latter case our fellows stand ready to help. And so one can presume on their part a good-will that does not automatically cast one’s works and actions in a suspicious light and does not strive to find “the fly in the ointment” of what we say. In short, “brotherly love” or “fraternity” better than “tolerance” expresses this undeniable component of the common good. In fact, one can claim that this component is more important to the common good than material things like fine buildings, hospitals, roads, power and sanitation systems, culture, etc., for from mutual concern these others will follow. In sum, the ideal of tolerance works from the assumption that our fellows are acting, or are capable of acting, from the best motives of conscience in coming to their decisions about the ultimate nature of reality and about appropriate human behavior.

Human Dignity

To understand how Aquinas’s natural law ethics better grounds tolerance in the sense of fraternity, one must first understand the basis for human dignity in Aquinas’s ethics. Like the Greeks before him, Aquinas locates the basis for human dignity in our rationality. At *Summa theologiae* I, q. 29, a. 3c, Aquinas famously remarks, “*Person* signifies what is most perfect in all

nature—that is, a subsistent individual of rational nature.” But this common formula must be glossed for its power to be experienced. Often rationality is presented in terms of discursion, or syllogizing. So as rational, we are logic machines annoyingly spinning out one argument after another. But this description is a caricature. For in order to function, syllogisms require what logic calls middle terms. For example, in the syllogism “(1) Tom is a man, (2) Man is mortal, (3) Hence, Tom is mortal,” the middle term is “man.” It connects Tom with what we know about human nature so that we can conclude something about Tom. Some middle terms and what we understand about them may themselves be conclusions of syllogisms. But this process cannot be repeated indefinitely. Ultimately, there are middle terms known not by syllogism but by intuition or contemplation, also called intellection. Aquinas explains that the word “*intellectus*” is appropriate, for “*intellectus*” derives from the words “*intus*” and “*legere*” which together mean “to read into.”¹ So buried within the traditional understanding of the human as rational is the more profound understanding of the human as “intellector.” To understand the dignity of the human as rational, one must understand the dignity of the human as an intellector.

I want to illustrate the connection between human dignity and intellection by speaking about the first principle of practical reason. Aquinas discusses this principle in a famous text in his natural law ethics. The text is article 2, question 94 of the first part of the second part of his *Summa theologiae*. Few have noticed that the first practical principle is a call to be respectful and solicitous of ourselves and others.² In short, the first practical principle is a call to love. Consequently, this text is especially relevant as a Thomistic basis for tolerance.

Aquinas presents “The good ought to be done and evil avoided” as a *per se notum*, or self-evident, proposition that is the first principle of practical reason. By a *per se notum* proposition Aquinas says that he means a proposition in which the meaning of the predicate is contained in the meaning of the subject. How is Aquinas understanding “the good” so that the notion includes oughtness? By the good Aquinas also means the notion of being, the *ratio entis*, which the article mentions as the basis of the first principle of speculative reason—the principle of non-contradiction. It makes sense to call being “the good” because being is an eminently

¹ Aquinas, *De veritate*, q. 1, a. 12. Also, *De veritate*, q. 15, a. 1.

² Most Thomists regard the principle as merely formal. For a survey, see John F. X. Knasas, *Being and Some Twentieth-Century Thomists* (New York: Fordham University Press, 2003), 262, n. 22.

rich intelligibility. By an “intelligibility” I mean a commonality that can be grasped in the particular things presented by sensation. “Generic” commonalities lose some of the richness of the real because they abstract from the differences of particular things. For example, the commonality that we find in Tom, Dick, and Harry, and which we intend to express by the term “human,” does not include Tom’s pale complexion, Dick’s ruddy complexion, or Harry’s dark complexion. This lack of inclusion of the complexions is required to keep human nature common to all three individuals. The notion of being does not behave exactly like a generic notion. If being did not also include the differences of the particular things from which it is taken, then these differences would be reduced to non-being and a real plurality of things would cease to exist. At *De veritate*, q. 21, a. 1, Aquinas says that the differences of a generic intelligibility remain in the intelligibility *implicitly and potentially*. This characterization implies that with the intelligibility of being the differences remain *implicitly* but *actually* within the notion of being.³ Accordingly, at *De veritate*, q. 1, a. 1, the differences of being do not add to being from the outside but are said to “express” a mode of being. In the twentieth century a Thomist like Maritain can say: “Everything which divides [electrons and angels] from one another is the same being which I find in each of them—varied. I simply have to fix my attention on it to see that it is at once one and multiple.”⁴ Others like Phelan and Owens describe the intelligibility as a sameness-in-difference.⁵ For my purpose I note that as keeping the

³ James Anderson’s terminology from his *The Bond of Being: An Essay on Analogy and Existence* (New York: Greenwood Press, 1969), 256.

⁴ Jacques Maritain, *The Degrees of Knowledge*, trans. Gerald B. Phelan (New York: Charles Scribner’s Sons, 1959), 213.

⁵ “[Analogy] is, indeed, a difference in the very likeness and a likeness in the very difference; not merely a mingling of likeness and difference wherein likeness is based upon a formal identity and difference is based upon a formal diversity.” Gerald B. Phelan, “St. Thomas and Analogy,” in *G. B. Phelan Selected Papers*, ed. Arthur G. Kirn (Toronto: Pontifical Institute of Mediaeval Studies, 1967), 114. “Rather, the one concept that renders the things the same is the concept that renders them different. Conversely the concept that makes them different is the concept that makes them coincide under the one notion. Identity and yet differentiation by the one feature is the only way a notion can escape falling under either the one or the other of the two extremes, univocity and pure equivocality. To fall into the area dealt with by the present discussion [on analogy], the one notion must exercise both functions. It has to both unite and differentiate without the aid of any other concept.” Joseph Owens, “Analogy as a Thomistic Approach to Being,” *Mediaeval Studies* 19 (1957): 308–9. See also Owens, *An Elementary Christian Metaphysics* (Houston: Center for Thomistic Studies, 1985), 88, n. 14.

differences of things to itself, the notion of being has an unparalleled richness. This richness makes understandable the denomination of being as the good.

Hence, humans have some idea of what the Scholastics called “the absolutely infinite” in contrast to “the relatively infinite.” The latter lacks nothing in a particular line. For example, a ribbon without ends is an infinite amount of ribbon. Yet it is still ribbon and as such lacking in many perfections. The absolutely infinite lacks no perfection, even no conceivable perfection and no degree thereof. The classical theist tradition has long used the absolutely infinite to characterize God. Hence, we have Anselm’s that-than-which-no-greater-can-be-thought, the rationalists’ actually infinite being, and Kant’s discussion of the *ens realissimum* and Vatican I’s *Dei Filius* description of God as “infinite in intellect and will and in every perfection.” Charles Hartshorne, a Whiteheadian philosopher, has criticized the understanding of God as absolutely infinite on the ground that some perfections are mutually exclusive.⁶ For example, something cannot have at the same time the perfections of being both red and green all over. But before this linking of the infinite with God, Aquinas linked the infinite with the notion of being. As Aquinas says, being is that into which we resolve all of our concepts and being is added to not by bringing in something from the outside but by “expressing” a mode of being. In the notion of being, the intellect discerns an intelligible source from which streams all perfections. Hartshorne’s objection applies to the perfections as expressed. He is remarkably incognizant of the intelligible ground out of whose depths the perfections arise.

To apprehend being is to experience an earthquake in one’s intellectual life. Thereafter one is not the same. Everything becomes of interest, because every thing in its uniqueness gives one another look at the *ratio entis*, whose treasure contains this difference and who knows what else. The more different beings that one knows, the better does one see the sameness that contains them all. Nevertheless, one would be wrong to think that intellectual pursuit demands an explicit philosophical presentation of the above. Aquinas understands being as such an automatic abstraction from self-manifestly real things provided by sensation that the *ratio entis* can lie unnoticed in the depths of our conscious life and nevertheless have conscious effects. Such thinking about being goes a long way to explain why the non-contradiction principle (something cannot both be and not

⁶ Charles Hartshorne and William Reese, *Philosophers Speak of God* (Chicago: 1963), 560, and Charles Hartshorne, *Aquinas to Whitehead: Seven Centuries of Metaphysics of Religion* (Milwaukee: Marquette University Press, 1976), 31–32.

be at the same time and in the same respect),⁷ which is about being, is self-evident to all, even those who never thought about the *ratio entis*.

From his linking of being with the good, Aquinas elsewhere deduces two things. The first is a necessary and automatic volition consequent upon the intellect's presentation of the *ratio boni* to the will. There is no moral necessity here because there is no freedom. The will acts automatically. According to Aquinas, the will automatically desires its proper object. At *ST* I, q. 82, a. 1c, Aquinas insists that natural necessity (*necessitas naturalis*) is not repugnant to the will. For just as the intellect of necessity adheres to first principles, so too the will necessarily adheres to the last end, which is happiness (*ultimo fini, qui est beatitudo*). But "happiness" here is the *ratio boni*, for elsewhere the last end is the object of the will (*rationem finis, est obiectum voluntatis*), and the object of the will is the *ratio boni* (*ratio boni, quod est obiectum potentiae, ST* I–II, q. 8, a. 2c). Aquinas reiterates the point by saying that the will "tends naturally" (*naturaliter tendit, ST* I–II, q. 10, a. 1) to the *bonum in communi* which is its object and last end, just as the intellect knows naturally the first principles of demonstration. Finally, that the *ratio entis* understood as the *ratio boni* engenders willing is also expressed in this Thomistic argument for will in God:

From the fact that God is endowed with intellect it follows that He is endowed with will. For, since the understood good is the proper object of the will, the understood good is, as such, willed. Now that which is understood is by reference to one who understands. Hence, he who grasps the good by his intellect is, as such, endowed with will. But God grasps the good by His intellect. For, since the activity of His intellect is perfect, as appears from what has been said, he understands being together with the qualification of the good [*ens simul cum ratione boni*]. He is, therefore, endowed with will. (*ScG* I, ch. 72)

No empty or merely formal sense of the *ratio boni* could play these roles of igniting volition. Rather, it is the *ratio entis* that is playing the role of the *ratio boni*.

The second implication of linking being with the good is the indeterminate disposing of the will before any individual thing that is only "a" good, not the good itself.

⁷ Note that Thomists describe the notion of being as a sameness-in-difference. This description does not say that sameness *is* the difference or that the difference is the sameness. To utter either of these would be to utter obvious contradictions. Rather, the Thomists claim that sameness was in the difference and that the difference was *in* the sameness. Neither of these claims is obviously a contradiction.

So good is the object of the will. Therefore if the will be offered an object which is good universally and from every point of view, the will tends to it of necessity, if it wills anything at all; since it cannot will the opposite. If, on the other hand, the will is offered an object that is not good from every point of view, it will not tend to it of necessity. And since the lack of any good whatever is a non-good, consequently, that good alone which is perfect and lacking in nothing is such a good that the will cannot not will it: and this is happiness. But any other particular goods, in so far as they are lacking in some good, can be regarded as non-goods; and, from this point of view, they can be set aside or approved by the will, which can tend to one and the same thing from various points of view. (*ST* I–II, q. 10, a. 2c)

Now the will is free, but moral constraint, or oughtness, still seems absent. Rather, what is present is an awareness of being equally and indifferently disposed to all finite goods (*ST* I–II, q. 10, a. 2). The issue remains: “How are we properly to configure being as the good so that precisely moral obligation, not necessary volition nor raw freedom, follows?” In that way one would understand “Good ought to be done” as self-evident, or *per se notum*.

My resolution of the issue is the realization that Aquinas is not speaking of being as the good pure and simple, but of being as the good when present in the human through the human’s intellection.⁸ Among all the instances of being as the good, the human, through his intellection, has the good in an especially intense manner. Before such an instance we are free undoubtedly, but we are also morally constrained. In the human, the *ratio boni* burns more brightly than it does in other instances such as animals, plants, and minerals. Does not that fact issue to our freedom a command of respect and solicitude? In sum, the subject of the first practical principle should not be understood simply as the good but as the good intellected by the human.

Aquinas’s philosophical explanation of the initial phenomenon of obligation stands in opposition to David Hume’s famous fact/value distinction. The eighteenth century British philosophical skeptic David Hume claimed: “Take an action allowed to be vicious: willful murder, for instance. Examine it in all lights, and see if you can find that matter of fact, or real existence, which you call vice. In which ever way you take it, you find only certain passions, motives, volitions and thoughts. There is no other matter of fact in the case.”⁹ In short, calling an act “evil” denotes

⁸ See the discussion of Aquinas’s *Summa contra Gentiles* III, 112, and his *Commentary on Lombard’s Sentences* II, d. 27, q. 1, a. 2, ad 2m, in Knasas, *Being and Some Twentieth-Century Thomists*, 267–72.

⁹ David Hume, *A Treatise of Human Nature*, Bk. III, 1, in *David Hume: The Philosophical Works*, vol. 2, ed. Green and Grose (Darmstadt: Scientia Verlag Aalen, 1964), 245.

nothing in the act, nothing objective. "Evil" denotes something in us, something subjective, namely, our emotion of revulsion. Of course, for Aquinas another matter of fact exists in the act of murder. The victim is an intellector of being as the good. In light of that fact, the moral viciousness of killing is patent in the act itself. In striking at the person, the murderer is striking at the good.

So the first rule of a moral life is to be respectful and solicitous of the human person. The moral life is a life of love. The human person is the lighthouse from which shines the good and to which we should direct our moral vessel. For example, the immorality of murder, theft, and lying is patent. In striking at the person, each of these actions strikes unseemly at the good. Also, our awareness of ourselves as intellectors of being creates the injunctions to do what respects our existence and to avoid what disrespects it, for example, abuse and suicide. Moreover, by its essentially unitive and procreative character the sexual embrace is unique among human activities. In one's sexual partner and also in the procreative teleology of the sexual embrace, one is handling the good and so sexual activity ought to be exercised in the context of a committed monogamous relation, that is, of marriage. The fornicator and adulterer unseemly discard the *ratio boni* given in the sexual embrace. The evil of contraception is likewise evident. By striking at the procreative powers, contraceptors strike at the *ratio boni* in the offspring who is at least essentially, if not actually, present. Great lovers take this norm of respect and solicitude of the human person with deep seriousness. Their most important thing is other people, or life in society. Nothing should be substituted for people and their well-being, not hobbies, studies, pleasure, money, fame, etc. Pursuit of these things must always defer to the needs of persons. Aquinas's conception of the human as an intellector of being also makes understandable the self-sacrifice involved in friendship. Following Aristotle, Aquinas roots friendship in self-love.¹⁰ Self-love is not an egotistic predicament. What I find loveable in myself, namely, the notion of being, is found in others. Being offers itself to all intellectors. Hence, my fellow is another self. In this context, my loss should not be looked at simply as another's gain. To see the other as a friend is to see my loss for his sake as *our* gain. Love for self extended to others makes it possible to rejoice genuinely in their good fortune, even when that good fortune demands a sacrifice from us. Jealousy should have no place among people if they relate to each other as friends. And people should relate to others

¹⁰ See James McEvoy, "The Other as Oneself: Friendship and Love in the Thought of St. Thomas Aquinas," in *Thomas Aquinas: Approaches to Truth*, ed. James McEvoy and Michael Dunne (Dublin: Four Courts Press, 2002).

as friends if they view themselves as intellectors of being. The deep truth here is indicated by its contrary, namely, rejection and its lacerating effect of isolation. Since being is so intensely present in our fellows, then their rejection of us can appear as being's rejection of us. And since being includes all, rejection can be experienced as total isolation. That is why, though we may disagree, we should always remain friends.

In sum, the above shows that for Aquinas reality itself prompts us to love. His epistemology of intellectual abstraction from the real things given to us in sensation establishes confidence in the notion of being. Being is not a pipe-dream but a deep plunge into reality. Being's engendered command for respectful and solicitous treatment of our fellows as intellectors of being rings in our awareness with the sound of truth. In Thomistic psychology, love is not to suffer a delusion. Reality itself provides the motivation.¹¹ But as so relentlessly developed from the real, Aquinas's ethics prompts another question. If we are structured as Aquinas says, why is human experience marked by so much hate and disrespect? Some explanation of how Aquinas can be so right and yet things can be so wrong is desirable. How does perversity enter the life of an intellector of being? This discussion is important not only as a complement to Aquinas's philosophical psychology; the discussion will also be invaluable for grounding the possibility of dialogue with those who disagree with Aquinas's natural law ethics. Such a dialogue is essential equipment for any would-be Thomists, as they ponder going forth into their cultural milieu. Hence, I turn to another natural law text: *ST* I-II, q. 94, a. 6. Its topic is whether the natural law can be obliterated from the heart of man. The remainder of the paper is my elaboration of its content.

The Causes of Sin

Aquinas first distinguishes within natural law the most common precepts known to all from secondary and more particular precepts that are conclusions following closely from the first principles. Aquinas's characterization of the most common precepts lets one coordinate them with the self-evident principles of natural law mentioned back at question 94, article 2. Chief among them was "Good ought to be done," which I glossed as "Be respectful and solicitous of intellectors of being." The other precepts of question 94, article 2, for example, "Respect oneself," "Respect one's

¹¹ For a comparison to Heidegger on "the Being of beings," see my articles, "A Heideggerian Critique of Aquinas and a Gilsonian Reply," *The Thomist* 58 (1994): 415–39, and "The Post-Modern Notion of Freedom and Aquinas' *Ratio Entis*," in *The Failure of Modernism*, ed. Brendan Sweetman (Mishawaka, IN: American Maritain Assoc., 1999), 212–27.

sexual partner,” “Respect one’s fellow members of society,” and “Respect one’s intellection,” express heightened encounters with a person, and so are reducible to my interpretation of “Good ought to be done.” Aquinas says that these most common precepts, taken universally, cannot in any way be blotted out from men’s hearts. However, their application to a particular action can be blotted out because of concupiscence or some other passion. What this brief remark means Aquinas explains at length in a classic text on the genesis of the sinful act: *De malo* q. 1, a. 3, with parallel passages at *De veritate*, q. 24, a. 8; *Summa contra Gentiles* III, ch. 10; and *Summa theologiae* I, q. 63, a. 1. Aquinas’s explanations are fascinating examples of a continued phenomenology of human consciousness. There are details of our psychology yet to be noticed, and these further details show how hate can blossom in a mind stamped by the intellection of being. I now turn to Aquinas on the causes of sin.

The key idea of understanding how the will introduces evil into its choices is the will’s “non-consideration of the rule” (*non consideratio regulae*). What is this? First, the non-consideration cannot be a total and complete cognitive absence of the rule. If the non-consideration were a complete absence, then the will would do evil without any awareness that it was doing evil. This unawareness would mean that the will’s act was not a fault or a sin. Why? To sin means to do evil voluntarily. But voluntary action means action both with knowledge and with will. Hence, to sin the will must have some awareness of the object as evil, and this awareness requires some recognition of the rule.

Second, neither can the rule be completely present in our awareness. A complete cognitive presence of the rule would extinguish from the object of an evil choice any and all appearance of good with the result that the object is impossible to choose. For Aquinas, a minimal condition for our willing anything, even something evil, is that the thing at least “appears” as good. Elsewhere, Aquinas gives his reason. His reason refers back to his psychology of willing that I described earlier: “The will naturally tends to good as its object. That it sometimes tends to evil happens only because the evil is presented to it under the aspect of good” (*De veritate*, q. 24, a. 8). In contrast to us in this life, the blessed in heaven in the beatific vision have the rule of the good completely present in their consciousness. Consequently, the blessed apprehend all other things as they should be apprehended. Evil appears as the evil that it is and good appears as the good that it is. Because evil always appears as it is, evil never exercises any attraction over the wills of the blessed. In short, for the blessed evil is never a possible object of choice.

So, the non-consideration of the rule must mean an incomplete cognitive presence of the rule in virtue of which evil can *appear* as good though still be *known* as evil. In sum, Aquinas says, “[C]onsequently there cannot be any sin in the motion of the will so that it tends to evil unless there previously exists some deficiency in the apprehensive power, as a result of which something evil is presented as good” (*De veritate*, q. 24, a. 8). Now, what is the rule? Using what I have said in my above first section, the answer will be that the rule is the practical precept to be respectful and solicitous of the human understood as an intellector of being. The imperfect cognitive presence of this rule allows evil at least to appear as good and so make possible the evil choice.

Earlier at *De veritate*, q. 24, a. 8, Aquinas provides two reasons for this imperfect cognitive presence of the rule. The first reason is our passions, or sense appetites. The passions can arise so that what we saw as evil becomes only known as evil while taking on the appearance of good. For example, in my calm deliberation in the doctor’s office and in the light of the norm of respect and solicitude for the human, my continual self-abuse by stuffing myself with refined carbohydrates appears as the evil that it is. Yet when I pass a bakery and smell the wonderful products inside, there is a rush of sense appetite for what I intellectually know is bad for me. In the context of that passion, what I know from memory to be bad for me at least “appears” as good and this is sufficient for me to possibly choose it and so bring about a moral evil. I can do what I know to be wrong. The passion never obliterates my previous knowledge of the baked goods as evil even while they are appearing as good. Their appearance as good is the “erroneous judgment” that Aquinas says (*De veritate*, q. 24, a. 8) is necessary for the evil act.

For humans the passions are a major source of evil acts. Because passions follow sense apprehension, we can be bombarded by things that incite all kinds of passions that invest something bad, because it is not in line with the first practical precept, with the appearance of good. This is even truer for us who live in a media culture.

But passion cannot be the complete explanation for the non-consideration of the rule. Besides committing crimes of passion, we also commit cold-blooded murder. Moreover, for the theologian Thomas Aquinas, not only humans are sinners but also the angels are sinners. But angels are incorporeal beings and so lack the sense appetites that are the passions. In other words, what is the form of the non-consideration of the rule that applies to intellectual creatures as intellectual? Aquinas presents another way sin can take place. Since this way is more common, shared by us and by the angels, this way is the more profound explanation of how evil acts

of will can take place. Aquinas says that in this second case “sin does not presuppose ignorance but merely absence of consideration of the things which ought to be considered” (*ST* I, q. 63, a. 1, ad 4). And earlier in the *De malo* I, 3, text he says that for this mere absence of consideration the freedom of the creature suffices: “ad hoc sufficit ipsa libertas voluntatis.” By mentioning the creature’s freedom, Aquinas is referencing the will’s state of indifference to all finite things thanks to their profiling against being as the good. I discussed this state in the first section of my paper. I mentioned the state’s absence of obligation, or moral necessity. In this state I am before all things with complete indifference. I am in this state before I become aware of obligation, and I reside back into it after becoming aware of obligation. To use some terminology from computer programming, this state is my “default position.” The appearance of moral necessity as expressed in the first practical precept requires further concentration. This is understandable in terms of Aquinas’s epistemology. To initially grasp obligation, we have to grasp ourselves as intellectors of being as the good. But our cognitive attention is first directed to things. The knower is known subsequently by a reflection from things to the knower.¹² This reflection is a mental effort over and beyond our original knowledge of things and the presence of the notion of being in them. So it is not strange for Aquinas to say at *De malo* I, 3 that the “soul does not hold nor is it able to actually hold always the rule.” We can let the thought of the rational creature as an epiphany of being slip out of focus. When that happens, we revert to the prior state of freedom. In that state things are no longer seen against the rule but seen only against the *ratio entis*. This will mean that things not good in relation to the rule will still appear good in relation to being. As such they are possible objects of choice, and if they are chosen, evil will be done.

¹² See Aquinas’s *Commentary on the Metaphysics* XII, lect. 11, n. 2608, on Aristotle’s remark “But science, perception, opinion and thought always seem to be about something else and only indirectly about themselves.” Of course, as subsistent forms, angels know in the opposite manner. They first know themselves and their ideas and then other things. Hence, the “default” position of their awareness is different. It is a knowledge of creation that does not include the creator’s decisions about supernatural elevation. The divine announcement of those decisions is over and above the angel’s natural knowledge. Hence, things can appear as good to the angel while still being known as possibly out of sync with the Creator’s *de facto* providence. The angel would sin by choosing without regard and deference for the Creator’s designs. See *ST* I, q. 63, a. 1. For commentary see Appendix 2 in the Blackfriars’ translation of the *Summa theologiae* (New York: McGraw-Hill Book Company, 1968), 311–20, and Jacques Maritain, *The Sin of the Angel* (Westminster, Maryland: The Newman Press, 1959).

So the “defect” here is an absence of consideration of the rule. This “defect” is not so much a defect that it is an evil. A true evil is a lack of something that should be there, for example, lack of sight in a man, but not lack of sight in a rock. But the absence of consideration of the rule should be there so that the creature is free and freedom is a good. Yet the absence is not so natural that it escapes the will, for the will acts in this state with the knowledge that it could, and should, act with a consideration of the rule.

By the above phenomenology we achieve a more balanced view of human nature than I presented. The first practical precept of respect and solicitude of the human is not so emblazoned in human consciousness that the first practical precept cannot slip from focus. Passions can distract us and our natural state of freedom can cause a lack of consideration. Both allow what we know to be evil to take on the appearance of good. That cognitive state sets the stage for a possible act of evil by the will. So it is no sure thing that humans will do the good.

The Realism of Natural Law

As interesting and as probing as the above is it still smacks of unreality. The reason for this impression is that the sinner about whom Aquinas is talking is someone who already knows Aquinas’s ethics. Now some humans may be this kind of sinner but what about most humans? Most seem to have no cognizance of the connection between “oughtness” and the human as intellector of being. So the drama of human life still escapes Aquinas’s analyses. Better to turn to an existentialist like Heidegger or Marcel or Kierkegaard to supplement what appears as a kind of naivety in Aquinas. In fact Aquinas forces the issue. Again, at *ST* I–II, q. 94, a. 6, Aquinas claimed: “As to common principles, the natural law, in its universal meaning, cannot in any way be blotted out from men’s hearts.” In article 2 he compared the first principle of practical reason to the first principle of speculative reason, the non-contradiction principle. But at q. 94, a. 2, the latter is a self-evident truth for us, not just in itself. Also, in article 4 Aquinas described the common principles both of speculative and practical reason as “equally known to all” (*apud omnes, et aequaliter nota*). Even apart from my metaphysical gloss of q. 94, a. 2, in our day can we agree that the primary precepts of Aquinas’s natural law are known to all? How do proponents of euthanasia respect their own existence? How do proponents of recreational sex acknowledge its procreative and unitive nature? How do institutions of higher learning continue to acknowledge the intrinsic value of knowing, never mind the truth about God? Finding answers to these questions will take us deeper into Aquinas’s philo-

sophical psychology. The intellectual character of Aquinas's position should not be held against it, for Aquinas does not equate something being known *quoad nos* with one's explicit acknowledgement of the item. Like the human heart that functions automatically but with conscious effects, so too the intellect can automatically abstract the notion of being and grasp it as the good. Such an automatic abstraction can go a long way to explain why people try to avoid contradiction, yearn for something that life cannot give, and experience freedom and also obligation. Evidently we know more than we are aware.

Despite the *quoad nos* self-evident character of the primary practical precepts, Aquinas holds a dim view of the workings of the intellect. For example, in the *Summa contra Gentiles* he explains that it is not strange that humans act for sensual pleasures rather than intellectual ones because most humans lack intellectual experience. For this lack Aquinas appeals to his abstractionist epistemology. He says that external things are better known because human cognition begins from sensible things.¹³ Later in the same work at IV, ch. 52, he speaks of the "frailty of reason" (*debilitas rationis*) and of the predominance of the phantasms. But instead of contradicting Aquinas's position that the primary precepts are known to all, these remarks produce a better understanding of Aquinas's position. For one would be wrong to interpret these remarks to mean that the workings of the intellect are totally absent or that these workings have no experienced effects. Even on the level of sensation, we know more than we are aware. Sense has a focus that is narrower than its entire field. For example, my vision is giving me a crowd in which is my friend, yet my visual awareness may not yet include his face. For Aquinas a similar relation can exist between sensation and intellection. Even though our attention is focused on sensible things, our intellection has gone on to grasp commonalities of which we are still unaware. How else does one explain that we abide by the non-contradiction principle, are inevitably dissatisfied by finite goods, and know that we are free in respect to anything in our experience? These phenomena show that the notion of being haunts the human mind. A clever Thomist would seize upon each phenomenon to lead the person to realize something that the person in fact already knows—namely, the notion of being and the understanding of being as

¹³ "Nor do more persons seek the pleasure that is associated with knowing rather than the knowledge. Rather, there are more people who seek sensual pleasures than intellectual knowledge and its accompanying pleasure, because things that are external stand out as better known, since human knowledge starts from sensible objects." ScG III, ch. 26, par. 16; as translated by Vernon J. Bourke, *Summa contra Gentiles* (Notre Dame: Notre Dame Press, 1975), Bk. III, Part 1, 109–10.

the good. So much of Thomism is making the implicit explicit, to rob some language from Transcendental Thomism.

Furthermore, our awareness of things and the intelligibilities that things contain is never so focused that all self-awareness is lost. Hence, we cannot but have some awareness of ourselves as intellectors of being. So, with avoidance of contradiction, yearning, and freedom, the phenomenon of obligation is another outcropping indicating the presence of the *abstractum* of being in the depths of human consciousness. Again, we know more than we are aware. While our attention is on sensible things, or phantasms, the intellect can be doing its own work with the mentioned results.

So, a Thomist is not upset that most people appear to be living with no awareness of themselves as intellectors of being. In the Thomist's contemplation of his fellows, the knowledge of themselves as intellectors of being is present and is explaining their inchoate sense of their own dignity. This inchoate sense of dignity appears in proponents of euthanasia who point out the indignity of a long, lingering, painful death. Even proponents of recreational sex acknowledge it when they insist that recreational sex is morally okay because "no one is getting hurt" and it involves only "consenting adults." A Thomist will continue to regard euthanasia and recreational sex as morally abhorrent, but that dislike should not cause the Thomist to miss a concession to the Thomist's understanding of the value of the human person. But furthermore, the Thomist's understanding of human epistemology allows the Thomist to understand the genesis of the moral confusion. The opponent knows that he ought to respect himself and others but does not know why. And the opponent does not know why because the opponent still lacks an awareness of his apprehension of being as the good. The awareness is lacking because even though intellection has already discerned in external sensible things the notion of being, attention is focused on the sensible things. With only a superficial grasp of themselves, people can honestly believe that they are respecting their dignity when tragically they are not.

So even though the primary precepts are *per se notum quoad nos*, that is, self-evident to all, it does not follow that all are explicitly aware of the meaning of the subjects. In the case of the primary precept, "The human ought to be treated with respect and solicitude," the subject is the human person. In light of Aquinas's abstractionist epistemology, is it not possible to have varying depths of understanding of this subject? Can it not be the case that we are intellectors of being long before we become aware of that fact? An affirmative reply would explain why most people experience obligation both to themselves and their fellows yet can be so regarding in what this obligation consists. That confusion would also explain

why these people go on to miss knowledge of the secondary precepts of natural law. Hence, at *ST* I-II, q. 94, a. 4, Aquinas mentions Caesar's observation of the approval of theft among the Germans. The Germans permitted armed robbery of others outside the tribe. The basic reason appears to be their paranoid opinion that outsiders were potential enemies. This opinion is indicative of a shallow understanding of what lies in the depths of the human person.

Metaphysics as Implicit Knowledge

Aquinas's distinction between what we know about ourselves and what we realize about ourselves helps us to understand another primary precept mentioned by Aquinas at q. 94, a. 2: "Divine truth ought to be sought." Along with other primary precepts, Aquinas says that this one has universal truth and is *per se notum quoad nos*. But is it clear that God exists and, even if it is clear, is it clear that we ought to concern ourselves with knowing God? How does a primary precept about God arise in Aquinas's natural law?

Earlier in his *Summa contra gentiles*, Aquinas describes an ordinary knowledge of God possessed by all mature human beings.¹⁴ Perhaps it will answer my questions. This ordinary knowledge of God is *a posteriori* and appears to recount a primitive version of the teleological argument. Aquinas concedes that the argument has many shortcomings. For example, Aquinas notes that one does not yet grasp who or what is this *orderer* or if the orderer is one or many. On the strength of this argument, some identify the orderer with the heavenly bodies, the elements, or other human beings. But does not Aquinas's concession contradict his thesis

¹⁴ "[W]hat seems indeed to be true, that man can immediately reach some sort of knowledge of God by natural reason. For, when men see that things in nature run according to a definite order, and that ordering does not occur without an orderer, they perceive in most cases that there is some orderer of the things that we see. But who or what kind of being, or whether there is but one orderer of nature, is not yet grasped immediately in this general consideration, . . . But this knowledge admits of a mixture of many errors. Some people have believed that there is no other orderer of worldly things than the celestial bodies, and so they said that the celestial bodies are gods. Other people pushed it further, to the very elements and the things generated from them, thinking that motion and the natural functions which these elements have are not present in them as the effect of some other orderer, but that other things are ordered by them. Still other people, believing that human acts are not subject to any ordering, other than human, have said that men who order others are gods. And so, this knowledge of God is not enough for felicity." *ScG* III, ch. 38, par. 1; Bourke, trans., *Summa contra Gentiles*, Bk. III, Part 1, 125–26.

that men are knowing God? None of the characterizations of the orderer are remotely similar to the God of Aquinas's religious belief, who is spiritual, unique, and non-human. Would it not have been clearer for Aquinas to say that men fail to attain a knowledge of God? In other words, when a physicist discovers a new particle, he does not exclaim "God." And if he did, we would think him strange. Hence, is not Aquinas odd to attribute man's knowledge of God to man's knowledge of the elements? In fact on another occasion in the *Summa theologiae*, regarding David of Dinant's identification of God with matter, Aquinas is uncompromising, if not uncharacteristically cruel, in his dismissal of David's identification.¹⁵ Returning to the *Summa contra gentiles*, it is important to realize that Aquinas does not say that men reach something "like" God. Aquinas's assertion is unqualified. Men reach God, even though they identify God with the mentioned non-divine instances. Consequently, when in the next chapter Aquinas introduces philosophical demonstrations to remove the errors, the removal does not consist in moving on to a higher being than those mentioned. Rather, the corrections consist in purifying through removal what the general reasoning had reached.¹⁶ So, before this text on an ordinary knowledge of God can be used to support a universal knowledge of the primary precept obliging us to know divine truth, some explanation of how the conclusion of the reasoning can be so wrong and still be right is required. Here a return to Aquinas's abstractionist epistemology can be helpful.

According to Aquinas, the errors in man's ordinary knowledge of God are set aside by demonstration. The backward reference is important. Early in Book One Aquinas reserves these points of demonstration to the last part of philosophy to be learned, namely, to metaphysics.¹⁷ This

¹⁵ "The third error is that of David of Dinant, who most stupidly taught that god was primary matter." *ST I*, q. 3, a. 8; as translated by Anton Pegis, *The Basic Writings of St. Thomas Aquinas*, vol. 1, p. 35.

¹⁶ "On the other hand, there is another sort of knowledge of God, higher than the foregoing, and we may acquire it through demonstration. A closer approach to a proper knowledge of Him is effected through this kind, for many things are set apart from Him, through demonstration, whose removal enables Him to be understood in distinction from other beings. In fact, demonstrations shows that God is immutable, eternal, incorporeal, altogether simple, one, and other such things which we have shown about God in Book One." *ScG III*, ch. 39, par. 1; Bourke, trans., *Summa contra Gentiles*, Bk. III, Part 1, 127.

¹⁷ "In order to know the things that the reason can investigate concerning God, a knowledge of many things must already be possessed. For almost all of philosophy is directed towards the knowledge of God, and that is why metaphysics, which deals with divine things, is the last part of philosophy to be learned." *ScG I*, ch. 4; as translated by Anton Pegis, *Summa contra Gentiles* (Notre Dame: Notre Dame

assignment should mean that the ordinary knowledge of God is in some way metaphysical. Only as metaphysical could it successfully reach God, albeit imperfectly, as Aquinas claims. But can one possibly regard ordinary individuals to be in possession of Aquinas's metaphysics?¹⁸

The key note in Aquinas's metaphysics is his understanding of the existence of the thing. Unlike in our common usage, in Aquinas's metaphysics "the existence of the thing" does not mean simply the fact of the thing nor is its second order talk for something else, for example, being in possession of form. Aquinas regards existence as a distinct principle or act composed with the individual substance to render the substance a being (*ens*), an existent. In fact the thing's existence is sufficiently distinct to compare its composition with a substance with form's composition with matter within the substance (ScG II, ch. 54). Aquinas employs the phrase "*actus essendi*," the act of being, and the Latin infinitive "*esse*" as a noun, or substantive, to express his unique act-sense of the thing's existence. It is not so much that Aquinas disagrees with the fact-sense of the thing's existence, but rather that Aquinas insists that the fact-sense be deepened to include the act in virtue of which the thing is a fact. A thing is a fact in virtue of its *actus essendi*. A being or an existent *qua* a being or an existent is a *habens esse*, a possessor of the act of being.

The relation of this act to the substance with which it is composed also bears mention. In respect to the substance rendered a being by composition with *esse*, *esse* is prior (*prius*), first (*primus*), most profound (*profundius*), and most intimate (*magis intimum*). *Esse* is the core around which the thing revolves. We are so accustomed to conceiving acts of a thing as items subsequent and posterior to the thing that the notion of an act basic and fundamental to the thing is strange. But if one is to correctly appreciate *esse*, usual ways of thinking must be suspended.

As an act *esse* is an *ipso facto* dependent item. No act as an act, even the *sui generis* act that is *esse*, is found by itself. Rather, an act is found as in and of a subject. However, no chance exists to explain *esse* completely by the substance that is its subject. Substances that are complete explainers of an act are in some respect already in act. As a potency for its existential act, substance cannot position itself to completely explain its *esse*.

Press, 1975) Bk. I, 67. In the just previous chapter naturally knowable truth about God includes the knowledge of his existence: "But there are some truths which the natural reason also is able to reach. Such that God exists, that He is one, and the like." Pegis, trans., *Summa contra Gentiles*, Bk. I, 63.

¹⁸ For the Thomistic texts behind the many points in my summary description of Aquinas's metaphysics, see my *Being and Some Twentieth-Century Thomists*, chapters 6 and 7.

The need for complete explanation in the case of *esse* drives the mind to conclude to a further being in which *esse* is not found as an act but as the very substance that is the further cause. Aquinas calls this further cause *esse subsistens* (subsistent existence), *esse tantum* (existence alone), and *esse purum* (pure existence). He also refers to it as *Deus* (God). Aquinas's stated reason is God's revelation to Moses in the Book of Exodus that God's name is *Ego sum qui sum*: I am who am.¹⁹ As subsistent *esse*, the first cause of *esse* embodies the key component in Aquinas's understanding of the notion of being, the *ratio entis*. Since the *ratio entis* is also the *ratio boni*, then the first cause is the pre-eminent epiphany of the good among all such epiphanies. If the human commands respect and solicitude because the human as an intellector of being is an epiphany of the good, then *a fortiori* the first cause does likewise. In the light of Aquinas's metaphysics, to orient our moral compass to the divine instance is an obvious *per se notum* truth. This analysis also illustrates a profound opening in human subjectivity for the life of grace and its culmination in beatitude.

But again, is it plausible to regard Aquinas's metaphysics as a natural and automatic achievement that exists below the level of conscious articulation so that most will have a knowledge of God, imperfect as it is? The answer depends upon our access to the data in which are Aquinas's key metaphysical notions. The setting up of things in various multiplicities is the standard procedure for the discernment of the thing's acts.²⁰ For example, because I find the water both hot and cold, I come to discern the various temperatures as acts of the water that in itself is temperature neutral. Moreover, I come to understand each of the instances as a composition of the water plus some temperature. Likewise, because I can find Tom both pale and ruddy, I come to discern the complexions as acts of Tom who in himself is complexion-neutral. But for Aquinas things are found not only in temperature and complexion multiplicities but also in existential multiplicities. Aquinas is an immediate realist in his understanding of sensation. Sensation provides not an image, a representation,

¹⁹ "This sublime truth Moses was taught by our Lord. When Moses asked our Lord: 'If the children of Israel say to me: what is His name? What shall I say to them?' The Lord replies: '*I am who am* . . . Thou shalt say to the children of Israel: *He who is* hath sent me to you' (Exod 3:13, 14). By this our Lord showed that His own proper name is *He who is*. Now, names have been devised to signify the natures or essences of things. It remains, then, that the divine being is God's essence or nature." ScG I, ch. 22, par. 10: Pegis, trans., *Summa contra Gentiles*, Bk. I, 121.

²⁰ The following is a non-technical paraphrase of Aquinas's approach to the *actus essendi* of a thing by the twofold operation of the intellect, namely, conceptualization and judgment. For the twofold operation of the intellect presentation, see Knasas, *Being and Some Twentieth-Century Thomists*, 182–96.

a picture of the real thing but the real thing itself. Consequently, the hot water or the pale Tom does not just really exist, in my sensation, it also cognitively exists. The presentation of some thing in an existential multiplicity should drive the mind to understand the thing to be in itself existence neutral and to understand each instance as a composition of the said thing plus a real or cognitive existence in the sense of an act.

The answer to the above question reduces to an answer to this question. Is the mentioned existential multiplicity available to the ordinary person? Certainly. No ordinary person doubts a real world in his sensation. No ordinary person questions the distinction between remembering his beloved in a memory versus being in the beloved's presence when in her arms. Even though modern philosophy has run away from the immediate presence of the real in sensation, ordinary people continue to live according to that marvelous truth. Furthermore, ordinary people have sufficient presence of mind that none lack an awareness of their own sensation. Hence, they not only know real things, they know that they know real things. In other words, ordinary people not only sense real things, they also are aware that they sense real things. In short, there is every reason to think that the intellect not only discerns the notion of being, as I have claimed above, but that it also apprehends being in the sense of *habens esse*. The data is sufficiently available for the intellect to be led to the metaphysical distinction between a thing and its *esse*, even if our awareness is elsewhere.

But upon a grasp of the composition, cannot the intellect go on to grasp the conclusion that the *esse* is caused? One conscious outcrop of this activity is Leibniz's question of why there is something rather than nothing. As Heidegger points out at the start of his *An Introduction to Metaphysics*, the question steals upon us in moments of despair, rejoicing, and boredom. Looked at Thomistically, Heidegger's remark makes sense. Common to these moods is the shutting down of our plans and designs so that we are left simply in the presence of things. But that hovering of things in our awareness bespeaks, as explained, an instability in existents that prompts Leibniz's question. Aquinas's metaphysics is as near as the sense realism of ordinary experience.

In my opinion, another indication is Aquinas's listing of identities for the orderers in this ordinary knowledge of God. All of these orderers are intensely related to the notion of being. I have already spoken about the relation of the person to the notion of being. But even the heavens would strike being upon us. Because of their gargantuan dimensions, only the notion of being would allow us to profile the heavens in our mind. But such an intense presence of the notion of being might lead one to confuse the

heavens with the cause of being. As mentioned, the notion of being harbors causal implications. Causality goes with the notion of being. In an ordinary person these implications may not be sufficiently distinguished from the instance whose objectification makes the notion of being so necessary.

But if the physically great requires the notion of being, so too does the physically small. Hence, Aquinas also mentions the elements as the identity of the orderer. To contemplate the physically small, everything else must be removed from our awareness. That move leaves the physically small alone with the notion of being. The heightened presence of being in the contemplation of minutiae could lead one to confuse the causal implications with the minutiae themselves.

In sum, God can be confused with both the great and the small because the presence of the notion of being, in which there are causal implications, is so necessary for the contemplation both of the great and the small. It is no surprise that people basically divide into those who like the mountains and those who like the shore. One looks at the expanse of the sky, the other at vessels on the vast ocean. As the Thomist considers both observers, the Thomist believes that the genuine object of the contemplation is being and that their relaxation is some approximation of the happiness that would be achieved in knowing being itself.

This look at how the primary precept to know the truth about God is evident to all is important for another reason. Even though Aquinas says that demonstration in philosophy removes the errors in this ordinary knowledge of God, philosophy does not end all disputes about God. Because of the intrinsic difficulty of the task, philosophy itself will contain massive error. In fact at *ScG* I, ch. 4, and *ST* I, q. 1, a. 1, Aquinas employs this observation to justify revelation non-redundantly including truths about God naturally knowable. So, no Thomist would be so naive to think that labors come to an end after dealing with “ordinary” humans. The Thomist knows that fellow philosophers will also pose problems. Aquinas’s admission of truths self-evident to all is not embarrassed by disagreement about those truths.

Consider also that, as noted above at q. 94, a. 2, Aquinas also describes the first speculative principle, namely, “A thing cannot both be and not be at the same time,” as both self-evident and known to us. But as indicated from his commentary on Aristotle’s *Metaphysics*, Aquinas is not so naive as to believe that disputers are non-existent. Aquinas knows that some deny the principle on the bases that contraries are seen to come from the same thing and that all opinions seem true.²¹ Aquinas’s admis-

²¹ *Commentary on the Metaphysics* IV, lect. 11 and lect. 12.

sion here, and his asserted parallelism between the speculative and practical areas at q. 94, a. 2, should mean that also the first practical principle is not so self-evident *quoad nos* that deniers are rendered non-existent.

Aquinas deals with deniers of the non-contradiction principle by pointing out that if they affirm anything, then they deny that reality is contradictory. The only way to keep their denial is to say nothing, and so they reduce themselves to the level of plants. Transcendental Thomists especially claim that Aquinas's opponents can justifiably be construed as Kantian philosophers who wish to limit necessary ways of thinking just to ways of thinking instead of ways of really existing. But the opponents, as well as Aquinas and Aristotle, all are realists. The premise assumed by all parties is that thought is determined by the real. That is why Aquinas insists that thought would be destroyed if reality is contradictory and that reality is consistent if thought is such.

Following Aristotle, Aquinas also goes on to address the above two reasons for the opposing opinion. By distinguishing being in potency from being in act, the phenomenon of contraries emerging from the same thing need not imply a denial of the non-contradiction principle. Also, by noting how the sense organ can be affected by various dispositions, one can understand how different people would have different opinions. My point here and now is not to defend Aquinas's replies. My point simply is to observe that Aquinas's thesis of the to-us-self-evident character of the non-contradiction principle is congruent with opposition. Evidently, Aquinas's position on the *per se notum quoad nos* character of some propositions is more nuanced than was at first presumed. Aquinas never understood the position to be open to embarrassment by opponents to it. Moreover, Aquinas's opponents are articulate, and so proponents must appropriately meet them with counter articulation. It will not suffice simply to assert self-evidency.

Conclusion

So, the primary precepts of Aquinas's natural law are both known to all and possess a universal truth. Yet understanding this correctly requires a precision. This precision concerns the differing depths of knowledge of the subject of the precepts. For example, all have a sense of obligatory respect and solicitude towards themselves and others. That sense of obligation is what cannot be eliminated from the human heart. But few grasp that that respect stems from the human's status as an intellector of being. The disparity reduces to the fact that not all appreciate their own intellection. That failure, in its turn, is traced to the abstractive nature of intellection. What the intellect abstracts can be hidden from awareness by the

data which is more out front in our awareness. Hence, some people can be honestly ignorant and confused about even the primary precepts of natural law. Their explicit knowledge of themselves can be so superficial that it will allow confusions about what is congruent or incongruent with human dignity. We need not ascribe to them an ill will nor bad habits, though as we have seen Aquinas is fully cognizant of these factors. Weakness of reason suffices.²² Moreover, even when sin darkens the intellect and the moral good is forgotten, the sinner can be called back to rectitude. Every sinful life will still present some effect of the intellection of being, for example, acknowledgement of non-contradiction, intellectual interest, yearning, freedom, and some sense of obligation. If sufficiently clever, a sympathetic Thomist can exploit any of these features of human consciousness to bring the sinner's attention back to the moral life. True, unlike Plato, Aquinas does not equate knowledge with virtue.²³ But

²² In his commentary on the third book of Aristotle's *Nicomachean Ethics*, at lecture 3, number 412, Aquinas agrees with Aristotle that universal ignorance does not excuse. As an example of universal ignorance Aquinas cites being ignorant of the norm that fornication is always wrong. Does Aquinas mean that everyone should know that fornication is wrong so that if they do not, then they are blameworthy? I do not think so. In the just preceding paragraph, number 411, Aquinas makes the context clear. The ignorance that does not excuse belongs to a man "having the use of reason" (*homini habenti usum rationis*). But in my text above in Section III, I thought that I showed that for Aquinas few men fit that description. Rather, among men there is a *debilitas rationis* (ScG IV, ch. 52) reflected in the fact that men abstractively draw their knowledge from phantasms. Hence, earlier (ScG III, ch. 26), phantasms, because they are more obvious, are described as occluding an awareness of intelligibilities. That is why most men lack intellectual experience and satisfaction so that sense pleasure is predominantly pursued. So I do not think that an analogy exists between ordinary people and a third grade student who is incorrectly doing simple addition. In the latter case you can presume enough reason to hold the student responsible for his errors. But grasping the natural law precepts correctly is not as simple as that. Some intellectual sophistication is required and few have that. The rest of men bumble around and only vaguely understand their dignity with the result that they tragically judge some actually bad behaviors to be congruent with that dignity. In the context of all that, I interpret the fact that Aquinas addresses their confusion intellectually as indicating that the confusion is not a moral one, as he does the proponent of fornication at ScG III, ch. 124, and the person in "universal ignorance" at *De veritate*, q. 24, a. 10. Aquinas also compares the "*malas persuasiones*" by which some can be ignorant of the secondary precepts to errors in speculative matters (ST I-II, q. 94, a. 6). But surely not all speculative errors are blameworthy. "*Malas*" does not have to mean "morally evil." For example, there can be natural evil, "*malum naturalis defectus*" (cf. ST I, q. 19, a. 9). Sometimes the intellect leads the will astray instead of the will leading the intellect.

²³ ST I-II, q. 77, a. 2.

Aquinas does hold that knowledge has an effect. That is why Aquinas argues that among the intellectual angelic substances, the number who remained firm is greater than the number of those who fell.²⁴

The basic concepts of Aquinas's natural law ethics are deeply expressive of tolerance in the sense of brotherly love. The subject of the first practical precept is not the good, the *ratio boni*, pure and simple. It is the *ratio boni* understood as intellected by the human. Before such an instance of the good, we are not simply free; we are also morally obliged. A respect and solicitude is called forth. A demand to live lovingly issues from understanding. But Aquinas's natural law is not simply an ethics of what ought to be, or worse—a nice dream, a fairy tale. Despite all the disrespect for its precepts from malice and from weakness of reason, Aquinas's natural law is also a report on reality. Aquinas thinks that the notion of being controls human psychology. Though not the entire story, the intellection of being is the central theme about the human. It is there when we are moral; it is there when we are immoral. It is there when we understand; it is there when we do not understand. Fundamentally and always, we face each other as fellow intellectors of being; that is the stage upon which human existence is played. Aquinas's natural law ethics is based upon a philosophical psychology that is true of all kinds of humans. In the light of this psychology Thomists go out to meet their fellows. Thomists will find thick walls of cultures or philosophies, but the walls will not be impenetrable. Aquinas's philosophical psychology provides a commensurating discourse. Being cannot be eliminated from the heart of the human. N-V

²⁴ *ST* I, q. 63, a. 9.

