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**ADDIS ABABA UNIVERSITY  
SCHOOL OF GRADUATE STUDIES**

**Thomas Aquinas on the Existence of God, and  
Concept of Politics**

**By**

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**July, 2011**

**Addis Ababa**

Thomas Aquinas on the Existence of God, and  
Concept of Politics

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## **Introduction**

Tomas Aquinas was the greatest of medieval philosophers and of the medieval theologians. That is, he is an immensely influential thinker and theologian. His influence on western thought is considerable, and much of modern philosophy was conceived as a reaction against, or as an agreement with his ideas; particularly in the areas of ethics, natural law and political theory. All these facts about Aquinas have motivated me to do my paper on his philosophy.

This paper is a work of exposition. I would like to explicate Aquinas's work about the existence of God and his philosophy of law. After doing over the two important theories in his work, I shall end my thesis with his theory of free will.

I doing so, I have structured my arguments in three chapters. Chapter one works on the Existence of God. Aquinas insists that philosophically we can demonstrate the existence of God. Accordingly, he provides us with five ways of proving the existence of God. So, here I shall focus mainly on these ways.

Chapter two works on the concept of law and its classifications. Aquinas defines the concept of law as "a certain rule or measure of acts, where by man is induced to act or is restrained from acting." He also discusses the concept of law in relation to "Reason" and "Common Good." Aquinas believes that since actions are taken according to reason, that which guides actions also must be taken according to reason. So, law has an essential relation to reason.

Aquinas also insists that law is directed by its nature to the good, and especially to the common good. Thus, the ruler should act for the good of the state, i.e., his law should aim at the common good of the citizens. In fact, with regard to the concept of state, I shall also explain the views of both Aristotle and Aquinas.

For Aquinas there are four main kinds of law. These are: Eternal law, Natural Law, Human law, and Divine law. Among these laws he considers eternal law as the highest law. I shall explain each of these laws in this chapter. We shall see, for instance, some of the requirements that human law should fulfill to be a just law. We will see also why the divine law is necessary in addition to the natural and human laws.

Finally, chapter three works on Aquinas's doctrine of Free will. Aquinas believes that insofar as man is rational it is necessary that man has a free will. Man differs from irrational animals in that he is the master of his actions through his reason and will.

Even though my main endeavor is to expose Aquinas's central claim on the above mentioned topics, I shall advance my own critical position when I find it necessary.

Indeed, Aquinas is highly influenced by Aristotle's philosophy. He wrote several commentaries on Aristotle, including on the soul, Nicomachean Ethics, Metaphysics, and Politics. In addition, he has also written short treatises on Being and Essence, on Eternity of the world, on the unity of the intellect, and on separate substances. With regard to the concept of "state", for instance, Aquinas followed Aristotle in deriving the idea of the state from the very nature of man. And they also argue that man is a political animal because he is a social being. That is, the state, which is the highest expression of human fellowship, must have its roots in social experience. This indicates that Aquinas makes full use of Aristotle's notion of man as a political animal.

Even if Aquinas did not write a separate full treatise on politics his political thought is primarily included in his philosophical discussions of law. The books which encompass these discussions are "summa Theologica," "Summa Contra Gentiles" and "De Regimens Principium." The works for which he is best known are the Summa Theologica and the Summa Contra Gentiles. In these

two his most popular books Aquinas discusses various important philosophical concepts. In *Summa Theologica*, for instance, he immensely discusses the following concepts: God, Man; his powers; his knowledge, human facts, virtues, Law, Grace, etc.

# CHAPTER ONE

## The Existence of God

### 1.1. The Five Ways

Aquinas insists that with regard to the concept of God and related issues what should come first in discussion is the question of God's existence. That is unless we demonstrate that God exists, it is difficult to discuss about God and related issues. That is why I am just presenting, in this paper, "the existence of God" as the first topic of the first chapter. In his book entitled *summa contra Gentiles*, Aquinas argues as follow:

*"Now, among the inquires that we must undertake concerning God in Himself, we must set down in the beginning that whereby His existence is demonstrated, as the necessary foundation of the whole work. For, if we do not demonstrate that God exists, all consideration of divine things is necessarily suppressed." (Miller, 1996: p.251).*

Certainly the question of God's existence is the most important question. It affects the nature and general meaning of human life, whether man is regarded as the supreme being in the universe or whether it is believed that man has a superior being that he must love and obey. Aquinas strongly argues that the existence of God can be demonstrated; God's existence can be demonstrated philosophically. "Demonstration", he says, can be made in two ways. These are:

- i. "through the cause"-this is to argue from what is prior absolutely. Aquinas also otherwise calls it as "propter quid" or a priori.
- ii. "through the effect"- Aquinas also calls this way of demonstration as "a demonstration quia" or "a demonstration a posteriori." This way of demonstration, according to Aquinas, is necessary when an effect is better known to us than its cause. That is if an effect is better known to us than its cause, it is necessary to proceed from effect to the knowledge

of the cause. So, Aquinas proposed that the existence of a cause can be demonstrated from every effect of itself. That is if the effect exists the cause must pre-exist due to the fact that every effect relies upon its cause. Hence the existence of God can be demonstrated from those of His effects which are known to us.

However, here with regard to cause-effect relations; on demonstration of God's existence, one may raise the following question. That is: How is it possible to demonstrate the existence of God by something which is not proportionate to it? In other words, if God is infinite but His effects are finite, this indicates that His effects are not proportionate to Him because between the finite and infinite there is no proportion. So the question is how a cause could be demonstrated by an effect not proportionate to it?

If the effects are not proportionate to cause, Aquinas in answering the above question, attaining perfect knowledge of that cause is impossible. But from every effect the existence of the cause can be demonstrated. That is even if we can not perfectly know God as He is in His essence, we can demonstrate the existence of God from His effects. Accordingly, our knowledge of God starts from what we know of the world in which we live. That is we can know that God exists because the world in which we find ourselves can not account for itself.

Concerning the concept of God many arguments have been developed. Among these arguments the most prominent are the following: "Cosmological argument," "Ontological argument", "Teleological argument", and "Moral argument". Both cosmological and teleological arguments are a posteriori. That is both try to demonstrate the existence of God by means of sense experience; gives evidence from the world, from observable, empirical universe. Whereas the ontological and moral arguments are a priori so that they try to demonstrate the existence of God merely through reason, i.e., independent of sense experience. So the

a priori approach argues from a conception of God as a being so perfect that His non existence is inconceivable.

Cosmological argument, which was developed by Aquinas, mainly states that the cosmos is a contingent being, and all contingent (caused) being relies for its existence on some uncaused being. Thus, the cosmos depends for its existence on some uncaused being. Accordingly, Aquinas insists that our knowledge of God starts from what we know of the world in which we live. We can know that God exists because the world in which we find ourselves cannot account for itself. So the cosmological argument requires a careful look at the world. The same is true for teleological argument. However, the former focuses on the causes while the latter stresses on the design of the universe.

Aquinas argues that both “faith” and “reason” can discover truth. The conflict between them is impossible since they pertain to the same unity, i.e., truth, they both originate in God. Reason (natural revelation) covers what we can know by experience and logic alone. From reason we can know that there is God and that there is only one God. These truths about God are accessible to any one by experience and logic alone a part from any special revelation from God. Faith (Supernatural revelation) covers, Aquinas says, what we can know by God’s special revelation on to us which comes through the Bible and Christian tradition.

So, according to Aquinas, faith builds on reason. faith and reason are both ways of arriving at truth. If we understand, Aquinas says, faith and reason correctly, there will be no conflict between what faith tells us and what reason tells us. Thus here Aquinas tried to show the harmony between faith and reason; between Christianity and Philosophy. With regard to the relation between religion and philosophy, Jurgen Habermas, for instance, says that “religion without philosophy is speechless, philosophy without religion is contentless...” (Mendieta, ed.2002: p.28).

Likewise Max Horkheimer, one of the prominent figures of the Frankfurt school, criticized the enlightenment's effort of detaching "reason" from "religion". In his book entitled "Eclipse of Reason", Horkheimer, argues that by detaching reason from religion, the enlightenment effectively killed metaphysics; having cut itself off from any notion of a grounding World view. By having cut itself off from any notion of a grounding World view, enlightenment finds its ultimate expression in the development of pragmatism. And for Horkheimer pragmatism reflects a society that has no time to remember and meditate. So, Horkheimer's "Eclipse of Reason" deals with the concept of reason within the history of Western Philosophy. In the history of western philosophy, Horkheimer insists, we have moved from "objective reason" to "subjective reason". Objective reason deals with, according to him, universal truths. Whereas actions that produce the best situation for the individual are "reasonable" according to the subjective reason. In another of his books entitled "Theism and Atheism," Horkheimer, insists the following:

*"Without God one tries in vain to preserve absolute being... the death of God is also the death of eternal truth." (Ibid: p.6)*

So, according to Horkheimer the ills of modern society are caused by misuse and misunderstanding of reason. If people use true reason to critique their societies, they will be able to identify and solve their problems. The reduction of everything to mere practicality robs humanity of something fundamental to it, i.e., seeing something beyond ourselves, outside of ourselves. That is, practicality reduces everything to a mere tool and this is, according to him, the essence of totalitarian violence.

Horkheimer also insists the following:

*"the yearning for a wholly other is a figure of thought that seeks to preserve the longing that unites all men so that the horrible events, the injustice of history so far would not be permitted to the final, ultimate fate of the victims" (ibid).*

Just like the above Horkheimer's idea, Aquinas also insists that just as the first cause of all beings, God unites them and pertains them to the same unity. Horkheimer also argues that "the appeal to an entirely other than this World had primarily a social-philosophical impetus. Religion retains an ineradicable philosophical and conceptual importance, without which criticism of actuality and society is unthinkable" (ibid).

Before I am going to discuss Aquinas's Five Ways of proving the existence of God, let us see some important objections with its reply about the existence of God. These objections were raised by Aquinas himself.

**Objection I:** It seems that God does not exist, because if one of two contraries be infinite, the other would be all together destroyed. But the name God means that He is infinite goodness. If, therefore, God existed, there would be no evil discoverable, but there is evil in the world. Therefore God does not exist. (Summa Theologica Pegis, trans. 1948: p.24)

**Reply:** Here Aquinas quoted Augustine. Augustine says: since God is the highest good, he would not allow any evil to exist in His works, unless His omnipotence and goodness were such as to bring good even out of evil. So Aquinas says that this is part of the infinite goodness of God, that He should allow evil to exist, and out of it produce good. (Ibid: p.27)

**Objection II:** it is superfluous to suppose that what can be accounted for by a few principles has been produced by many. But it seems that everything we see in the World can be accounted for by other principles, supposing God did not exist. For all natural things can be reduced to one principle, which is human reason or will. Therefore there is no need to suppose God's existence.

**Reply:** since nature works for a determinate end under the direction of a higher agent, whatever is done by nature must be traced back to God as to its first cause. So likewise whatever is done voluntarily must be traced back to some higher cause other than human reason and will since these can change and fail; for all things that are changeable and capable of defect must be traced back to an immovable a self-necessary first principle. (Ibid)

Aquinas insists that belief in God's existence is one for which good philosophical reasons can be given. So, now let us proceed to Aquina's Five ways of proving the existence of God. According to Aquinas the existence of God can be proved in five ways. These are:

- 1) Argument from Motion
- 2) Argument from the Nature of Efficient cause
- 3) Argument from Possibility and Necessity
- 4) Argument from Gradation to be found in things
- 5) Argument from the Governance of the World

### **Argument from Motion**

We know that, Aquinas argues, there is motion in the world. Some objects in the world are in the state of motion. But the question is could these things move themselves? Aquina's response for this question is not affirmative rather it is against it. He argues that if something is in motion, then it must be caused to be in motion by something outside of itself. That is anything moved or changed is moved or changed by something else.

*“anything changed or moved is changed or moved by something else. ‘Omne quod movetur ab alio movetur.’ Because a thing which has changed has become what was not to begin with, which can only happen if there is something from which the reality attained by the thing as changed some how derives” (Marenbon, ed. 1998: p.245).*

Like Aristotle for Aquinas, “Motion is the reduction of something from potentiality to actuality” (Fremantle, trans. 1954: p.152). But nothing can be, Aquinas says, reduced from potentiality to actuality except by something in a state of actuality.

*“if that by which it is put in motion be itself put in motion, then this also needs be put in motion by another, and that by another again. But this cannot go on to infinity because there would be no first mover, and consequently, no other mover.” (ibid: p.153)*

The above Aquinas’s point tells us that even if there are subsequent movers, these cannot go on to infinity. For there can be no infinite chain of movers. Therefore, Aquinas concludes that there must be something which causes change or motion in things without it self being changed or moved by anything. That is there must be an unchanged changer or an unmoved mover. We arrive at some first mover or change not itself being changed by anything; a first mover, itself motionless and causing other forms of motion. And Aquinas calls this as God.

Among Aquina’s five ways, Aristotle’s influence is particularly prevalent in the-First way. In chapter six of the *Metaphysics*, Aristotle begins a discussion about “substances”. One of the substances he describes is that of an “unmoved mover” which, he argues, exists by necessity and is eternal. For something to be eternal, it is neither created nor destroyed, but always has and always will exist. For something to be a substance, it exists by virtue of itself in the sense that its existence is not dependent on anything else-it just is. In contrast to substance, Aristotle also describes things that have “accidental” existence whose existence depends and adheres to an underlying subject. To give you a better sense of his line of thought here, consider the following entity-a human being named Socrates. This entity is substance as far as Aristotle understands it would be the entity’s “human-being-ness.” Socrates is, by his very nature, human. His is human. But the fact that Socrates has the name “Socrates”, and

is Greek, and is a philosopher, and is hungry today or sleepy, is “accidental”- these predicates adhere to socrate’s human-being-ness by accident. In other words these are contingent modifications of socrates’ underlying essence.

Thus according to Aristotle the unmoved mover is a certain kind of “being’ or “substance” just as human being is a kind of “substance”. It has certain essential qualities which are not accidental modifications. Unlike human beings or other “substances”, the unmoved mover has a special unique quality, i.e., it is neither “moved” nor “changed” by any external agency. When Aristotle uses the word “moved”, he conceives of more than just physical motion, but a state of being the effect of some cause or being affected by some external agency.

One of the distinguishing features of the unmoved mover, according to Aristotle, is that there are no substances, or entities, in the universe that are able to cause any modifications upon it. It is always the ultimate agent of any activity.

Why Aristotle believed in the existence of the unmoved mover? The main reason for this is that due to the existence of change; we experience that things move and change. That is, things are always changing in the universe. If we are willing to grant the existence of change, we must necessarily infer the existence of time, since in the context of change, there is a before and after. “change implies as sequence of events and a sequence of events implies time, or a before and after.” (Guthrie, trans 1981: p.257)

If we observe that, Aristotle continues, there is always change and we observe that there is time, where do change and time come from? Aristotle contends that there must be some substance in the universe which keeps things in

motion eternally, and so this substance itself must be eternal to do so. Aristotle continues by arguing that:

*“nothing is moved at random, but there must always be something present to move it. And so if one were to identify all the movements in the universe, one could theoretically trace all those motions to some motivating force.” (Ibid)*

Therefore, the unmoved mover is a philosophical concepts described by Aristotle as the first cause that sets the universe into motion.

But with regard to prime (first) mover, as I think, Aquinas did not clearly justify why it is only necessary one prime (first) mover. That is, why not be a whole team of gods, just as David Hume insisted, working on the project together? Or why not be two rather than one mover? Indeed, Hume criticized Aquina’s argument. In particular, he emphasized that there is no legitimate way we can infer the properties of God as the creator of the world from the qualities of His creation. Hume questioned how we can be sure that the World was not created by a team of gods?

In addition to Hume, Immanuel Kant also criticized the cosmological argument just like he did on ontological and teleological arguments. Kant said that ‘reason is too limited to know anything beyond human experience.’ But he justified God’s existence from the perspective of morality. “God’s existence, Kant says, “is a necessary presupposition of there being any moral judgments that are objective, that go beyond mere relativistic moral preferences.” Such judgments, according to him, require standards external to any human mind, i.e., they presuppose God’s mind. More generally, for Kant the existence of God is a matter of faith. In addition to the existence of God the immortality of the soul, for him, is a matter of faith.

## **Argument from the Nature of Efficient Cause**

Argument from the nature of efficient cause insists that if an event happens, then it must be caused by something outside of itself. By this it means that anything, circumstance or event cannot change itself, but can only change something else. So, according to this way it is impossible a thing to be the efficient cause of itself; every effect must have a cause, if you eliminate the cause you eliminate the effect. Why? Because a thing to be the efficient cause of itself, it should be prior to (or come before) itself, and this is impossible according to Aquinas. So, this second approach is similar to the first, but focuses on cause and effect rather than on potential motion being converted into actual motion.

For Aristotle there are four kinds of causes: “Material”, “Formal”, “Efficient” and “Final” cause. So, Aquinas’s second way (i.e., “argument from the nature of efficient cause”) was extracted from this. According to Aristotle, just the way as Aquinas make use of, efficient cause means the thing that brings something about. That is, the source of the first beginning of change; and that which produces is the cause of that which is produced.

According to Aquinas, as we have observed above, if an event happens, then it must be caused by something outside of itself. But there can be no infinite cause /effect chains. Therefore God exists. That is why this argument is also otherwise known as “Argument from causality.”

But here with regard to the first efficient cause one may raise the following question. That is: Aquinas decides, arbitrarily, that this first cause is called by every one God. The question is why he calls it as “God”?

The main reason why Aquinas calls this being God is because people have thought of God as the creator. Hence the uncaused first cause is God since it would mean He is the creator.

There is also one question which comes in to my mind. That is, if God made (caused) the universe, then who made (caused) God Himself? If one insists that the world had a cause, must one not also insist that God had a cause? As I think this question would also be the question of most people. But Aquinas answers this question by saying no. For if God is a necessary being, then it is unnecessary to inquire into His origins. It would be like asking “who made (caused) the Unmakeable (uncausable) being.” In fact, whether God is a necessary being or not, we will see it in the next Aquina’s third way of proving the existence of God.

### **Argument from Possibility and Necessity**

According to this way: contingent things exist. Each contingent thing has a time at which it fails to exist. If everything was like this then one day nothing would exist. That is if everything is possible not to be then at one time there could have been nothing in existence. So, if everything were contingent, nothing could exist now, which is absurd. Therefore, one necessary being should exist. This argument is sometimes called “argument from contingency.” Aquinas insists:

*“We find in nature things that are possible to be and not to be since they are found to be generated, and to corrupt, and consequently, they are possible to be and not to be. Thus if everything is possible not to be, then at one time there could have been nothing in existence. Now if this were true, even now there would be nothing in existence, which is absurd.” (Pegis, trans. 1948:p.26)*

So, from the above quotation we could understand that if everything is possible not to be so that there would be no existence at present. This tells us that not

all beings are merely possible, but there must exist something the existence of which is “necessary”. That is for there to be anything at all contingent in the universe, there must be at least one thing that is not contingent, something that is necessary throughout all change and self-established. Here “necessary” means “infinite”, “eternal”, “self caused”, “self-existent”. Accordingly, Aquina’s basic argument is that if there are contingent beings, then there must be a necessary being. Since contingent beings exist, there must be a being that has in its own nature or essence to exist to cause all existence in which all contingent beings participate. If this Being does not exist, then contingent beings would not exist since there is nothing to participate in. But since contingent beings exist, it shows that they participate in existence which could only be participated from a being that has in its own nature to exist. This Being caused the existence of contingent beings. This Being is what we call God.

### **Argument from Gradation**

Aquinas points out that we recognize that there are degrees of things. Some things are better than others; some things are shorter or taller or colder or hotter, etc... than others. And thus we rate them as good, better, and best. Yet, for us to have the idea that one thing is better than another, we must have a standard by which all things are measured and that can never be exceeded. The standard, then, is God.

*“the maximum in any genus is the cause of all in that genus. Example fire, which is the maximum of heat, is the cause of all hot things. Therefore, there must also be something which is to all beings the cause of their being, goodness, and every other perfection; and this we call God.” (Ibid: p.27)*

Aquina’s argument from Gradation begins with the empirical observation of different degrees of goodness in different kinds of things in the world. There are different degrees of goodness in different things. There are different degrees of being in different things-the more being, the more goodness. For there to be

degrees of being at all, there must be something which has being in the highest degree. Therefore, a Being in the Highest Degree or perfect Being exists.

### **Argument from Governance**

Aquinas's argument from governance insisting that there are entities in creation that has no consciousness at all, yet still act in a regular fashion and in such a way what it is beneficial to their continued existence.

*“Whatever lacks intelligence cannot move towards an end, unless it is directed by some being, endowed with knowledge and intelligence; as the arrow is shot to its mark by the archer” (Ibid: P.155).*

The above Aquinas's point tells us that things in the world move towards goals just as the arrow does not move towards its goal except by the archer's directing it. Thus, there must be an intelligent designer who directs all things to their goals, and this is God. That means, among objects that act for an end, some have minds, where as others do not. An object that acts for an end, but does not itself have a mind, must have been created by a being that has a mind. So there exists a being with a mind who designed all mindless objects that act for an end.

### **1.2. Eternity and Time**

According to Aquinas all the metaphysical attributes of God can be known by natural reason. This includes “God's Aseity” (self-existence), “Simplicity”, “Immutability”, “Eternity”, “Unity”, “Impassability”, “Goodness”, “Infinity”, “Morality”, and so on. But here my intention is on the relation of “eternity” and “time”. With regard to the above mentioned attributes of God let me say something about “Impassability”. Aquinas says that God is without passions. For Aquinas “Passion” implies desire for what one does not have. But God, as an absolutely perfect Being, lacks nothing. To lack something he would have to

have a potentiality to have it. But God is pure actuality with no potentiality whatsoever. Therefore, God is completely and infinitely satisfied in His own perfection. However, to say that God is impassable in the sense that He has no passions or cravings for fulfillment is not to say that He has no feelings. God feels anger at sin and rejoices in righteousness. But God's feelings are unchanging. He always, unchangingly, feels the same sense of anger at sin. He never ceases to rejoice in goodness and righteousness. Thus, God has no changing passions, but He does have unchanging feelings.

*“God’s eternity is pure actuality. That is, without essential and accidental changes.” (Ibid: P.150)*

In fact, according to Aquinas, “substantial or essential change” is a change in what something is. Whereas “accidental change” is a change in what something has.

Aquinas claims that changeless being, as God is, has no before and after; it is always the same. This clearly shows how God's eternity follows from immutability. That is, whatever is immutable does not change in the state of its being. Whatever is in time, goes through succession of states. So whatever is immutable is not temporal. And whatever is temporal has successive states, one after the other. But God does not, so He is not temporal.

“Time”: is, according to Aquinas, duration characterized by substantial and accidental changes. Accordingly, “time” and “eternity” are not the same thing.

*“Whatever essentially whole (eternity) is essentially different from what has parts (time). Eternity is now forever; time includes past, present, and future, now and then. The implication of this is that God’s eternity is not divided; it is all present to Him in His eternal now.” (Ibid)*

The above Aquinas point indicates that “eternity” has neither a beginning nor an end. Whereas “time” has a beginning and an end; it has a before and an

after. In other words, “eternity” is essentially whole which can not be applied to time. This means that we speak of the beginning and the end of a day or of a year; which cannot be applied to eternity. The major reason that “eternity” is essentially whole that can not be applied to “time”, according to Aquinas, is due to the fact that “eternity” is the measure of a permanent being (the “first being” or the “divine being”); while “time” is the measure of movement. That is as eternity is the proper measure of permanent being, so time is the proper measure of movement. Therefore, the being of things corruptible, because it is changeable, is not measured by eternity, but by time.

## CHAPTER TWO

### THE CONCEPT OF LAW AND ITS CLASSIFICATIONS

#### 2.1. Law and Reason

Law is, according to Aquinas, a rule or measure of action in virtue of which one is led to perform certain actions and restrained or keep away from the performance of others. “It is a certain rule or measure of acts, where by man is induced to act or is restrained from acting.” Laws and rules meant to bind individuals to certain actions. Now the rule and measure of human acts, according to him, is reason, which is the first principle of human acts. For it belongs to the reason to direct to the end, which is the first principle in all matters of action. It is reason which directs action to its appropriate end. So law requires that we act in accordance with reason.

The idea that reason is the rule of human actions comes from Aristotle’s Nicomachean Ethics. Aristotle argues that all actions are thought to aim at some good. According to him:

*“every art or applied science and every systematic investigation, and similarly every action and choice, seem to aim at some good, the good, therefore, has been well defined as that at which all things aim.” (E. Baird, eds. 1978: P.185)*

Aristotle added that even if every actions aim at some good, the number of ends is large. Why? Because, according to him, due to the presence of many activities, arts, and sciences. For example, the end of medicine is health which is good. On the other hand, the end of household management is wealth; which is also good. But among all sciences, the end of politics, according to him,

seems to embrace the ends of the other sciences. Consequently, Aristotle considers politics as the master science of the good. That means, the highest good, happiness belongs to the most sovereign and most comprehensive science, i.e. to politics. That is the aim of politics is the highest good attainable by action. Why Aristotle considers politics as the master science of the good? This is due to the fact that he believes that politics:

- ❖ determines which sciences ought to exist in states,
- ❖ determines what kind of sciences each group of citizens must learn,
- ❖ its end seems to embrace the ends of the other sciences because it legislates what people are to do and what they are not to do.

Aquinas uses the above Aristotle's idea that every action aims at some good to explain human actions. Essentially, actions are taken for some purpose or end. That end is expected to be good, because if it was not, the action would not have been taken. Let me provide one example. If I drive a car, I do so because I feel that driving a car is good. If I have no desire to drive the car, if I feel that driving the car would be a bad thing to do, I would not do so. This assumes, according to Aquinas that I am, first, acting according to reason and not out of emotion, and second, knowledgeable of the action and the circumstances revolving around it, and, third, free to act as I wish.

So according to Aquinas, since actions are performed in accordance with reason, that which guides actions also must be performed in accordance with reason. Therefore, since the rule and measure of human actions is reason, law has an essential relation to reason; in the first place to divine reason; in the second place to human reason, when it acts correctly, i.e. in accordance with the purpose or final cause implanted in it by God.

## **2.2. Law and Common Good**

The concept of common Good refers the good that is shared and beneficial for all (or most) members of a given community. In fact, Aristotle's Nicomachean Ethics provides much of the foundation for Thomas Aquinas's theory of the common good. At the beginning of this book, Aristotle defines the good by saying: "the good is what all things desire." So, in this section we will see the relation that law and common good have. According to Aquinas the ruler should act for the good of the state. That means, his law should aim at the common good of the citizens. In relation to this I shall also explain both Aquinas's and Aristotle's stand point on the concept of state.

With regard to law and common good Aquinas insists that the prominent goal of law is to force or to direct certain things to the common good. That means, law is concerned with common good rather than with the good of the individual; i.e. the object of law is the common good. That is since the individual is a component of the society, law must be directed to universal happiness.

*"Since every part is ordained to the whole as the imperfect to the perfect, and since one man is a part of the perfect community, law must needs concern itself properly with the order directed to universal happiness." (Pegis, trans. 1948: P.613)*

The above Aquinas point tells us that since one man is part of that perfect whole which is the community, it follows that the law must have as its proper object the well being of the whole community. That means, law is directed by its nature to the good, and especially to the universal or common good.

All of the above Aquinas points suggests that since law is a rule or measure of human acts, telling us what is required and showing how measure up to its requirements, it is a basic principle of human action. The object of human action, the goal (teleological cause) is happiness. Therefore, law must principally relate to human happiness. Since people are part of a community, this happiness must be found with in the community, and law, then is

something that is directed to the entire human community and the means of leading to happiness. Thus, law must be directed to common good-to the happiness that is the goal of human actions. Prescriptions that are not for the common good are unjust. "Happiness" in Aquinas refers both to:

1. temporal happiness (living a good life on earth), and
2. supernatural happiness (eternal happiness with God in heaven). Our final goal is happiness in both senses, but particularly the second.

Just like Aquinas, Aristotle also thought that all good law are considered good so long as they are enacted for the common good. Any law which benefits the rulers and is no benefit to the ruled is a perverse or bad law. Aristotle makes a distinction between the relationship of master over slave to that of ruler over the ruled in the state. The master acts for his own benefit and has the right to do so, while the ruler should act for the good of the state and not for his own benefit. That means, "there must necessarily be a union of the naturally ruling element with the element which is naturally ruled, for the preservation of both." (E. Baird, eds. 1982: P.3)

Thus both Aquinas and Aristotle insist that the ruler should act for the good of the state; his law should aim at the common good of the citizens. With regard to the concept of state, let us see both Aquinas and Aristotle's reflections below here.

Aquinas describes man as subject to a "triplex ordo" (to a threefold order). These are: the "rule of divine law," "the rule of reason," and "political authority." These all are, according to Aquinas, the triplex ordo to be found in man. If men were actually a solitary animal, the first two order s, i.e. the rule of reason, and divine law would be sufficient. But because man is naturally a social and political animal, it is necessary that there should be a third order, i.e., political authority which regulates the conduct of man to his fellows with whom he has to live. That means, it is necessary, if he is to attain his proper end and the highest forms of life and of virtue, that he should share in political life.

Aquinas defines state as the “highest achievement of man which could well set the stage for the transfiguration of the earthly in to the heavenly city.” (G. Dawson, trans., 1965: P.x)

Aristotle came up with a rational explanation of the state. Aquinas followed Aristotle in deriving the idea of the state from the very nature of man. Man is a political animal because he is a social being. This means that the state must have its roots in social experience. State is the highest form of political association. All that pertains to that fellowship is natural to man. So, for both Aristotle and Aquinas state is a natural institution founded on the nature of man. Accordingly, Aquinas insisted the following:

*“Every creature has its own end, and that where as some creatures attain their end necessarily or instinctively, man has to be guided to its attainment by his reason. But man is not an isolated individual who can attain his end simply as an individual by using his own individual reason he is by nature a social or political being, born to live in community with his fellows. Indeed man needs society more than other animals do. For where as nature has provided the animals with clothing, means of defense, etc., she has left man unprovided, in a condition where he has to provide for himself by the use of his reason.” ( P. 413)*

From the above we could understand that both society and government are natural to man. That is unless the activities of individuals directed to common good by some one, human society would be disintegrated. Just as humans are naturally social and political animals, according to Aquinas, they are also related themselves to God. These relationships are governed by laws; they are not arbitrary.

For Aristotle man is unthinkable without the state, because it is only in the state and through the state that he can achieve perfection. That means, the state ideally can fulfill all the needs of man. But here to some extent Aquinas does not agree with Aristotle. For Aquinas man's end is a supernatural end. And state, according to Aquinas, is incapable to satisfy a need for the attainment of this end. Rather it is the church that is capable of satisfying a need for that end. Accordingly, for Aristotle, the natural end of man is self-sufficient and is attained through life in the state. However, for Aquinas the end of man is supernatural and fully attainable only in the next life. Whatever they had such difference but both Aristotle and Aquinas believe that society would not be possible without authority, and without those who are more wise and righteous having command over the rest.

Aquinas also insists that "if human society and government are natural, are prefigured in human nature, it follows that they have a divine justification and authority." The main reason for his saying is that due to the fact that he believes that human nature has been created by God. That is, since human's nature is God's creation, state is willed by God as far as it is founded on the nature of man. So if state is willed by God, Aquinas says, then it is an institution on its own right, with an end of its own and a sphere of its own. Accordingly, for him state is a perfect society due to the fact that it has all the means necessary for the attainment of its end, i.e., the attainment of common good of the citizens.

But the problem, with regard to the idea of perfect society, arises when Aquinas proposes about the state-church relations. That is he says that "the church is a society superior to the state, which must subordinate itself to the church in matters bearing upon the supernatural life; but that does not change the fact that the state is a perfect society." (Ibid) This Aquinas position, as far as I am

concerned, seems to be vague. For instance at this point Leo Strauss says the following

*“Aquina’s Aristotelianism allowed him to make the state as perfect society, but his Christianity, his conviction that man has but one ultimate end, effectually prevented him from making the state an absolutely autonomous society.” (Ibid: P.417)*

From the above we could understand that Aquinas could not make the state an absolute autonomous society. This tells us that Aquinas did not provide a systematic treatment of the problem of state and church relations.

Aristotle also believes that one can explain the existence of the “city-state” in terms of the four causes (i.e., material, formal, efficient, and final cause). That is, it is a kind of community, i.e., a collection of parts having some functions and interests in common. Hence, it (the “city-state”) is made up of parts: households, economic classes (e.g. the rich and poor), local political units etc. But ultimately the city-state is composed of individual citizens, who along with natural resources, are the “material” or “equipment” out of which the city state is fashioned.

The “formal-cause” of the city-state is its constitution (politeia). Aristotle defines the constitution as “a certain ordering of the inhabitants of the city-state” (Aristotle, Bk. III, ed. B. Jewett: P.7)

The constitution is not, according to Aristotle, a written document, but an immanent organizing principle, analogous to the soul of an organism.

The existence of the city-state also requires an “efficient cause”, namely, its ruler. On Aristotle’s view, a community of any sort can possess order only if it has a ruling element or authority. This ruling principle is defined by the

constitution, which sets criteria for political affairs, particularly the sovereign offices. However, on a deeper level, there must be an efficient cause to explain why a city-state acquires its constitution in the first principle. Aristotle states that “the person who first established the city-state is the cause of very great benefits. This person was evidently the law giver.” Aristotle compares the law giver, or the politician more generally, to a crafts man like a weaver or ship builder who fashions material in to a finished product.

Lastly, let us see Aristotle’s explanation of the city state in terms of the final cause. According to him the proper end or aim of the city-state is the good life or happiness. That means, the city-state exists for the sake of good life. So Aristotle considers “good life” as the final cause of the city-state.

Aquinas believes that the basic purpose of the state is to protect the common good by:

- ❖ Keeping the peace among the citizens,
- ❖ Organizing and harmonizing the activities of citizens,
- ❖ Providing resources to sustain life,
- ❖ Preventing obstacles to the good life, such as crime with in the state, and danger from foreign enemies.

To protect the common good of the citizens, basically the state must do the above mentioned duties. The main factor why Aquinas enforces the state to accomplish basically the above four mentioned duties is that because he believes that they are necessary conditions for the attainment of the common good.

Just like Aristotle, Aquinas classifies the forms of government into six. In other words, for him there are six forms of government. Among these three of them are good forms of government, and the rest three are bad forms. These are the following: monarchy, aristocracy, law abiding democracy, tyranny, irresponsible democracy, and oligarchy. According to Aquinas among the above mentioned forms of government the first three are good forms of government, where as the last three are bad forms of government. This indicates that Aquinas uses or follows Aristotle division of the forms of government.

According to Aristotle “government which is the supreme authority in states, must be in the hands of one, or of the few, or of the many. The true forms of government, therefore, are those in which the one, or the few, or the many, govern with a view to the common interest. But governments which rule with a view to the private interest, whether of the one or of the few, or of the many, are perversions. For the members of a state, if they are truly citizens, ought to participate in its advantages.”

So for Aristotle also there are six forms of government. These are: kingship/royalty, aristocracy, constitutional government, tyranny, oligarchy, and democracy. The first three forms (i.e., kingship, aristocracy, and constitutional government) are good forms of government. Where as the last three (i.e., tyranny, oligarchy and democracy) are bad forms of government.

As we have seen above, for Aristotle indeed for Aquinas also, the basic thing that makes the first three good forms of government (i.e., kingship or monarchy, aristocracy and constitutional government) similar is that all of them govern with a view to the common interest of the state. Whereas the rest three bad forms of government (i.e., tyranny, oligarchy and democracy) are aimed at governing a view to the private interest of the ruler. That means, all bad forms of government has no interest in the common good of all, whereas

the good forms of government has the interest of it. Tyranny, for instance, is a kind of monarchy which has in view the interest of the monarch only. So, tyranny is the perversion of kingship. Oligarchy and democracy are the perversions of aristocracy and constitutional government, respectively. Whereas oligarchy has in view the interest of the wealthy, democracy has in view the interest of the poor.

According to Aquinas among the good forms of government the best one is monarchy. And among the bad forms of government tyranny is the worst. So, Aquinas is highly in favor of monarchical government. On the contrary he basically rejects the tyrannical government. In short, for him the best form of government is monarchy, whereas the worst form of government is tyranny.

But why Aquinas considers monarchy as the best form of government? This is because he believes that:

- it best corresponds to government of God. That means, the whole universe is governed by one God.
- through it “unity” is easily achieved, and so that it is comfortable to “peace.”

In addition to the above, Aquinas provides also additional factor why monarchy is the best form of government. That is, according to him:

*“... moreover, it is more natural, bearing an analogy to the rule of reason over the other functions of the soul and of the heart over the other members of the body.” (P. 420)*

Even if Aquinas provided the above factors as a response to the question of why monarchy is the best form of government, he says that the ideal of the best man as monarch is not easily attainable. That is:

*“a monarchy is the best form of government for a people, provided it does not become corrupt. But because of the wide powers conferred upon a king, it is easy for a monarchy to degenerate into a tyranny, unless there is perfect virtue in the one into whose hands such power is given ... But perfect virtues found in few persons.” (G. Dawson, 1965: P. 151)*

So, practically the best form, according to Aquinas, is limited monarchy (mixed constitution). In this case there is a share of power between the monarch and the magistrates. And they are elected by the people.

### **2.3. Aquinas Classification of Law**

Aquinas recognizes four main kind of law. These are Eternal law, Natural law, Human law, and Divine law. The last three, according to him, are relied upon the first; the highest law is eternal law but the others follow it.

#### **2.3.1. Eternal Law**

The eternal law is the ideal type or order of the universe pre-existing in the mind of God. Eternal law is identical to the mind of God as seen by God himself. Or it is the general principles of the divine mind. It is enclosed in God; it is identical to Him, it exists in itself. It can be called law because God stands to the universe which he creates as a ruler does to a community which he rules. When God’s reason is considered as it is understood by God himself, i.e., in its unchanging, eternal nature, it is eternal law.

Imagine that God is like a divine architect who must plan a structure before it is built. The eternal law of God is God's wisdom in both planning and then creating the universe. That is the plan in God's intellect and will by which he orders the universe is called eternal law. So eternal law resides in the mind of God alone. Aquinas also tried to compare the eternal law (the ideal of divine wisdom) with artist. Let us have a look of it as follow:

*“just as in the mind of every artist there already exists the ideas of what he will create by his art, so in the mind of every ruler there must already exist an ideal of order with respect to what shall be done by those subject to his rule, ... Now God, in His wisdom, is the creator of all things, and may be compared to them as the artist is compared to the product of his art.” (G. Dawson, trans. 1965: P.121)*

The ideal that exists in the mind of the ruler, according to Aquinas, has the quality of law in so far as the ideal of those things that are going to be produced by any art is known as the exemplar, or actual art of the things. As we have seen in the above quotation, “God, in His wisdom, is the creator of all things ...” and also he governs all actions and movements of each individual creature. With regard to God's creation of all things; i.e. as the ideal of divine wisdom, in so far as all things are created by it, has the quality of exemplar or art or idea. Where as with regard to God's governance of all actions and movements of each individual creature, Aquinas insists as follow: “the ideal of divine wisdom, in so far as a all things are moved by it to their appropriate end, has the quality of law.” Thus, this all tells us that for Aquinas “eternal law” means nothing else than the ideal of divine wisdom considered as directing all actions and movements. The whole community of the universes is governed by divine reason. As a result of this the very idea of the government of things in

God- the ruler of the universe-has the nature of law. And since the divine reason's conception of things is not subject to time but is eternal, therefore, it is this kind of law must be called eternal. So, eternal law is identical with divine reason that governs the universe. And it is said to be eternal because God's reason is eternal.

Aquinas also points out that all law derives ultimately from the eternal law. Let us have a look of this Aquinas's assertion in the following way:

*“in every case of ruling we see that the design of government is passed from the head of the government to his subordinate ministers by statute; or again, in artistic construction, the plan of what is to be made is passed from the architect to the subordinate operators. Since, then, the eternal law is the plan of government in the supreme governor, all schemes of government in those who direct as subordinates must derive from the eternal law. Consequently, all laws, so far as they accord with right reason, derive from the eternal law.” (Ibid)*

So, the above Aquinas's argument suggests that every law has the quality of law only in so far as it derives from the eternal law. But if it deviates from the eternal law, it is called unjust law, and has no the quality of law. With regard to this, for instance, Aquinas quoted Augustine's saying. According to Augustine : “In human law nothing is just or legitimate if it has not been derived by men from the eternal law.” (Ibid)

With regard to Aquinas concept of eternal law, as I think, there is some how a lack of clarification. That is, how the idea of God or the ideal of divine wisdom has the nature of law? In fact, since divine reason's conception of things is not subject to time we may say that it is eternal. But how is possible to consider it having the nature of law? Is it due to the fact that the whole community of the

universe is governed by divine reason that Aquinas considers it as having the nature of law or does he have any factor other than this? Aquinas also said, as we have already seen, that eternal law is enclosed in God and it exists in itself. This tells us, as I think, that it cannot be understood by humans since it is the plan in God's intellect. Again if this is the case, is it possible to call it as having the nature of law in the absence of human's understanding of it?

There is an objection, with regard to eternal law, which was raised by Aquinas. This objection with its reply is the following:

**Objection:** law implies order to an end. But nothing ordained to an end is eternal, for the last end alone is eternal. Therefore no law is eternal. (Pegis, 1948: P. 617)

**Reply:** law implies order to the end actively, in so far as it directs certain things to the end; but not passively that is to say, the law itself is not ordained to the end, except accidentally, in a government whose end is extrinsic to him, and to which end his law must needs be ordained. But the end of the divine government is God himself, and His law is not distinct from Himself. Therefore, the eternal law is not ordained to another end. (Ibid)

From the above Aquinas's reply of the objection we could understand that the end of the Divine government is a "supernatural end" (God), and since God and His law cannot be seen separately, it is impossible to say that the eternal law orders to another end.

### **2.3.2. Natural Law**

Aquinas says all things participate to some degree in the eternal law; in so far as they derive from it certain inclinations to those actions and aims which are proper to them. And the main reason why Aquinas insisted this is that since he

believes that all things which are subject to divine providence are measured and regulated by the eternal law.

*“... But, of all others, rational creatures are subject to divine providence in a very special way; being themselves made participators in providence itself, in that they control their own actions and the actions of others.” (Ibid: P.113)*

The above quotation tells us that among all beings, according to Aquinas, the rational being is subject to divine providence in most excellent way in that it has a share of the eternal reason; whereby it has a natural inclination to its proper act and end. Accordingly, for Aquinas, natural law refers to the eternal law as it applies to human beings. In other words, it refers the rational creature’s participation of the eternal law; all men have a sufficient knowledge of what is morally right to be able to regulate their own actions. That is, all humans are capable of intellectually intuiting the first principle of particular reasoning: “Good should be done and evil is to be avoided.” That means, Aquinas states that all human beings, in all places, under all circumstances know at least the common principles of the natural law.

The plan in God’s Intellect and Will by which He orders the universe is the Eternal law, and in so far as things are ordered according to that law in the nature with which God has made them, there is a reflection of that law into our nature. That is humans, by the use of their reason, are able to understand the order by which God cares for everything in the universe, and it is thus that we discover the natural law, the reflection of God’s eternal law that is imprinted into our nature.

The natural law guides human beings, Aquinas says, through their fundamental inclinations towards the natural perfection that God, the author of the natural law, intends for them. However, since one of the essential components of law is to be promulgated, the natural law would lose its legal character if human beings did not have principles of that law instilled (or established) in their minds. Due to this fact Aquinas thinks natural law to be a habit because the principles of the natural law are naturally held in our minds by means of an intellectual habit and Aquinas calls this intellectual habit as “synderesis”.

*“Syndersis denotes a natural knowledge held by all people instructing as the fundamental moral requirements of their human nature. It is said to be the law of our mind, because it is a habit containing the precepts of the natural law, which are the first principles of human action.” (Ibid)*

As I have said above that Aquinas calls the habit by which human beings understand the first principles of the natural law as “synderesis.” And he calls the act by which one applies that understanding to concrete situations as “conscience.” Let me provide here one example which was raised by Aquinas himself. That is: by means of synderesis man would know that the act of adultery is contrary to the natural law. By an act of conscience he would reason that intercourse with this particular woman that is not his wife is an act of adultery and should be avoided.

Thus, understanding the natural law includes principles that are universally accessible regardless of time, place, or culture. In other words, it is the same to all humans, and can not be abolished from the minds of man.

Aquinas conceives of creatures as governed by final causes or ends which they naturally seek. These ends are implanted in them by the creator. Most creatures activity seeks their proper ends out of instinct. Although human beings too have proper ends, we do not always act as we should. That is, our actions are often determined counter to nature and natural law by our appetites. When reason rules in the human soul, we choose what accords with nature.

The first principles of the natural law, according to Aquinas, are: “Good is what all things seek” and “Good is to be done and promoted, and evil is to be avoided.” The first principles of the natural law are the same for everyone and are known to all; these principles cannot change and cannot be abolished from the human heart. That means, reason in human beings is capable of apprehending these first principles. In other words, our inclination to do good and avoid evil, Aquinas says, is derived by our participation in the eternal law; an imprint on us of the divine light.

*“the order of the precepts of the natural law corresponds to the order of our natural inclinations. For there is in man a natural and initial inclination to good which has in common with all substances; in so far as every substance seeks its own preservation according to its own nature. Corresponding to this inclination the natural law contains all that makes for the preservation of human life, and all that is opposed to its dissolution.” (G.Dawson, 1965: p.123)*

All other precepts of natural law rest or depend upon the first principles of the natural law. That means, the several precepts of natural law are specifications of the first principles of the natural law. And Aquinas calls this other precepts (specifications) of the first principles of the natural law as “secondary” (derivative) principles of the natural law.

As opposed to the first principles of the natural law, secondary principles are less certain, and often are not known to all. They depend on circumstances and can change. Human and divine law, according to Aquinas, can add to those secondary principles. Just let us see lists of some of these secondary principles which were raised by Aquinas himself. These are for instance: “sexual relationship” (intercourse), “the rearing of offspring,” “knowing the truth about God,” and “living in society,” and the like. The first two natural inclinations, i.e., “sexual intercourse” and the “rearing of offspring,” are common for both man and animals. That means, this is what man shares in common with the animals. But the last two, i.e., knowing the truth about God, and living in society,” are the natural principles (inclinations) which are proper to man alone. So, man has a natural inclination to know the truth about God and to live in society. In these respect there comes under natural law, all actions connected with such inclinations: namely, that a man should avoid ignorance, that he should not hurt others with whom he must associate. Therefore, Aquinas’s concept of natural law is based on the precept that “the good is to be done while evil should be avoided.”

Like Aquinas, John Locke also describes that natural law can be discovered by reason alone. As we have seen above according to Aquinas reason in human beings is capable of apprehending the first principles. Likewise Man in the state of nature, according to Locke, uses reason to determine natural (moral) law. The only rule in the state of nature, according to him, is the law of nature. Both Aquinas and Locke, in fact, are among the great political philosophers of medieval and modern times respectively. They set the stage for many contemporary thinkers of the day. Their teachings can be similar but also vary from point to point. Both of them highly emphasize on the purpose of the state, natural law, private property, divine/eternal laws, and the toleration of a tyrant. Even if they do not perfectly agree on all these subjects, they have

something to share with each other. All the above mentioned concepts are basic topics in their political philosophy.

Locke argues that the origin of civil society is in the form of social contract. It was a fact of history, he said, that men had once lived in a state of nature and that they came together and instituted government of for the promotion of their common interests. He also added that even before the creation of governments or civil society there had been one kind of law i.e., natural law. According to him:

*“the state of nature has a law of nature to govern it, which obliges everyone: and reason, which is that law, teaches all man kind who will but consult it, that, being all equal and independent, no one ought to harm another in his life, health, liberty or possessions. For men being all workmanship of one omnipotent and infinitely wise maker all the servants of one sovereign master ... they are his property.” (P. 86)*

So the law of nature, according to Locke, wills the peace and preservation of all mankind. But one may raise such question, i.e. who has a right to punish if one violates such law in the state of nature? The question is, in fact, important because in the state of nature there is no government who could keep that law. But Locke, in answering the above question, says that everyone has the right to punish those who violates such laws. Accordingly, the execution of natural law in the state of nature is with in the hands of every one.

Aquinas and Locke have also similar stance on the purpose of the state. Aquinas believes, as we have seen in the previous section, that the purpose of state is to protect the common good by keeping the peace, by organizing and harmonizing the activities of citizens, by providing the resources to sustain life, and preventing obstacles and hindrances to the good life.” Similarly in his “The

second Treatise of Government,” Locke explains that the function of legitimate civil government is to preserve the rights of life, liberty, health, and estates of citizens and to prosecute and punish those who violate the rights of others. That is, according to Locke:

*“the great and chief end of men’s uniting into common wealths, and putting themselves under government, is the preservation of their property. ...” (J. Locke, the second Treatise of government, ed., )*

In fact, the concept of “property” refers to a general name, which is given by Locke himself, for citizen’s life, liberty, and estates.

Therefore, the above both Aquina’s and Locke’s points tell us that both of them support that the purpose of government is to protect the peace of the citizens.

### **2.3.3 Human Law**

According to Aquinas if people obeyed natural law, there would be no need for human laws. But since some are found to be prone to vice, and not easily amenable or persuaded to words, it was necessary for such to be restrained from evil by force and fear.

Human law refers to, according to Aquinas, the creation of our own laws in order to apply natural law to the specific circumstances of our society. That means, it is a law devised by human reason adapted to particular geographical, historical and social circumstances. So, it is from precepts of the natural law that the human reason needs to proceed to the more particular determinations of the laws. These particular determinations, devised by human reason, are called “human laws.” Even if there is in man a natural inclination to virtuous action, men can achieve the perfection of such virtues only by the practice of a

certain discipline. Men, Aquinas says, can not practice such discipline unless they are supported by others. But here Aquinas did not say all men cannot practice such discipline but he said that men who are capable of such discipline without the aid of others are rare. So, he suggests that we must help one another to achieve that discipline which leads to a virtuous life.

*“there are, indeed, some young men, readily inclined to a life of virtue through a good natural disposition or upbringing, or particularly because of divine help; and for such, paternal guidance and a device are sufficient. But there are others, of evil disposition and prone to vice, who are not easily moved by words.”*

*(J.G. Dawson, 1965: P.128)*

According to Aquinas for those who are prone to vice; who are not easily moved by words, it is necessary to restrain them from their wrong doing by force and by fear. When they are thus prevented from doing evil quiet life is assured to the rest of the community.

Law is directed to the common good, and human law is no exception, i.e., it is directed to the common good. The promotion of virtue is necessary for the common good, and human laws are instruments in the promotion of virtue. Aristotle already pointed out that most people are kept from crime by fear of the law. Aquinas also accepts this Aristotle’s idea and he says that by coercion even men who are evilly disposed may be led in the direction of virtue. Thus, according to Aquinas the enactment of laws is necessary to the peaceful and virtuous life of men. Here Aquinas quoted Aristotle. Aristotle (I politics, 2) argues as follow:

*“Man, when he reaches the perfection of virtuous is the best of all animals: but if he goes his way without law and justice he becomes the worst of all brutes.” (Ibid: P.129)*

The main reason why Aristotle said the above, according to Aquina’s interpretation, is due to the fact that “man, unlike other animals, has the weapon of reason with which to exploit his base (bad) desires and cruelty.” The end of law is the common welfare. For laws must be formulated not in views of some particular interest, but for the general benefit of the citizens. Accordingly, human laws must be related to the common welfare. But since the common welfare is made up of many different elements with respect of persons, affairs and time, it is therefore necessary that the law should take account of these diverse elements. This is due to the fact that “since the political community is composed of many persons; its welfare entails much varied provision; and such provision is not confined to any one period of time, but should continue through successive generations of citizens.” (Ibid)

The first rule of reason, according to Aquinas, is the natural law. Thus all humanly enacted laws are in accord with reason if and only if they are derived from the natural law. Accordingly, for Aquinas, every human law is derived from the natural law. But here how could Aquinas respond to the following objection, i.e., according to Aristotle, for instance, “natural law is that which is equally valid every where.” (Pegis, 1948: P. 649). If therefore human laws were derived from the natural law it would follow that they too are the same for all, which is clearly false. Here Aquinas responded to this challenge by saying that the common principles of the natural law can not be applied to all men in the same way because of the great variety of human affairs; and hence arises the diversity of human (positive) laws among various people. So, the purpose of the human legislator is primarily to apply the natural law and to support the law by sanctions. Therefore, for Aquinas every human law is a law if and only if it is

derived from the natural law. But if it conflicts or contradicts with the natural law, it will not be a law rather it is a corruption or perversion of law. This all shows us the subordination of human laws on the natural law.

The essential characteristics of human law, according to Aquinas, are the following:

- i. it is derived from the natural law
- ii. it is directed to the common welfare of the city
- iii. It should be promulgated by the ruler of the civil community. From this point of view human laws may be distinguished according to the different political régimes. For instance, monarchy, which occurs when the city is governed by one man what corresponds to this political regime, is the constitutions of princes. Another form of government is aristocracy, i.e., the government by the best and the nobility: to this correspond the opinions of the wise and the counsels of the senate. And also oligarchy and democracy have their own corresponding law. For instance, “to democracy what corresponds is plebiscite.” (Ibid) However the tyrannical regime, which is entirely corrupt, according to Aquinas, has no corresponding law. With regard to the mixed government he insists as follow:

*“there is in addition, another form of mixed government constituted from all the element just mentioned and this is the best form of government. In this law is enacted by the common sanction of nobles and people.” (Ibid: P.133)*

- iv. It is directive of human actions.

Now let me provide you with an objection, which is raised by Aquinas himself, with regard to human law. That is:

*“it would seem that there is not a human law. For the natural law is a participation of the eternal law. Now through the eternal law all things are most orderly, as Augustine states. Therefore the natural law suffices for the ordering of all human affairs. Consequently there is no need for human law.” (Pegis, 1948: P. 619)*

The human reason, Aquinas in answering the above objection, “cannot have a full participation of the dictate of the divine reason, but according to its own mode, and imperfectly. (Ibid)

Consequently, Aquinas continues to say, on the part of the speculative reason, by a natural participation of divine wisdom, there is in us the knowledge of certain common principles, but not a proper knowledge of each single truth such as that contained in the divine wisdom. And also on the part of the practical reason, man has a natural participation of the eternal law, according to certain common principles, but not as regards the particular determinations of individual cases, which are, however, contained in the eternal law. Hence, there is a need for human reason to proceed further to sanction them by law.

The human law, Aquinas says, is not obliged to repress all vices. It is framed for most people, who are far from perfect in virtue. It is aimed at the more grievous vices from which the majority can abstain, i.e., those which are to the hurt of others, e.g., murder, theft, and the like. If the law were attempting to legislate perfection, it would make people hostile to the law and defeat its purpose. But here, as I think, Aquinas did not justify why the law which intends to legislate perfection would make people hostile to the law and at the same time defeat its purpose.

Human laws are subject to change, according to Aquinas, because experience in practical matters may allow us to improve them. That is, human law can be changed and occasionally should be changed, but it should not be lightly changed. The reason is that, according to him, respect for the law is largely a matter of custom or habit, and inessential change undermines this custom. The common good is not served by a more theoretically better law if people have less respect for law and follow it less faithfully.

Compared to human law, natural law is more general. In working out human laws, human practical reason moves from the general principles implanted in natural law to the contingent commands of human law. And again, according to Aquinas, natural law is more perfect than human laws, because of the variable subject matter of human law.

And again, according to Aquinas, natural law is more perfect than human laws, because of the variable subject-matter of human law. Even if natural law is less specific than human laws, since human laws are applications of natural law, they cannot deviate from the spirit of natural law, as applied to the time and place of the human law's promulgation. If a human law does deviate in this way, if it is not a proper and rationally defensible application of the natural law, then it is a perversion of law.

Natural law holds that in general human life should be preserved and steps should be taken to preserve it. Human law in one place differs from human law in another, but if they are laws and not perversions of law they all have the same ends, these contained in the natural law, which is an expression of eternal law.

Generally, laws enacted by men, according to Aquinas are either just or unjust. That is, human laws can be considered just if they fulfill the following requirements. These are:

- When they are not enacted against natural law,
- With respect to their object, i.e., when they are directed to the common good (welfare),
- With respect to their author, i.e., when the law which is enacted does not exceed the power of the legislator (who enacts it).w

According to Aquinas, in addition to the above requirements there is also another requirement for the human laws to be just. That is: “when the burdens they impose upon the citizens are distributed in such proportion as to promote the common welfare.” (G. Dawson: P.135).

This means that the sacrificing of a part for the preservation of the whole, in the eyes of Aquinas, is a just act. “Since every man is part of the community, all that any man is or has, has reference to the community: just as any part belongs, in that which it is, to the whole. For this reason nature is seen to sacrifice a part for the preservation of the whole.” (Ibid).

On the other hand, human laws can be considered unjust basically when they are ignoring the above mentioned requirements. That means they are unjust:

- When they are enacted against natural law,
- When the ruler enacts laws which are designed to better to serve his own interest rather than the common good (common prosperity),
- If a legislator should enact laws which exceed the powers given to him,
- If the burdens, even though they are concerned with the common welfare, are distributed in an inequitable manner throughout the community.

Aquinas also adds that “laws may be unjust through being contrary to divine goodness: such as tyrannical laws enforcing idolatry, or any other action against the divine law. Such laws may under no circumstances be obeyed: for as it is said: we must obey God rather than man.” (Ibid)

Therefore, if the human laws are in favors of the above mentioned deeds including the latter one, i.e., “being contrary to divine goodness”, then they are unjust laws.

Change in human law is justified only to the extent that it benefits the general welfare. Thus, according to Aquinas, “human law should never be changed unless the benefits which result to the public interest are such as to compensate for the harm done. This may be the case if the new statutes contain great and manifest advantages or if there is urgent necessity due to the fact that the old law contains evident injustice, or its observance is excessively harmful.” (Ibid: P. 145)

So the above Aquinas’s argument shows us the mutability of the human law. That means, human law for Aquinas is not immutable but it is mutable.

#### **2.3.4 Divine Law**

Divine law is derived from eternal law as it appears historically to humans, especially through revelation, i.e., when it appears to human beings as divine commands. Divine law is divided into the Old law and New law. The Old law and New law roughly corresponding to the Old and New Testaments of the Bible. When he speaks of the Old law, Aquinas is thinking, mainly of the Ten Commandments. And when he also speaks of the New law, Aquinas is thinking of the teachings of Jesus.

So, divine law is given in the Bible. That is why this law is also known as biblical law. In the bible, God reveals a special law to guide us to our supernatural end of eternal happiness with Him.

Accordingly, in addition to natural and human law, according to Aquinas, Divine law is necessary to direct human life or conduct. But why divine law is necessary in addition to the above mentioned laws? Aquinas provided four basic reasons why this law is necessary:

1. Divine law guides man how to perform his proper acts in view of or with respect to his final end.

*“... if man were ordained to no other end than that which is proportionate to no other end than that which is proportionate to his natural ability, there would be no need for man to have any further direction, on the part of his reason, in addition to the natural law and humanly devised law which is derived from it. But since man is ordained to an end of eternal happiness which exceeds man’s natural ability, therefore it was necessary that, in addition to the natural and the human law, man should be directed to his end by a law given by God.” (Pegis, 1948: P.622)*

The above point considers that since man’s final end is not achieved in this (or worldly) life but in the next life, the divine law is indispensable to guide his actions. That is, as we have said in the previous section that for Aristotle all the needs of man ideally can be attained with in state (worldly). But Aquinas refused this Aristotle’s assertion and transcends it by saying that man’s end is a super natural end so that it is fully attainable only in the next life. Therefore, in the case of Aquinas divine law is absolutely necessary to guide man’s actions to achieve his final end, i.e., “super natural end” since it is beyond the power of both natural and human laws.

2. Different people form different judgments on human acts due to the uncertainty of human judgment. As a result, this heterogeneous human judgment in turn, according to Aquinas, also produces different and contrary laws.

*“... In order, therefore, that many may know without any doubt what he ought to do and what he ought to avoid, it was necessary for man to be directed in his proper acts by a law given by God, for it is certain that such a law cannot err.” (Ibid)*

Thus, all the above points tells us that due to the imperfections in the human mind, different judgments could be made on a given similar (particular) human acts. Accordingly, to avoid this problem, the divine law is indispensable.

3. The making of laws by man is possible only in those things or matters of which he is capable to judge. That means, laws are enacted in respect of what is capable of being judged. But the judgment of man cannot reach to the hidden interior actions of the soul rather it can only be about external activities which are observable or apparent.

*“... man the maker of human law, can pass judgment only upon the external actions, because man sees those things that appear, ... God alone, the divine Law-giver, is able to judge the inner movements of the will, as the psalmist says, ‘the searcher of hearts and reins in God’” (G. Dawson, 1965: P. 147)*

The above Aquinas’s point indicates that divine law is competent to judge of the interior actions, but not the human law. This is because, according to Aquinas, human law does not punish, for instance, the man who meditates murder but does not commit it. However, divine law could punish the man who meditates

murder. Aquinas insists that yet for the perfection of virtue it is necessary for man to conduct himself rightly in both kinds of acts (i.e., interior and exterior).

4. The human (positive) law is not able to completely punish or prohibit all evilly done. With regard to this Aquinas quoted Augustine as follow:

*“human law cannot punish or forbid all evil deeds: since while aiming at doing away with all evils, it would do away with many good things, and would hinder the advance of the common good, which is necessary for human living.” (Ibid)*

But Aquina’s distinction of “eternal” and “divine” law does not sound to me “... the very Idea of the government of things in God the ruler of the universe, has the nature of a law. And since the divine reason’s conception of things is not subject to time but is eternal... Therefore it is that this kind of law must be called eternal.” (P.214). The problem lies, as I think, on the two concepts, i.e., “eternity” and “divinity”. Why did Aquinas discuss these two concepts separately by saying “eternal law” and “divine law”? Wouldn’t this separation make the divine law uneternal? For me it would make the divine law uneternal, because if we characterized one of the four laws as eternal, there would be no other similar characterization to the other three since it would seem a matter of repetition. So, does divine law in itself eternal or not? Aquinas should have answered the question, as I think, before he distinguished both the eternal law and divine law.

## **CHAPTER THREE**

### **AQUINAS ON FREE WILL**

#### **3.1 God's Will**

Before I am going to discuss about Aquinas's view of free will, let me say something about his view of God's will, and the will in general.

Aquinas defines "will" as a being's rational inclination towards its own good. Whatever has intellect, according to him, also has will, for will follows upon intellect. Every nature, Aquinas insists, inclines to its own proper end or good. When the end is rational then the inclination is a rational inclination. So, the will follows the intellect. "The will is a blind mouth that hungers for goodness, but must rely on the intellect to make judgment about what is good." When the intellect presents the will with some thing as good, the will chooses it. Freedom of the will, is really a derivative of the intellect in making judgments about the good. According to Aquinas the will by nature desires what is good. Of course the good for man is his happiness.

Aquinas insists that God has rational inclination towards the good of his own nature. Therefore, God has will. "There is will in God, just as there is intellect: since will follows upon the intellect." (Summa Theologica, Pegis. trans, 1948: P.193)

Aquinas also insists that God's will is the cause of all things, so all created things pre-exist in God's knowledge. Will is the inclination to put into action what one knows. Therefore, all created effects flow from God's will.

“God’s will, Aquinas says, “is unchangeable because God’s will is in perfect accord with his knowledge. He is omniscient, so what he knows will be, will be.” God’s will is in accord with his unchangeable knowledge. Therefore, God’s will is unchangeable. This does not mean, according to Aquinas, that God does not will that some things change. But God’s will does not change, even though He does will that other things change. And God’s will include intermediate causes, such as human free will. So, God knows what the intermediate causes will choose to do.

### **3.2. Aquinas and Karl Marx**

In this section basically we will see the philosophical positions of Aquinas and Karl Marx on free will. I will also try to explore some of the problems with in Aquinas’s philosophical looks of the concept of free will.

Free will is a philosophical concept refers to the belief that human behavior is not absolutely determined by external causes, but is the result of choices made by an act of will by the agent. Such choices are themselves not determined by external causes, but are determined by the motive and intentions of the agent.

Traditionally, those who deny the existence of free will look to super natural powers, natural laws, or material causes as the determinants of the human behavior. Free will advocates (or “libertarians”) believe that while everything else in the universe may be the inevitable consequence of external forces, human behavior is unique and is determined by the agent, not by God or the stars or the laws of nature.

Thus, from the above we could understand that the existence of free will by itself is a controversial issue among various philosophers. Some say man has

free will and on the contrary others say he does not have. Those who are in favor of the first position are called “indeterminists” or “libertarians” where as those who are in favor of the second are called “determinists” or “Necessarians.”

### **3.2.1. Marx**

The concept of “free will” and “natural necessity” or the “laws of nature” have been controversial nations since then. With regard to their relations different philosophers arguing with one another. Karl Marx, for instance, criticizes the idealist thinkers, because most of these philosophers consider “necessity” (natural necessity) against free will by arguing that if things happen through necessity, when this prevents human will. On the contrary, it is impossible for Marx to see free will and natural necessity as incompatibles. Rather he insists as follow.

*“Necessity, far from being against human will, is the basis on which all free will exists.” (Waddington, 1974: P. 93)*

So, for Marx there is no opposition between necessities inherent in natural laws and free will. That is even if natural necessity is inseparable from man, it is impossible to see it as an obstacle to free will rather it is a precondition for it. How is Marx considered natural necessity as a pre condition to free will? Let us see it below.

In the first place Marx believes that freedom (free will) is the essence of man. That means, freedom is peculiar to man. The being of freedom is man. Some philosophers thought that freedom is innate which is given by God or nature. For instance, J.J. Rousseau, in his book entitled “The social contract,” said that “man is born free.” Thus, for him naturally man is free; it is given to man

by God or nature. However, Marx does not believe in this way, rather for him man is not born free but he attains it through gradual process, i.e., through his social life or social practice. As I have said above Marx does not consider natural necessity as an obstacle to free will rather he considers it as a precondition for it. He held that man's freedom is not an imaginary independence of natural and social laws. It lies in knowing these laws and in actions based on that knowledge. For instance, he argues that "people are not super natural beings. They can not over step the bounds of natural laws any more than they can avoid breathing. People live in society and cannot immune from the operation of the laws of social living" (Dutt, 1963: P.97)

Accordingly, in the first place Marx argues that an essential means to human free will (freedom) is knowledge. The sort of knowledge that Marx assumes is the knowledge of necessity. So, for him knowledge of natural necessity is an essential means to human will. What distinguishes the human practice from the animal behavior is that man in the process of his social practice attains knowledge of necessity. In this process man learns to act on knowledge of necessity and to apply it to accomplish what he aim at. In connection with this, Marx argues as follow:

*"men are not like animals, constrained to follow a predetermined pattern of behavior. They do not, like the animals, simply adapt themselves to their environment, but also by their own volition adapt their environment to themselves." (Ibid)*

The above Marx's idea indicated that animals follow a pre determined pattern of behavior. That means, they do not intervene themselves to know and change their environment rather they adapt it as it is. On the contrary, man adapts his environment by intervening themselves through their own will and by

influencing it. Thus, man is the master of nature. But, even if man is the master of nature, this does not mean that he abolishes natural laws or natural necessities rather he gets knowledge of them. Thus, Marx argues that free will (freedom) is attained through getting knowledge of necessity (natural or social laws). But if men lack the knowledge of these laws, they are unfree. With regard to this Maurice Cornforth, in favor of Marx, provides one example. This is: "People usually dreamed about flying on the sky. But due to the laws of nature this dream was very difficult during antiquity. However, through time as man's mind gradually developed, very recently could grasp the knowledge of this laws of nature (the laws of flying) so that man able to fly." This example tells us how knowledge is a means of freedom, because in this case it was through the knowledge of necessity that man could discover the knowledge of flying so that he could able to fly. That means, man had got the freedom to fly by knowing the laws of nature (in this case the laws of flying). However, if men did not know the necessity the law fly. Thus knowledge of the natural laws enables man to transcend those limitations.

Thus, for every action what we do has a cause of it. For Marx if this cause is the external force which influences us to do something without our will, then, we are not free. Thus, for him we are free when our act of will is the cause of our doing, but if it is influenced by the external forces we are not free. To jump over this external forces man should develop his knowledge, which is the way of his freedom.

### **3.2.2. Aquinas**

For Aquinas, just like Marx, free will does exist. That is, according to him man has a free will since he has reason. Since man is rational, it is necessary that he has a free will. That means, Aquinas believes in human's freedom. In so far as man is rational it is necessary that man has a free will. Free will is the cause

of its own movement because by his free will man moves himself to act. The proper act of free will, according to Aquinas, is choice. For we say that we have free will because we can take one thing while refusing another; and this is to choose.

*“some things act without judgment, as a stone moves downwards; and in like manner all things which lack knowledge. And some act from judgment, but not a free judgment; as brute animals. For the sheep, seeing the wolf, judges it to be shunned, from a natural and not a free judgment; because it judges, not from deliberation, but from natural instinct. And the same thing is to be said of any judgment in brute animals. But man acts from judgment because by his apprehensive power he judges that something should be avoided or sought. But because his judgment in the case of some particular act, is not from a natural instinct, but from some act of comparison in the reason, therefore he acts free judgment and retains the power of being inclined to various things.” (Summa Theologica, Pegis. trans, 1948: P. 369)*

So, from the above we could understand that for Aquinas there are three kinds of things:

- those which act without judgment. Example: stone
- those which act with judgment, but without free judgment (i.e., not from reason but from natural instinct). Example: animals
- those which act from free judgment (i.e., from reason). Example: man

Accordingly, for him human beings are importantly different from other animals and the rest of creation. Human beings act freely because they possess rational capacities which are lacking in other creatures, i.e., in animals and inanimate things. That means, his reason helps man to judge that something

should be pursued or avoided. And since this judgment is an act of comparison in the reason than a natural instinct, it is a free judgment. But inanimate objects such as stones, act without judgment. On the other hand, even if brute animals act from judgment, it is not a free judgment; rather it is from natural instinct.

Therefore, according to Aquinas our reasoning, or judging, serves as the basis of our freedom. Because we may freely follow different reasoning about particular choices, or choices are free. So, Aquinas's position on free will is a reason-based indeterminacy. In other words, our actions are free precisely because they originate from within us and are rationally motivated. Accordingly, Aquinas insists that "man differs from irrational animals in that he is the master of his actions through his reason and will.

With regard to compulsion or coercion on the will, Aquinas says that an act done under compulsion is not an act of the will; it is not a proper act of man. That means, a forced will is not will at all. So, for Aquinas the "necessity of coercion" is repugnant to the will; i.e., it violates the will. However the "necessity of end" and "natural necessity" are not repugnant to the will. That means, "necessity of end" and "natural necessity" do not violate the will. In fact, Aquinas classifies necessity into three. These are:

- i. **Natural necessity:** it is a necessity that arises from internal causes. That means, it is the necessity of features or actions of things that results from the natures of those things. In other words, it is a kind of necessity due to something internal to the thing. Example: "it is necessary for the three angles of the triangle to be equal to two right angles." (Ibid). This is natural and absolute necessity

- ii. **Necessity of the end (utility):** This is a kind of necessity imposed on something by the end. That means, something is necessary because without it the end is not to be attained or so well attained. Here also Aquinas gives example: “food is said to be necessary for life.”
  
- iii. **Necessity of coercion:** This is also a kind of necessity which happens when some one is forced by some agent, so that he is not able to do the contrary. Example: a person being thrown into the sea.  
All acts that are done by necessity of coercion are acts that are forced by some agent, so that one is not able to do the contrary.

The first one, i.e., “natural necessity,” according to Aquinas, is a kind of necessity due to something internal to the agent. That means, it is internal necessity. Where as the last two, i.e., “necessity of end” and “necessity of coercions,” are kinds of necessity due to something external to the agent. So, they are external necessity.

Therefore, as we have seen earlier, for Aquinas, necessity of coercion is repugnant to the will. This is because:

*“... we call violent that which is against the inclination of a thing. But the very moment of the will is an inclination to some thing. Therefore, just as a thing is called natural because it is according to the inclination of nature, so a thing is called voluntary because it is according to the inclination of will. Therefore, just as it is impossible for a thing to be at the same time violent and natural, so it is impossible for a thing to be absolutely coerced, or violent, and voluntary.” (Ibid)*

The above quotation suggests that no voluntary actions show necessity of coercion. That means, voluntariness is incompatible with necessity of coercion.

However, Aquinas does not consider “natural necessity” and “necessity of the end” as repugnant to the will.

With regard to the necessity of the end he says that “the necessity of the end is not repugnant to the will, when the end cannot be attained except in one way; and thus from the will to cross the sea arises in the will the necessity to desire a ship.” (Ibid: P. 362) So, according to Aquinas voluntariness is compatible with necessity of the end.

Likewise, “natural necessity,” for Aquinas, is not repugnant to the will. Here Aquinas tried to explain this with analogy to the intellect. That is: the intellect adheres to first principles by natural necessity. The first principles of speculative reason; “a thing cannot both be and not be in the same way at the same time.” The first principle of practical reason: “good is to be done and pursued; evil is to be avoided.” According to Aquinas once one understands the terms, one sees that they are true. Similarly, the will adheres to the last end (i.e., “happiness”) by natural necessity. So, the will’s adherence to the last end is an action done from natural necessity.

For those thinkers who deny the presence of man’s free will, their basic factor of denying this free will is due to the presence of necessity. But the question is what sort of necessity? Is it the necessity of nature (natural law) or is it the kinds of necessity that Aquinas tried to illustrate?

As we have seen in the beginning for Marx, for instance, there is no opposition between natural necessity and free will. That means, man’s free will is not an imaginary independence of natural and social laws. Rather, Marx says, it lies in

knowing these laws and in actions based on that knowledge. However Thomas Aquinas classified, as we have seen above, the concept of “necessity” into three: “natural necessity,” “necessity of the end,” and “necessity of coercion.” The first two necessities, according to him, do not violate (oppose) man’s free will. But the last one (i.e., necessity of coercion) does violate it.

Aquinas’s discussion of natural necessity does not include the discussion of natural laws. Whereas Marx’s discussion of natural necessity emphasized on natural law. As I think the discussion of free will must include the discussion of natural laws. In other words, the presence of man’s free will must be justified by discussing it in relation to natural laws. Are the two contradict each other or not? Because, as I think, these laws (natural laws) are supposed to be, by many philosophers, obstacles for human’s free will.

As I have said above, Aquinas does not bring natural laws in to discussion with regard to free will. But can we really say that man has free will without solving the problems between “free will” and “natural necessity”? Thus, Aquinas’s way of proving the existence of man’s free will does not sound to me unless he solves this problem.

As I have said previously, for Marx freedom is peculiar to man; the being of freedom is man. Men are not like the animals constrained to follow a predetermined pattern of behavior. They do not, like the animals, simply adapt themselves to their environment, but also by their own volition adapt their environment by themselves. Just like Marx, Aquinas also insists that freedom separates man from the animals, because he is the master of his actions through his reason and will.

As we have seen for Aquinas man has a free will in so far as he has reason. However, for this Aquinas's argument of free will one may raise the following as an objection. That is:

*“What is free is the cause of itself, “as the philosopher says (metaph. I, 2). Therefore what is moved by another is not free. But God moves the will, for it is written in the bible: ‘the heart of the king is in the hand of the lord; whithersoever He wills He shall turn it,’ and it is God who worketh in you both to will and to accomplish.’ Therefore man has not free will.” (Ibid)*

So, if man's will is moved by God, how could be possible that he is the master of his own actions there by he has a free will? But we can take the following Aquinas's point as a response against this challenge:

Aquinas argues that: “free will is the cause of its own movement, because by his free will man moves himself to act. Even if God is, according to him, the first cause who moves causes both natural and voluntary, He does not prevent their action from being natural and by moving voluntary causes, he does not deprive their actions of being voluntary.” Rather He is the cause of this very thing in them; for He operates in each thing according to its own nature. Aquinas also quoted from the bible. That is, he said that: “it is written (Sirach 15:14): “God made man from the beginning, and left him in the hand of his own counsel; and the Gloss adds: That is, in the liberty of choice (free will).” (Ibid: P. 369)

More importantly, Aquinas argues that God has given reason to man so that man is the master of his own actions. So, Aquinas places the location of freedom in the intellect. If we assume that human actions are those actions; that result from the rational capacities of humans, then the possibility of free

action depends on the possibility of free will. To say that an agent acted freely is to say that the agent was successful in carrying out a free volition or choice. Accordingly, Aquinas states that man has free will (or free choice), but commands, prohibitions, rewards and punishments would be in vain if he doesn't have free will. In other words, an agent must have free will to be morally responsible for his actions. That means, if an agent does not have free will, then that agent is not morally responsible for his actions. This argument tells us that for Aquinas free will is required for moral responsibility; unless one acts freely, one cannot be held morally responsible for what one does. Like Aquinas, Anslem also accepts the view that "unless human beings act freely, they cannot be responsible for their actions, and God will be blamed for sin."

Augustine was also interested in the discussion of free will. This is because he needed to explain how it is that God is not responsible for the presence of evil in the world. According to him, human beings do evil things when they are prone to their desires for the temporal things instead of pursuing eternal things such as knowledge, virtue, and God. Human beings possess the rational capacities of intellect and will as well as sensory capabilities and desire. Human beings perceive the world around them through their senses. Such data can also stimulate basic desires. This information is fed to the intellect, which makes judgments about the contents of perception and desire. He argues that "desire can never overwhelm agent; because they have intellects and wills, agents are not determined by basic bodily desires." Rather, an agent gives into desire in virtue of the will, which operates freely and never under compulsion. In fact, "if a will were ever coerced, Augustine says, "it would not be a will." Thus, "human beings commit sins freely by giving into the desire for temporal things, which the intellect and will could disregard in favor of the eternal things that human beings ought to pursue." That means, according to him, since human beings act freely, they are responsible for evil in the world.

Thus just like Aquinas and Anslem, for Augustine free will is necessary for moral responsibility.

For Aquinas, the will is a rational appetite, i.e., an appetite that is responsive to reason. He insists that only those who have an intellect and are capable of engaging in thought are capable of acting freely. Thus, children, non-rational animals, and the mentally disabled do not act freely. As they mature, however, children become more able to do so, as do those who recover from mental illness.

According to Aquinas the will depends upon the intellect to exercise its primary activity which is to choose. That means, the will depends upon the intellect to identify what choices are available from which the will can choose. We cannot choose what we are not aware of. This means knowledge, for Aquinas just like for Marx, is a necessary condition of free will.

## **Conclusion**

Basically, Aquinas's discussion of the concept of law enables us to understand his treatment of politics. That is why I gave more emphasis on his concept of law. In fact, the main factor why I brought the issue of the existence of God into discussion in addition to Aquinas's theory of politics is, as I have said in the introductory part, because of Aquinas's stance (stand point). That is, he insists that the issue of God's existence must come first with regard to the concept of God and related issues. Accordingly, I brought his five ways into discussion. In addition, his concept of free will is also part of his treatment of politics.

Aquinas argues that law is concerned with the common good rather than with the good of the individual. Both Aristotle and Aquinas argue that all good laws are considered good so long as they are enacted for the common good. That means, the ruler should act for the good of the state; his law should aim at the common good of the citizens. Accordingly, Aquinas insists that the basic purpose of the state is to protect the common good. Likewise; law also has an essential relation to reason. Aquinas's basic argument, with regard to law and reason, is that: "since actions are taken according to reason, that which guides actions also must be taken according to reason.

Aquinas recognizes not only one or two forms of law as modern philosophers do. Rather he provides us with four main kinds of law: eternal law, natural law, human law, and divine law. Among these laws, he considers the first one as the highest law. Natural law is the rational creature's participation of the eternal law; the eternal law as it applies to human beings. Aquinas considers the first principles of the natural law as the same for everyone and known to all. In other words, reason in man is capable of apprehending these first principles. That means, our inclination to do good and avoid evil is derived by our participation in the eternal law. These first principles of the natural law,

according to him, are: “Good is what all things seek,” and ‘Good is to be done and promoted, and evil is to be avoided.’” All other principles of natural law, according to him, are dependent upon these first principles of natural law. Whereas human laws are mutable, the first principles of the natural laws are immutable since they cannot be abolished from the human heart. In fact human law, according to Aquinas, refers man’s formulation of his own law in order to apply natural law to the specific geographical, historical, and social circumstances. The essential characteristics of human law are - it is derived from the natural law, it is directed to the common welfare of the city, it should be promulgated by the ruler of the community, and it is directive of human actions. Aquinas also insists that human law does not punish who meditates murder but does not commit it. This tells us, according to him, that human law is not competent to judge the interior actions. So, we need another law that is capable of judging both the interior and the exterior actions. And Aquinas calls this law as divine law. With regard to free will, Aquinas insists that free will distinguishes man from the animals because man is the master of his actions through his reason and will. This Aquinas’s standpoint fits with Marx’s view of freedom. According to Marx free will is peculiar to man. The being of free will is man. Marx also insists that man by his volition (free will) adapts his environment where as animals follow a predetermined pattern of behavior; a behavior that adapts the environment (or nature) as it is without struggling to alter it through volition.

## Bibliography

- Carlyle, R.W. (1975). **A History of Medieval Political Theory in the West**. London: William Blackwood and sons LTD.
- Cornforth, Maurice. (1955). **Theory of Knowledge**. New York: International Publishers Co. Inc.
- Cranston, Maurice. (eds.) (1959). **John Locke**. London: Richard Clay and Company, Ltd.
- Dawson, J. (Trans) (1965). **Aquinas Selected Political Writings**. London: Basil Blackwell.
- Dutt, Clements. (1963). **Fundamentals of Marxism-Leninism**. Moscow: Foreign Languages Publishing House.
- Fremantle, Anne. (1955). **The Age of Belief**. New York: The New American Library of World Literature.
- Gilby, Thomas, (1958). **The Political Thought of Thomas Aquinas**. Chicago: The University of Chicago Press.
- Gomperz, Theodor. (1949). **Greek Thinkers**. London: William Clowes and Sons Limited.
- J. Adler, Mortimer. (1948). **Saint Thomas and The Gentiles**. Milwaukee. Marquette University Press.
- Lewis, Ewart. (1954). **Medieval Political Ideas**. London: Routledge.
- Marenbon, John. (1998). **Medieval Philosophy**. London/New York: Routledge.
- Marx, Karl. (1974). **The German Ideology**, (ed.). London: The Gresham Press.
- Miller, L. (1996). **Questions That Matter**. New York: The Mc Graw Hill Companies, Inc.

Pegis, Anton. (Trans) (1948). **Introduction to Saint Thomas Aquinas**. New York: Random House, Inc.

Selsam, Howard. (1973). Reader in Marxist philosophy. New York: International Publishers.

Sertillanges, A. D. (Trans) (1962). **Foundations of Thomistic Philosophy**. London: Northumberland Press Limited.

Smalley, Beryl. (1965). **Trends in Medieval Political Thought**. New York: Barenness and Nobles, Inc.

# Declaration

I, the undersigned, declare that the thesis is my original work, has not been presented for a degree in another university and that all sources of material used for the thesis have been duly acknowledged.

## Declared by

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Candidate

## Confirmed by

Name\_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Advisor