

**Teleology, Divine Governance, and the Common Good—
Reflections on the ITC's *The Search for Universal Ethics:*
*A New Look at Natural Law***

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THE International Theological Commission's document on natural law—*The Search for Universal Ethics: A New Look at Natural Law*¹—manifests a rich awareness of the speculative and essentially teleological foundations of the natural law. It likewise displays awareness of the history of metaphysical obscurity that has marginalized and distorted proper understanding of the natural law, thus engendering a false ethos of the absolute autonomy of the human moral agent vis à vis divine Providence: an apotheosis of arbitrary will criticized in *Veritatis Splendor*.

In what follows below, I address three distinct *foci* of the ITC paper. First I engage the document's teaching inasmuch as it vindicates the primacy of the speculative in relation to the practical—a judgment focally articulated in its stress on the centrality of metaphysical wisdom for moral judgment, and its corresponding judgment of the essential moral import of natural teleology. Secondly, I will address the ITC document's affirmation of the strategic importance of a non-competitive account of divine and human causality for the understanding of natural law as a mode of the divine providence. This is perhaps the most strategically important of the several speculative judgments that frame our understanding of the eternal law in both its natural and its graced participations. Further, disorder with respect to it engenders a distinctively

¹ This essay cites the translation of Joseph Bolin, revised March 25, 2010, and available on the internet at www.pathssoflove.com/universal-ethics-natural-law.html#2.3.

erroneous superordination of the autonomy of the human agent in relation to natural and divine law. Thirdly, and finally, I will briefly offer comment regarding the document's treatment of the common good in relation to just claims or "rights."

I. The Primacy of the Speculative and the Normative Role of Natural Teleology

The document unequivocally affirms the priority of the speculative vis à vis the practical in moral theology and philosophy, chiefly through its unrelenting stress upon the definitory importance of metaphysical truth, but also by its clear and unequivocal affirmation of the essential ethical import of natural teleology. It observes (§61) "two levels of coherence and depth" in the "philosophical justification of natural law." Thus "[t]he idea of a natural law is justified primarily on the basis of reflective observation of the anthropological constants that characterize a successful humanization of the person and a harmonious social life." Yet it continues to note (§62) that the defining character of the natural law is a function of metaphysical judgment:

Still, only by taking into account the metaphysical dimension of reality can we give natural law its full and complete philosophical justification. In fact metaphysics allows one to comprehend that the universe does not have in itself its own ultimate reason for being, and manifests the fundamental structure of reality: the distinction between God, subsistent being itself, and other beings placed by him in existence. God is the Creator, the free and transcendent source of all other beings.

Thus, it continues (§63):

The Creator is not only the principle of creatures but also the transcendent end towards which they tend by their nature. Thus creatures are animated by a dynamism that carries them to realize themselves, each in its own way, in the union with God. This dynamism is transcendent, insofar as it proceeds from the eternal law, i.e., from the divine plan of providence that exists in the Spirit of the Creator. But it is also immanent, since it is not imposed on creatures from without, but is inscribed in their very nature. Purely material creatures realize spontaneously the law of their being, while spiritual creatures realize it in a personal manner. They interiorize the dynamisms that define them and freely orientate them towards their complete realization. They formulate them for themselves, as fundamental norms of their moral action—the natural law in its proper sense—and they endeavor to realize them freely. The natural law is therefore defined as a participation in the eternal law.

The definition of a thing is not accidental but rather essential to it. As St. Thomas teaches in *Summa theologiae*, q. 79, a. 11, the only difference between acts of speculative and practical intelligence is that in the latter, knowledge is further ordered to the good of an operation—something accidental to knowledge as such, which is essentially defined by the adequation or conformity of the mind to the real. For knowledge to be ordained to the good of an operation, one must of course will the operation; as a human act, this presupposes rational desire—the motion of the will—which presupposes knowledge that is prior to and that specifies the motion of the will toward the desired good. Thus a speculative knowledge—a *speculum*—is implicitly and actually present in every practical cognition. It could not be otherwise. Thus the nature of reality necessarily defines one's moral vision—moral life cannot momentarily detach from the nature of reality later to return. It is not a function of deriving reasons for action from propositions lacking reasons for action: because good—in all its analogical modalities, ethical as well as culinary, athletic, technical, et alia—is nothing other (cf. *ST I*, q. 5, aa. 1–3) than being with a conceptual relation to appetite as perfective.

Robert George, in measured response to criticisms of the new natural law theory advocated by Germain Grisez, John Finnis, John Boyle, and himself, has argued² that “in the epistemological mode of inquiry, our (practical) knowledge of human good(s) is methodologically prior to our (speculative) knowledge of human nature. The latter presupposes the former: It is not, as neo-scholastics suppose, the other way around.” He argues further elsewhere³ that one may not derive a conclusion with a reason for action from premises that do not contain reasons for action. This latter point is incontrovertibly true. Yet the question is: does an adequate understanding of being and nature contain no reasons for action for human beings? Or: is knowledge of that to which man is naturally ordered not precisely a speculative knowledge of an order with practical implications (and thus, in the real order, a knowledge containing reasons for action)? Is man's nature teleologically ordered, or is it not? Because *insofar as it is*, knowledge of that order will therefore involve reasons for action and practical implications. Is there an order to the good? What sort of reality is an “ought”?

² Robert P. George, “Recent Criticism of Natural Law Theory” *University of Chicago Law Review* 55 (1988): 1416.

³ Cf. Robert P. George, “Natural Law and Human Nature” in *Natural Law Theory*, ed. Robert P. George (Oxford: Clarendon Press, 1992), 31–41, especially, for example, 38: “We cannot deduce or infer reasons for action from premisses that do not include reasons for action. We cannot deduce or infer basic reasons for action from anything.”

Before we desire an end, we must know something of it, and as this knowledge precedes appetite, it precedes the practical cognition that ordains truth to the good of an operation. Thus the dependence of the practical upon the speculative is not a matter of *logical* derivation of “value” from “fact,” but of the necessary inception of appetite in *knowledge of reality*. In order for there to be right appetite of the end, there must first be knowledge of the end.⁴

Knowledge as such is essentially speculative—a matter of the conformity of mind and thing: it is accidental to knowledge *qua* knowledge that it be further ordered to the good of an operation. Whereas *sciences* are differentiated as speculative or practical by their objects, according as these objects essentially concern *doing* or *making*, or do not, *acts of the mind* are differentiated by their *ends*. Either the end is simple knowledge, or that knowledge is *further ordered for the sake of the good of an operation*. Thus, for example, there may be speculative knowledge of practical science (I may contemplate the structure of the good life not immediately to apply it to action, but simply to understand it—yet ethical science is essentially practical). Whilst often the speculative is thought of as merely tantamount to the theoretical, this is not the case (although the speculative *includes* the theoretical): for example, whether someone is, or is not, in the room with one, is speculative knowledge *unless one is ordering that knowledge toward the good of an operation*.

Although in practical knowing one orders the known truth to the good of an operation, *whether* it is truth that is so ordered is a function of conformity or nonconformity to the real: it is a *speculative* function. *To be clear, it is hardly the case that merely because I order some judgment to my operation that therefore that judgment is true: to the contrary, its truth is a function of adequation to the real irrespective whether I wish to apply it to action or not.* No matter what I may wish to order my knowledge to practically, *whether* it is true is not merely a function of *what I plan to do*. For example, whether salt will or will not ease the pain of a wound is not merely a function of my practical intention to order the application of salt to the good of the operation of easing the pain of a wound (something that one would swiftly discover has the opposite result).

This awareness of the primacy of *being* and of *the speculative* leads to the realization of the normative moral role of unified teleology. The docu-

⁴ ST I–II, q. 19, a. 3, ad 2: “In his autem quae sunt ad finem, rectitudo rationis consistit in conformitate ad appetitum finis debiti. Sed tamen et ipse appetitus finis debiti praesupponit rectam apprehensionem de fine, quae est per rationem.” Latin derived from the *Corpus Thomisticum*, *S. Thomae de Aquino opera omnia*, made available online by the University of Navarre at www.unav.es/filosofia/alarcon/amicis/ctopera.html#OM.

ment teaches (§69): “The concept of natural law presupposes the idea that nature is for man the bearer of an ethical message and establishes an implicit moral norm which human reason actualizes.” It comments on the disastrous implications for ethics that ensue insofar as “the corporeal world was identified with extension, certainly regulated by intelligible mathematical laws, but deprived of any immanent teleology or finality.” The point could not be clearer in the document’s affirmation that (§73):

In this context, in which nature no longer conceals any immanent teleological rationality and seems to have lost all affinity or kinship with the world of spirit, the passage from knowledge of the structures of being to moral duty which seems to derive from it became effectively impossible and fell under the criticism of “sophism or naturalistic fallacy,” denounced by David Hume and then by George Edward Moore in his *Principia Ethica* (1903). In effect the good was disconnected from being and from truth. Ethics was separated from metaphysics.

This is, of course, the description of a pathology of judgment: the good cannot be separated from being, because outside of being there is nothing. The role of the speculative in practical affairs—of being, nature, and natural teleology—is essential: the capacity to *abstract* from natural teleology does not establish its nonexistence or practical irrelevance. Knowledge of the ends for the sake of which human nature and action are ordered cannot help but be foundational in understanding the human good, and for achieving the corresponding prudential judgments regarding circumstances.⁵ Further, without the *order* of ends specifying the *order*

⁵ One must note that the precepts of the natural law, while perfected in application to the singular, are not determined or formally promulgated by that application—otherwise one has the Kantian ethic of the agent giving the law to himself rather than the participation of the agent in a normative and ethically directive order that is perfected in act through virtuous conduct: something that the first part of the document clearly rejects. One does not *prudentially* judge whether it is good or bad to betray one’s spouse or murder and cannibalize one’s neighbor—that is already under precept. Reading §§52–59 as implying more than that adequate prudence virtuously applies the norm of the law but rather that it *determines* it, would be to view the whole ethical life as *determinatio*, whereas intelligible general direction is not less direction for being more intelligible. Yet prudence does determine *the agent* in the application of precept such that the results of that application lie within the genus of the precept: hence there is determination, but it is of the agent with respect to the application of the law, not of the law itself *qua* law, whose author is God, but of the law *qua* this further perfection of instantiation regarding particular circumstance. And on this divine authorship as essential to the natural law, the document could not be more clear. Thus formulations such as (§58) “Prudence is a necessary passageway to authentic moral obligation” could—

of inclinations and the consequent *order* of precepts, individual goods in their ethical role become disjunct, atomized, and potentially infinitized, losing the ratio of the good, the distinctive normative place of each in a good life. Thus the truth of the hierarchy of ends defining the *ratio boni* is of foundational importance for our moral life.

Of course, were it true that efficiency did not presuppose teleology, this would destroy the very possibility of all knowledge of order in the world and accordingly render human action impossible—for if action were not by its nature more ordered toward one effect than toward another, rational choice would be impossible. As St. Thomas notes, without an end no reason either for determinate action or for the cessation of action is assignable.⁶ Just as the universe is a *cosmos*, an ordered whole of efficiencies ordained toward finalities which are ordered to the ultimate end, so is the ethical life a *microcosm*, an ordered whole whose order is specified by the order of ends, inclinations, and precepts. This of course stands opposed to the erroneous view that treats only positive science, and chiefly the positive science most abstractively immersed in *quantity*, as an adequate cognition of nature—a view that cannot even make sense of the *end* of becoming a good hypothetico-deductive physicist. Correction of such error begins with recognition of the primacy of the speculative, and of the essential role of natural teleology in moral life.⁷

absent the requisite distinctions—be misleading. Virtuous determination of the agent regarding singular circumstance is essential to the application of the law and as such a passageway to it and further instantiation/actuation/determination of it; but it is not a passageway to the law as in itself the very intelligible constitution of the law.

⁶ *Summa contra gentiles* III, chap. 2.

⁷ On this score, one must observe that even reason is teleologically ordained to its end *prior* to any act of reason: teleological order is the formal *precondition* of efficiency. There can be a tendency to suppose that, because man moves toward his end as specified by reason, that therefore his inclinational ordering is a pure function of understanding. Whereas, reason itself is ordained to the true *prior* to the understanding that reason is ordained to the true; and, further and more specifically, that understanding inform, incite, and specify volition is a function of the teleological ordering of human nature as a whole (granted, under the form of reason). One understands that water is good for one, but knowledge of one's own thirst plays a role in this understanding.

This does not mean that lower inclination trumps reason, but that reason discriminates the ordering in lower inclinations and so moves us to a genuinely rational appetite with respect to their objects, placing these in relation to the whole universe of good. Yet *that I am such a being* as, ensuing upon knowledge of a good, to be incited to desire for it, is a function of my entire nature and its teleology, and not merely of reason: granted that there must be rational apprehension of the good in order for one's will to be moved by it and toward it (which involves

II. At the Heart of the Eclipse of the Metaphysics of Being: The Absolutization of Human Autonomy

The ITC document's insight into the roots of moral antinomianism in the erroneous treatment of human and divine freedom as competitive—as though the divine causality were no different than a finite causality, or other

also the rational grasp of one's own subrational appetites and their objects in relation to the order of ends). For example, to say no more, such volition presupposes the general natural rational volition of the end—of the good in general, happiness—which is prior to further specification of the desire for happiness.

Act is prior to potency, absolutely speaking. And to know the good precisely as object *of desire*—under that *ratio*—one must first know the good, and be moved to desire it. Hence our understanding of the objective good *that ordains* is distinct from our understanding of the objective good precisely *as ordaining*, for the first is prior to the motion of the will, while the latter is subsequent. The knowledge of the good *for man* precisely as such includes reference to the motion of the will, because the good for man implies the ordering of man to something as an end, and potency is known only in relation to act: this is to say that the perfection of the end is thus known as terminating a *motio*, as activating a potency, even though in relation to *act* as such potency is accidental, because potency is *for the sake of act* and is defined by it. Although action is essentially ordained to end, it is accidental simply to the perfection specified by “end” that it be terminus of the act: the end is an extrinsic cause, as Thomas teaches (*ST* I–II q. 7, a. 3, resp.; also q. 7, a. 4, ad 2), even while it is “the most important cause of the act insofar as it moves the agent to act” (*ST* I–II, q. 7, a. 4, ad 2: “Ad secundum dicendum quod finis, etsi non sit de substantia actus, est tamen causa actus principalissima, inquantum movet ad agendum. Unde et maxime actus moralis speciem habet ex fine”). The notion of the good for man includes the attainment of that good through the motion of the will—this is the very reason why Thomas distinguishes our attainment of happiness and the reality in which happiness consists as both pertaining to beatitude. *Yet it is potency that is ordered to act and not the converse, and so our knowledge of some perfection can rationally direct the will*—we judge something worthy of desire; *whereas it is only following upon actual inclination that reflexive knowledge of the good as perfecting appetite occurs*. In a way similar to that in which, because one knows, one knows oneself to be a knower, so likewise because one is volitionally moved by rational apprehension of the nature of the good, one knows oneself to be ordered to the good.

Even if it be said that the knowledge of the good for man requires only the knowledge of something as *potentially* moving the will, the understanding of this potential motion can occur only on the basis of prior knowledge of *act*, because potency is knowable only in relation to act. To know the will as potentially moveable relative to a judgment of reason about being as perfective seems to require prior knowledge of the will as actually moveable, which is to say of the good as actually moving the will; and for that prior knowledge to occur, we must have known something about being, some objective aspect of a thing that actually incited appetite: the will must have been moved. Hence in our knowledge of the good, there is a first utterly speculative moment wherein our knowledge/judgment

than the very *cause* of human free acts themselves—is strategically crucial. It is subtle, and stated as cautiously and prudently as one can imagine—because this issue was the core of the *De auxiliis* disputations before the Holy See, the most difficult and profound set of disputations ever to be taken up by the magisterium. Here the document’s teaching is wholly correct. If one pursues the speculative etiology of the eclipse of metaphysics, one finds there a neuralgia that derives from the arguments regarding God and human freedom, from the Church’s failure to judge the doctrine of Molina, and from a consequent skepticism about the role of causal metaphysics within theological method. After all, consequent on the failure to judge Molina’s teaching, causal metaphysics became associated with what came widely to be viewed as a paralogue of speculative reason regarding divine and human agency. But a direct implication of the Molinist account is that the agency of the human will stands without the divine efficiency, and therefore stands without the divine causal providence.

Molina of course taught that the will is free only when, all requirements being retained, the will could will otherwise.⁸ But if among the “requirements” is the divine causality, the result is that human free acts must then be held to stand outside the divine causality. As St. Thomas puts the matter *expressly regarding the divine agent causality and providence* (ST I, q. 22, a. 2, resp.):

For since every agent acts for an end, the ordering of effects towards that end extends as far as the causality of the first agent extends. Whence it happens that in the effects of an agent something takes place which has no reference towards the end, because the effect comes from a cause other than, and outside the intention of the agent. But the causality of God, Who is the first agent, extends to all being, not only as to constituent principles of species, but also as to the individualizing principles; not only of things incorruptible, but also of things corruptible. Hence all things that exist in whatsoever manner are necessarily directed by God towards some end; as the Apostle says: “Those things that are of God are well ordered (Romans 13:1).”

of being forms, specifies, defines, and attracts the motion of the will—the *known object ordains such motion*, as it were. Thereupon we reflexively know the rationally apprehended reality precisely under the formality of its attraction of the will’s motion—not merely *the good* (that ordains), but precisely *the good as ordaining*. Because of the universal extension of teleology as the very condition of all efficiency, it is important not to overstate the efficiency of reason with respect to the motion of the will: the reason *informs* and *specifies* the will, but it is of the nature of man that the teleological ordering of his nature be such that certain known goods rationally attract.

⁸ Cf. Molina’s *Concordia*, q. 14, a. 13, disp. II.

The ordering of effects toward the end extends as far as the causality of the first agent extends, and it is quite clear that the causality in question is *agent* causality. If human freedom is *subtracted* from the effect of divine agency, then of course human freedom lies outside the divine providence, and accordingly wholly outside the eternal law, outside the divine providential ordering. Thus natural law would be impossible, because natural law is nothing other than the rational participation in eternal law, and eternal law and divine governance generally extend only so far as divine agency extends. As Thomas puts it in *ST* I–II, q. 91, a. 2, resp.:

Wherefore, since all things subject to Divine providence are ruled and measured by the eternal law, as was stated above (Article 1); it is evident that all things partake somewhat of the eternal law, in so far as, namely, from its being imprinted on them, they derive their respective inclinations to their proper acts and ends.

Remove human freedom from the divine providential government, and one has absolutized human freedom, rendering it *a se*, and rendered the very idea of natural law an impossibility. This is the proximate effect of defining human freedom in relation to God—who as cause of universal being is cause both of the necessary and the contingent—rather than defining freedom by its rational nature. Yet it is such a freedom that is articulated by the implied libertarian account of freedom that is in seedling present within Molina’s formulation. To the contrary, however, God is not merely a finite cause, but the source of all other causality, which accordingly is as such inscribed within the effect of His agency. Inasmuch as the proper object of God’s causality is being, to say that a thing possesses “liberty of indifference” to the divine causality is to speak of something as standing outside of being, to speak of it not existing. But not existing is neither freedom nor any other real attribute.

The non-competitive view of divine and created agency and causality—that is, that God’s causality is inclusive, not exclusive, of human freedom, because human freedom is a providential divine gift—is essentially intellectualist as St. Thomas Aquinas develops it. The ITC document is wholly correct in cleaving to this account (cf. §75 and §77). For St. Thomas, freedom of the will with respect to any finite object, inclusive of revealed truths, follows from the very nature of intellect and will. The intellect is ordered to the universal true, and the will is natively ordered toward the universal good, good in general (universal because rationally specified). But no finite good can compel the will, because no finite good is as such universal good.⁹

⁹ Cf. *ST* I, q. 82, a. 2, ad 2.

Hence even grace, construed *as an object of choice*, cannot compel the will. Only were man to see God would his will be wholly perfected and fulfilled in such a manner that nothing save cleaving to God would be possible. But regarding all terrestrial objects of volition, man is free. Freedom is thus defined by the will as a proximate cause in relation to its terrestrial objects, and not by its relation to God, a doctrine upon which Thomas strongly insists in *De malo*.¹⁰ Man's freedom is defined, not by a spurious liberty of indifference to divine causality that nothing real possesses or could possess, but by the nature of the rational will in relation to its finite terrestrial objects.

Man is not *a se*. As the ITC document puts it (§77), "Freedom is therefore not an absolute self-creator of itself, but an eminent property of every human subject." As Thomas Aquinas puts it, just as one may be cause of a thing without being the first cause, so one may cause one's own free act without being the first cause of one's own free act.¹¹ As nothing moves itself from potency to act save by virtue of that which is first in act, and man is not always proceeding to apply the natural motion of the will to act, God moves us from potency to act with respect to our own self-determination in freedom. Indeed, the divine simplicity is such that God has no real determined relation to the creature, whereas the creature is really determined toward and dependent upon God. The only difference between God willing *X* and God not willing *X* is the being of *X*, for there is no change in God. Thus, while grace as an object of choice is subject to our freedom—as we are free, say, to reject a grace calling us to prayer, or worship, et alia—grace *in relation to the divine simple will* is simply efficacious, because either God does or does not will the effect.

¹⁰ *De malo* q. 16, a. 7, ad 15: "And therefore necessity and contingency in things are distinguished not in relation to the divine will, which is a universal cause, but in relation to created causes which the divine will has ordered proportionately to the effects, namely in such a way that the causes of necessary effects are unchangeable, and of contingent effects changeable."—"Et ideo necessitas et contingentia in rebus distinguuntur non per habitudinem ad voluntatem divinam, quae est causa communis, sed per comparationem ad causas creatas, quas proportionaliter divina voluntas ad effectus ordinavit; ut scilicet necessariorum effectuum sint causae intransmutabiles, contingentium autem transmutabiles."

¹¹ *ST I*, q. 81, a. 1, ad 3: "Dicendum quod liberum arbitrium est causa sui motus; quia homo per liberum arbitrium seipsum movet ad agendum. Non tamen hoc est de necessitate libertatis, quod sit prima causa sui id quod liberum est; sicut nec ad hoc quod aliquid sit causa alterius, requiritur quod sit prima causa eius. Deus igitur est prima causa movens et naturales causas et voluntarias. Et sicut naturalibus causis, movendo eas, non aufert quin actus earum sint naturales; ita movendo causas voluntarias, non aufert quin actiones earum sint voluntariae, sed potius hoc in eis facit; operatur enim in unoquoque secundum eius proprietatem."

The perfection of our freedom in free acts is thus a gift, and even a gift for which we may and should pray. Hence in the composite sense, insofar as God moves me freely to will, I am not not-freely moving to will, because I cannot freely move and not freely move at the same time and in the same respect, and freedom is not a denial of the law of noncontradiction. What makes the act free is that we are ourselves interiorly the source of the act, and no finite object of our free choice can compel our choice. Yet as an act the free choice stands within and not without the divine causal providence.

Considered from the most formal and metaphysical perspective, the question is whether God is genuinely the first cause of every perfection of being. If so, then God must be the first cause of the perfection of our free acts of self-determination, and this is indeed the teaching of Aquinas. Hence he writes in *De malo*, q. 3, a. 2, ad 4:

When anything moves itself, this does not exclude its being moved by another, from which it has even this that it moves itself. Thus it is not repugnant to liberty that God is the cause of the free act of the will.¹²

Thomas famously argues (*ST* I–II, q. 109, a. 1, resp.) that no creature, no matter how noble, can even proceed to its act unless it first be moved by God, and that the action of any created being depends upon God in two ways, “first inasmuch as it is from Him that it has the form whereby it acts; secondly, inasmuch as it is moved by Him to act.”¹³

¹² “Similiter cum aliquid mouet se ipsum, non excluditur quin ab alio moueatur a quo habet hoc ipsum quo se ipsum mouet. Et sic non repugnat libertati quod Deus est causa actus liberi arbitrii.” The antecedent text of this response to the fourth objection is also very much to the purpose: “Ad quartum dicendum quod cum dicitur aliquid mouere se ipsum, ponitur idem esse mouens et motum; cum autem dicitur quod aliquid mouetur ab altero, ponitur aliud esse mouens et aliud motum. Manifestum est autem quod cum aliquid mouet alterum, non ex hoc ipso quod est mouens ponitur quod est primum mouens: unde non excluditur quin ab altero moueatur et ab altero habeat hoc ipsum quod mouet.”—“To the fourth it should be said that when it is said that something moves itself, that the same thing is mover and moved. But when it is said that something is moved by another, the moved is taken to be one thing and the mover another. But it is clear that when something moves another, from this it is not taken to follow that it is the first mover: wherefore it is not excluded that from another it is itself moved and from this other it has even this, that it moves.” Thence the lines follow that “when something moves itself, this does not exclude that it is moved by another from which it has even this, that it moves itself. And thus it is not repugnant to liberty that God is the cause of the free act of the will.”

¹³ *ST* I–II, q. 109, a. 1, resp.: Manifestum est autem quod sicut motus omnes corporales reducuntur in motum caelestis corporis sicut in primum mouens corporale;

If we remove the positive substance of man's free acts from the transcendent divine causality, it will follow as a necessary corollary that the positive substance of these free acts is alike removed from divine providence. *And that which lies outside divine providence is not subject to the direction of eternal law.* From this point onward, that which for St. Thomas defines the natural law—namely, that it is a *rational participation* in the *eternal law*—will become something *extraneous* and *alien*.¹⁴ On this supposition, finite human creatures roam the earth creating *ex nihilo* the added perfection or reality of their free determinations, entirely outside of the divine causality, the divine providence, and the eternal law.¹⁵ The volitional agent is thus removed from the divine jurisdiction in being removed from the divine causality. *This directly implies a way of understand-*

ita omnes motus tam corporales quam spirituales reducuntur in primum movens simpliciter, quod est Deus. Et ideo quantumcumque natura aliqua corporalis vel spiritualis ponatur perfecta, non potest in suum actum procedere nisi moveatur a Deo. Quae quidem motio est secundum suae providentiae rationem; non secundum necessitatem naturae, sicut motio corporis caelestis. Non solum autem a Deo est omnis motio sicut a primo movente, sed etiam ab ipso est omnis formalis perfectio sicut a primo actu. Sic igitur actio intellectus et cuiuscumque entis creati dependet a Deo inquantum ad duo: uno modo, inquantum ab ipso habet perfectionem sine formam per quam agit; alio modo, inquantum ab ipso movetur ad agendum." I.e., "... all movements, both corporeal and spiritual, are reduced to the absolutely First Mover, Who is God. *And hence no matter how perfect a corporeal or spiritual nature is supposed to be, it cannot proceed to its act unless it be moved by God.* Now this motion is according to the plan of His providence, and not by a necessity of nature, as the motion of the body of the heavens. *But not only is every motion from God as from the First Mover, but all formal perfection is from Him as from the First Act. Hence the action of the intellect, or of any created being whatsoever, depends upon God in two ways: first, inasmuch as it is from Him that it has the form whereby it acts; secondly, inasmuch as it is moved by Him to act*" (my emphasis).

¹⁴ If the volitional act is not subject to divine causality, it is alike not subject to divine providence. This inference is absolute. St. Thomas does not, of course, envision this causality as violent or external. Rather, the divine causality of the acts of the will is precisely that whereby they are naturally constituted as volitional acts. God causes necessary things necessarily, and contingent things contingently, and the will is denominated as "free" because it is not an operative power prefixed to only one effect, but has for its formal object the universal good as specified by reason. Thomas holds that no finite good may compel the rational will, so that the will is objectively free with respect to its natural finite objects. Yet he also maintains that the rational will cannot proceed to its own act of free self-determination unless moved from potency to act with respect to this act of free self-determination by God.

¹⁵ The citations possible for this doctrine of St. Thomas are numerous. But, for instance, see ScG IIIb, chaps. 89–90. The title of chapter 89, is quite clear: "That the Movement of the Will, and Not Only the Power of the Will, is Caused by God."

ing the natural law that Thomas's philosophy and theology prohibit—a way which treats nature and natural law not as manifestations of divine government¹⁶ but as demarcating a zone of independence from divine governance.

Nature and reason go from being manifestations and expressions of normative divine order to being antipodes of divine order to which one may appeal in order to “safeguard” human freedom from divine authority. God moves from being the author and perfecter of human liberty and virtue to being a threat to authentic human freedom and an alien distortive influence upon morality. The symmetry of these implications with Kantian autonomism is arresting, yet this aspect of the Kantian teaching is a late and secular effect of what is originatively an intra-Catholic error. Practically speaking it is an error that removes both moral law and grace from any authoritatively directive role in human life. It is not difficult to see how, given the perspective of such an absolutization of human freedom, the magisterium of the Church with respect to moral life should be received with hostile skepticism as nothing other than an inherently futile and falsifying exertion of raw power over an interiority and freedom natively transcendent of such merely external exactions—or as the ITC document puts it (§77):

Further, through the emergence of a metaphysical conception in which human and divine action compete with one another, inasmuch as they are understood univocally and placed, wrongly, on the same level, the legitimate affirmation of the autonomy of the human subject implies that God is excluded from the sphere of human subjectivity. Every reference to something normative coming from God or from nature as an expression of God's wisdom, every “heteronomy,” is perceived as a threat to the subject's autonomy. The notion of natural law then appears incompatible with the authentic dignity of the subject.

The magisterium's directions thus come to be viewed in the same way as a bowling league would be were it to issue pronouncements on correct use of the generative powers: at best *ultra vires* and at worst comically

¹⁶ For St. Thomas, the rational creature both passively and actively participates the eternal law. It passively participates this law because its very own nature, act, object, and end are established by the eternal law and received from God as first cause. Yet unlike the case of lower creatures who participate the divine government in a merely passive way—precisely because the rational creature is created, sustained, and actuated as such—it actively participates the eternal law and shares in its own government. Because its passive participation includes the possession of reason, the rational creature receives its ordering from God not merely passively but rationally and *preceptively*, as giving it *reasons* to do and not to do. Cf. *ST* I–II, q. 91, a. 2.

pathetic. Such an error at the root of the spiritual life is manifestly not finally compatible with the Catholic ethos. Yet many, through concessions to modernity and postmodernity on this fundamental point, have exposed the Catholic life to this foundational and destructive error.¹⁷ Eventually the project of mere rhetorical and irenic accomodation of mutually exclusive propositions will require that the project of theology as wish fulfillment give way to theology as *scientia* and *sapientia*. The ITC document does well to prompt theologians toward the realization that the first—*scientia*—is essential and necessary, and cannot be replaced by even the most elevated rhetoric.

III. The Common Good

A brief concluding remark seems in order regarding the document's treatment of the common good. It speaks (§86) of the common good as corresponding "to a requirement of the social nature of the person," as defining "the ensemble of values that appear as humanizing for a society" and as expressing not a vague social agreement but based upon and expressing "the requirements of their common humanity." Surely this is nothing other than the hierarchy of ends as defining the *ratio boni*, the ends of human nature as a common good. The document states, "The person is therefore prior to society, and society is humanized only if it responds to the expectations inscribed in the person insofar as he is a social being." Importantly, the sense of this *priority* is that of the *ex natura* perfections defining the hierarchy of ends—"the ensemble of values that appear as humanizing for society"—and not any contractarian or autonomist superordination of the individual person to the goods perfective of human nature. The document in addition teaches that natural right is

¹⁷ Some authors seem to suppose that the reality of human freedom as lying within rather than without divine causal providence should absolutely require God to overcome every defect of each and every created liberty. But God does not in justice owe it to the defectible creature to overcome every defect even in the proportionate natural order—any more than God owes it to every pear tree that it yield perfect fruit—much less in the order of supernatural fruition whose attainment is the very reality of God Himself. Yet some are more willing implicitly and actually to relativize and reduce to created proportions the exalted perfection of the beatific vision—which is proportionate to no creature whatsoever—than to stress to the wayward wills of men the absolute priority of divine grace and the lesson of humility. It cannot be denied that this unfortunate tendency, articulated in doctrinal terms, has real implications finally inconsistent with acknowledgement of the governance of divine providence and eternal law, whether in the mode of man's rational participation (the natural law), or man's graced participation (the life of faith, hope, and charity, and finally of beatific vision).

derivative rather than *foundational*, since it is derived from justice in accord with natural law (§89): “Right is not arbitrary: the requirement of justice, which derives from natural law, is prior to every formulation and emancipation of right. It is not right which decides that something is just.” Rights are derived and limited from above by the natural hierarchy of ends, while being derived and limited, from below, by prudence in relation to circumstance:

Natural right is never a measure fixed once for all. It is the result of an evaluation of the changing situations in which man lives. It enunciates the judgment of practical reason assessing what is just. Natural right, the juridical expression of the natural law in the political order, thus appears as the measure of the just relations between the members of the community.

One observes, however, the need to bring out as clearly as possible the metaphysical dignity of the common good. Granted that there may be certain methodological uses for conceptions of the common good as purely instrumental, *in reality the common good is not a mere instrument, but rather a good that of its nature is more communicable to many, more intelligibly irradiant, more universal and rationally diffusive*. Far from a mere utility, it represents a noble object of aspiration, striving, and service. Man does not live, breathe, and die for a mere utility or instrumentality. Precisely because the document offers a teleological and metaphysically realistic consideration of the common good, it would be strengthened by a clearer affirmation of the non-instrumental nature of the common good. N V