

# QUESTION 91, ARTICLE 2 WHETHER THERE IS IN US A NATURAL LAW?

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<b>TEXT</b>	<b>PARAPHRASE</b>
<i>Whether there is in us a natural law?</i>	Is there such a thing as a natural law, a law that is "in" us by nature?

## Whether there is in us a natural law?

The Prologue to Question 91 asked simply whether there is a natural law. Here the *ultrum* is stated in a slightly different way: Whether there is a natural law *in us*. The preposition “in” is slippery, because one thing can be in another thing in many different senses. Heat is in fire differently than light is in the eye. The soul is in the body differently than the heart is in the chest. Intelligence is in a plan differently than suspense is in a story. We do in fact speak of the natural law being in us, but the sense in which any law can be in us – and the sense in which it can be *naturally* in us – are yet to be analyzed.

<i><b>Objection 1.</b> It would seem that there is no natural law in us. Because man is governed sufficiently by the eternal law: for Augustine says (<i>De Lib. Arb. i</i>) that "the eternal law is that by which it is right that all things should be most orderly." But nature does not abound in superfluties as neither does she fail in necessities. Therefore no law is natural</i>	<b>Objection 1.</b> Apparently, there is no such thing as a law that is in man by nature. As St. Augustine remarks in his dialogue <i>On Freedom of the Will</i> , the eternal law is the law "according to which it is just for all things to be completely in order." <sup>1</sup> From this it is plain that we are already adequately governed by the eternal law. But in that
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<sup>1</sup>Peter King, trans., *Augustine: On the Free Choice of the Will, On Grace and Free Choice, and Other Writings* (Cambridge, England: Cambridge University Press, 2010), p. 13.

*to man.*

case, it would be superfluous to have a natural law too, and just as our nature is not deficient in anything necessary to us, neither does it overflow with things that are superfluous. It follows, then, that no law is natural to man.

### **Objection 1. It would seem that there is no natural law in us.**

The Objector's expression "in us" -- which St. Thomas accepts -- reminds us that by a natural law, we mean one that is somehow implanted in us, impressed upon us, built into us. A more complete explanation is found in the discussion at the end of this article.

**Because man is governed sufficiently by the eternal law: for Augustine says (De Lib. Arb. i) that "the eternal law is that by which it is right that all things should be most orderly."**

St. Thomas and the Objectors often clash over what St. Augustine means. Here he points out that the Objector is taking St. Augustine's remark out of context, for what Augustine actually says is "So to explain concisely as far as I can the notion of eternal law *that is stamped on us*: It is the law according to which it is just for all things to be completely in order." Since St. Augustine considers the eternal law to be "stamped on us," that is, on our nature, plainly he does believe in a natural law.<sup>2</sup> The Objector does not really deny that St. Augustine believes this. As we are about to see, for him the important thing is that St. Augustine characterized eternal law as *sufficient* to set all things in order. Therefore, he thinks, why is any addition, natural law *needed*?

**But nature does not abound in superfluities as neither does she fail in necessities. Therefore no law is natural to man.**

Aristotle had famously held that God and nature make nothing in vain.<sup>3</sup> The maxim may at first seem redundant, because nature itself is a work of God. Perhaps a

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<sup>2</sup>King, *ibid.*, emphasis added.

<sup>3</sup>Aristotle, *On the Heavens*, Book 1, Chapter 4. St. Thomas explains, "But God makes nothing in vain, because, since He is a being that acts through understanding, He acts for a purpose. Likewise nature makes nothing in vain, because it acts as moved by God as by a first mover, just as an arrow

clearer way to put it is that God makes nothing in vain *either* in the order of nature *or* in the order of grace, and this is the sense in which St. Thomas takes it. For him, the maxim "nature makes nothing in vain" is a paraphrase of the principle that God makes nothing in vain in the order of nature.

It may at first seem that this principle is logically empty, a tautology. Certainly it would be, if it meant only something like "Organized wholes found in nature do, in fact, display organization." However, what it maintains is that naturally organized wholes display *purposeful* organization, to such a degree that nothing in them is superfluous to their ends. Taken in this way it is far from tautologous.

How far does this principle extend? Are we speaking only of the natures of biological organisms such as plants, animals, and men? Or are we speaking of nature as a whole? St. Thomas applies the principle to nature as a whole. Biological organisms provide more convenient examples, because it is relatively easy to distinguish their various powers and organs and to identify their purposes (something notoriously difficult in other cases, as we see in Aristotle's errors concerning the heavens). The purposes of the human sexual powers are procreation of young and the unity of their parents; the purpose of the heart is to pump blood. However, St. Thomas is convinced that all creation displays purposeful organization, not just biological organisms. This does not mean that we can meaningfully ask, "What is the purpose of that gust of wind just now?" or "What is the purpose of this pebble?" But St. Thomas would regard it as an eminently scientific procedure to ask what is the purpose of naturally recurring structures, such as suns. Such a view is easy to satirize; God, say some satirists, made foxes for the pleasure of English aristocrats in hunting them. That idea would of course be absurd. But would it be so absurd to rigorously analyze the roles played by foxes in the ecosystems to which they belong?

Considering St. Thomas's Christian faith, it is hardly astonishing that the *Summa* frequently invokes the principle that God and nature make nothing superfluous, nothing in vain. Much more surprising is that St. Thomas puts the premise in the mouths of his Objectors at least as often as he makes use of it himself. For example, one Objector claims that would be superfluous to suppose that God exists, because

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is not moved in vain, inasmuch as it is shot by the bowman at some definite thing. What remains, therefore, is that nothing in nature is in vain." Thomas Aquinas, *Exposition of Aristotle's Treatise on the Heavens*, Book 1, Lecture 8, trans. Fabian R. Larcher and Pierre H. Conway (Columbus: College of St. Mary of the Springs, 1964). Available online at [dhspriority.org/thomas/DeCoelo.htm](http://dhspriority.org/thomas/DeCoelo.htm). Compare *Politics*, Book 1, Chapter 2.

all natural things can be explained by natural causes and all voluntary things by human will or reason. Another holds that it would be superfluous for God to work in every agent, because His work in each single agent is sufficient. Yet another argues that it would be superfluous for human beings to be guarded by angels, because they are already guarded by God. And then there is the one who says it would be superfluous for the virtue of hope to reside in the will, because the virtue of charity already perfects the will.<sup>4</sup> Considering all of these appeals to the Nothing Superfluous Principle, the argument of the present Objector, who claims that natural law would be superfluous because eternal law already sets everything in order, comes almost as a thing to be expected.

These examples suggest that although St. Thomas fully accepts the principle that God and nature make nothing in vain, he is more struck by the misuse of the principle than by its use, and in each of these objections, including the present one, he thinks it is being abused. Today's Objectors go much farther. Our tendency is to scoff not at the abuses of the principle, but at the principle itself. How often do we hear that nature *does* overflow in superfluities? Examples of superfluities popular in the previous generation include the appendix and the tonsils. Those two are not so often mentioned in the present generation, as word has spread that they have functions after all. Among other things, the appendix may preserve useful symbiotic bacteria, and the tonsils may play a role in the immune system. But our time has come up with its own chief example: So-called "junk DNA," nucleic acid sequences that do not code for proteins, which are presented as superfluous on the assumption that coding for proteins is the only thing DNA is for.

Some of those who criticize the Nothing Superfluous Principle are motivated by the desire to score points in favor of all-powerful natural selection, and against an all-powerful God. The argument runs, "Nature is filled with useless things, therefore it is absurd to think that God created and governs it by His wisdom." This is a singularly silly line of reasoning, for even an atheist who stakes everything on natural selection should expect useless things to disappear, just because their preservation would confer no advantage to the organism. To be loaded down with useless things imposes costs. Confronted with things the purposes of which are unknown, then, neither theists nor atheists should leap to the conclusion they haven't any. A more promising research strategy would be to *try to discover* their purposes.

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<sup>4</sup>Respectively, I, Question 2, Article 3, Obj. 2; I, Question 105, Article 5, Obj. 1; I, Question 113, Article 1, Obj. 2; and II-II, Question 18, Article 1, Obj. 2.

For example, numerous functions have already been discovered for so-called junk DNA; its dismissal as junk turns out to have been embarrassingly premature.<sup>5</sup>

We see then that the point of inescapable disagreement between theists and atheists is not whether nature overflows in useless things, but whether the fact that it *doesn't* overflow in useless things implies a directing intelligence. This point has already been discussed, in Article 1, concerning the Argument from the Government of the Universe.

<p><i>Objection 2. Further, by the law man is directed, in his acts, to the end, as stated above (90, 2). But the directing of human acts to their end is not a function of nature, as is the case in irrational creatures, which act for an end solely by their natural appetite; whereas man acts for an end by his reason and will. Therefore no law is natural to man.</i></p>	<p><b>Objection 2.</b> Moreover, as we have seen in Question 90, Article 2, law directs human actions to their purpose. But we are not like the unreasoning animals, which are directed toward purposes simply by their natural appetites. On the contrary, we are directed toward purposes by our reason and will. So again we conclude that no law is in us by nature.</p>
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**Objection 2. Further, by the law man is directed, in his acts, to the end, as stated above (90, 2).**

The Objector alludes to St. Thomas's argument earlier in the *Treatise* that law is directed to the common good.

**But the directing of human acts to their end is not a function of nature, as is the case in irrational creatures, which act for an end solely by their natural**

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<sup>5</sup>Jonathan Wells, *The Myth of Junk DNA* (Seattle: Discovery Institute Press, 2011). Wells is a proponent of the contemporary theory of Intelligent Design, but his examples are taken from the work of conventional biologists, the overwhelming majority of whom are proponents of unguided natural selection. Intelligent Design thinkers reason that given the laws of physics as they are known to us, certain forms of organization that we observe would be unbelievably unlikely to arise apart from an intelligent cause. St. Thomas's approach is more like saying that without an intelligent cause, there could be no laws of physics in the first place. Although these two modes of argument are different, they may – contrary to the opinion of some Thomists -- be viewed as complementary.

**appetite; whereas man acts for an end by his reason and will. Therefore no law is natural to man.**

The Objector begins from two premises. First, he equates "nature" with the sub-rational urges we sometimes call "instincts." This is the same way people speak when they say of a person who acts without thinking, "he is acting naturally." Second, the Objector agrees with St. Thomas that law is not just a blind impulse or tendency, but an ordinance of reason, followed by rational deliberation. Consequently, it seems to the Objector that a creature is subject either to nature but not law, like wolves or worms, or to law but not nature, like human beings. In neither case is there such a thing as natural law; the very expression, "natural law," is inconsistent, like "odd evens," "future yesterdays," or "irrational reasoning."

<p><i>Objection 3. Further, the more a man is free, the less is he under the law. But man is freer than all the animals, on account of his free-will, with which he is endowed above all other animals. Since therefore other animals are not subject to a natural law, neither is man subject to a natural law.</i></p>	<p><b>Objection 3.</b> Still further, subjection to law is the opposite of freedom; the more free a man is, the less he is subject to law. Now man is the freest of all animals, because he is the only one with free will. Yet they are not subject to a natural law; therefore, he couldn't be either.</p>
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**Objection 3. Further, the more a man is free, the less is he under the law.**

This is a startlingly modern objection. History presents to us two nearly opposite meanings of freedom. Among the classical thinkers (bearing in mind that not all ancient thinkers were classical), the term referred not to the absence of government, but to a certain kind of governance, whether over a multitude of people, a single man, or an aspect of a man. Thus, in the political sense, the people of a republic were called "free" because they collectively ruled themselves (rather than being under the thumb of a tyrant). In the domestic sense, a freeman was called "free" because he ruled himself (rather than being ruled by a master). In the moral sense, a virtuous man was called "free" because he was ruled by the principle that most fully expressed his nature, this being his reason (rather than being at the mercy of his desires). And in the religious sense, a Christian was called "free" because he served the Author of his being, in whose image he was made, apart from whom he could not truly be himself, for to be alienated from the one in whose image I am made is to be alienated from my own being.

By degrees, the meaning of the term changed. So long as they do not think too deeply about the matter, modern people tend to regard freedom not as freedom from the wrong kind of rule, but as *freedom from rule*. In the political sense, this would make the people of a republic freer than the people of a tyranny only if they happened to make fewer rules for themselves than a tyrant would. In fact, the only true freedom would be anarchy, which has no rules at all, although freedom in this sense turns out to be inconvenient. In the domestic sense, a freeman would be freer than a slave not because he ruled himself, but only because he was more nearly able to do as he pleased -- if, in fact, he was more nearly able. In the moral sense, a virtuous man would be freer than a vicious one only if his reason happened to put less constraint on his will than his base desires did. The only true freedom would be following whatever impulse one happened to have at the moment, a condition with grave disadvantages. In the religious sense, a person would be free only if he served nothing and no one. Since in this view of things, God looks like a tyrant, some suppose that the only free spirit is the atheist. Carrying the line of reasoning still further, some take the view that not even the atheist is truly free, if he serves the cause of atheism. The culmination of the idea is that no one is truly free unless he does what he does merely because he does it; unless he has no particular reason for doing anything at all; unless his choices are meaningless. In this sense, freedom is not so much inconvenient as futile, and human existence is absurd. Which is just what such people conclude.

Plainly, the Objector understands freedom more in the way that most unreflective modern people do, than in the way that classical thinkers did.

**But man is freer than all the animals, on account of his free-will, with which he is endowed above all other animals.**

In keeping with the Objector's view of freedom as such, he views free will not as something that enables a being to conform itself to reasonable rule, but as something that sets it free from all rule.

**Since therefore other animals are not subject to a natural law, neither is man subject to a natural law.**

Including both its tacit and explicit premises, the argument runs like this:

1. The other animals are irrational; but law has to do with rationality; therefore the other animals are not subject to a natural law.

2. Alone having free will, man is the freest of all animals; but the measure of freedom is *not* being subject to law; therefore man, being freest, could certainly not be *more* subject to a natural law than the other animals are.

3. Since the other animals are not subject to natural law, and man is no *more* subject to law than they are, neither could man be subject to natural law.

The Objector's argument is posed in terms of natural law. Notice, though, that if he is right about the meaning of freedom, then his argument also applies to all law. It would follow that man is not subject to any kind of law, whether natural, eternal, human, or divine.

*On the contrary, A gloss on Rm. 2:14: "When the Gentiles, who have not the law, do by nature those things that are of the law," comments as follows: "Although they have no written law, yet they have the natural law, whereby each one knows, and is conscious of, what is good and what is evil."*

**On the other hand,** a commentary on St. Paul's remark in Romans 2:14, that even gentiles who do not have the law do by nature the things required by the law, declares that "Even though no law has been given them via writing, yet a law has been given them via nature, so that each one both knows and is aware of what is good and what is evil."

**On the contrary, A gloss on Rm. 2:14: "When the Gentiles, who have not the law, do by nature those things that are of the law," comments as follows: "Although they have no written law, yet they have the natural law, whereby each one knows, and is conscious of, what is good and what is evil."**

Intriguingly, this *sed contra* or "On the contrary" can be read in two ways. St. Thomas may be saying, "According to St. Paul in Romans 2:14, even the gentiles have the natural law, as a traditional commentary points out." But he may be saying something a bit different: "According to a traditional commentary on Romans 2:14, even the gentiles have the natural law." If we follow the former interpretation, St. Thomas is giving St. Paul himself as the traditional authority for the view that there is a natural law. If we follow the latter, St. Thomas is giving the commentator as the traditional authority, allowing for the possibility that the commentator may have been mistaken about what St. Paul meant.

A possible reason for the passage's ambiguity may be found in St. Thomas's *Commentary on the Letter to the Romans*, where he poses a puzzle about the meaning of the Pauline text. "But the expression, *by nature*, causes some difficulty," he says, "for it seems to favor the Pelagians, who taught that man could observe all the precepts of the Law by his own natural powers." He offers two possible solutions.

Hence [the first solution], *by nature* should mean nature reformed by grace. For he [St. Paul] is speaking of Gentiles converted to the faith, who began to obey the moral precepts of the Law by the help of Christ's grace. Or [the second solution,] *by nature* can mean by the natural law showing them what *should* be done, as in Psalm 4:6: *There are many who say, 'Who shows us good things!' The light of thy countenance, O Lord, is signed upon us*, i.e., the light of natural reason, in which is God's image. All this does not rule out the need of grace to move the affections any more than the knowledge of sin through the Law (Rom 3:20) exempts from the need of grace to move the affections.<sup>6</sup>

If the former of these two solutions is correct, then St. Paul is not really saying that *all* gentiles do "by nature" the things contained in the law; he is speaking only of gentile converts to Christianity, who have experienced the reforming influence of God's grace. But if the latter solution is correct, then although St. Paul *is* speaking of all gentiles, he is not saying that they actually do what the law requires; he is saying only that they know that they should. Taken in a certain way, both interpretations may be correct: St. Paul may be saying that although only gentile converts *follow* the law, even unredeemed gentiles *know* the law.<sup>7</sup>

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<sup>6</sup>Thomas Aquinas, *Lectures on the Letter to the Romans*, trans. Fabian Larcher, ed. Jeremy Holmes (Naples, Florida: Aquinas Center for Theological Renewal, Ave Maria University, 2008), Chapter 2, Lecture 3, Section 216, available online at [http://nvjournal.net/files/Aquinas\\_on\\_Romans.pdf](http://nvjournal.net/files/Aquinas_on_Romans.pdf), emphasis added to the word "should." In the text, I give the more common title, *Commentary on the Letter to the Romans*.

<sup>7</sup>Concerning the subsequent verse, 2:15, where St. Paul writes that the consciences of the gentiles bear witness, and their conflicting thoughts accuse or perhaps excuse them, St. Thomas explains, "[N]o one can testify that an action is good or bad unless he has knowledge of the Law. Hence, if conscience bears witness about good or evil, this is a clear sign that the work of the Law has been written in the man's heart. Another function is to accuse and defend. Here, too, knowledge of the Law is required." *Ibid.*, Section 219.

Whatever St. Thomas's view of St. Paul's remarks in Romans 2, he finds a much clearer testimony to the natural law in other passages of Scripture, especially the passage in Psalm 4, above, about the light of God's countenance signed upon us. In the *Summa*, he cites this passage five times, always in the *respondeo*, the presentation of his own view.<sup>8</sup> Although the Romans 2 passage comes up just as frequently, he never brings it up in the *respondeo*, preferring to leave it to the *sed contra* (where it appears twice) or the objections (where it appears three times).<sup>9</sup>

<p><i>I answer that, As stated above (90, 1, ad 1), law, being a rule and measure, can be in a person in two ways: in one way, as in him that rules and measures; in another way, as in that which is ruled and measured, since a thing is ruled and measured, in so far as it partakes of the rule or measure. Wherefore, since all things subject to Divine providence are ruled and measured by the eternal law, as was stated above (1); it is evident that all things partake somewhat of the eternal law, in so far as, namely, from its being imprinted on them, they derive their respective inclinations to their proper acts and ends. Now among all others, the rational creature is subject to Divine providence in the most excellent way, in so far as it partakes of a share of providence, by being provident both for itself and for others. Wherefore it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the</i></p>	<p><b>Here is my response.</b> In the previous Question, I explained that law is a yardstick and measuring rod of human acts, and I also explained that such a rule and measure can be "in" a thing (in this case, in a person) in either of two ways. First, it may be said to be "in" the thing that does the measuring and ruling. Second, it may be said to be "in" the thing that is being measured and ruled, because only to the degree that it <i>has a share</i> in what is ruling and measuring it is it actually ruled and measured.</p> <p>Of these two senses, the one that concerns us presently is the latter. Still earlier in this <i>Summa</i>, I explained that all things in subjection to divine providence are ruled and measured by the eternal law. From this and the previous point, it follows that all things have some share in the eternal law. They share in it just to the degree that it is imprinted on them, so that each kind of thing derives from it the</p>
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<sup>8</sup>I, Question 79, Article 4; I, Question 84, Article 5; I, Question 93, Article 4; I-II, Question 19, Article 4; and I-II, Question 91, Article 2. Especially pertinent are second and third of these references.

<sup>9</sup>I-II, Question 90, Article 3, Obj. 1; I-II, Question 91, Article 2, *sed contra*; I-II, Question 94, Article 6, Obj. 1; I-II, Question 100, Article 1, *sed contra*; and I-II, Question 109, Article 4, Obj. 1.

*eternal law in the rational creature is called the natural law. Hence the Psalmist after saying (Psalm 4:6): "Offer up the sacrifice of justice," as though someone asked what the works of justice are, adds: "Many say, Who showeth us good things?" in answer to which question he says: "The light of Thy countenance, O Lord, is signed upon us": thus implying that the light of natural reason, whereby we discern what is good and what is evil, which is the function of the natural law, is nothing else than an imprint on us of the Divine light. It is therefore evident that the natural law is nothing else than the rational creature's participation of the eternal law.*

natural inclinations, or dispositional tendencies, toward the acts and purposes that pertain to them particularly.

Of all creatures, *rational* creatures are subject to divine providence in the best and most distinguished way. They share in God's providence for all things through caring for themselves and for others. Moreover they partake of Eternal Reason, for that is what gives them their dispositional tendencies to their due acts and purposes. This sharing of rational creatures in the eternal law is the natural law.

This is why, in Psalm 4, in the Old Testament, when the inspired poet urges that God be offered just sacrifices, he says what he does. As though people were asking *what* sacrifices are just, *what* offerings to God are good and bad, he remarks, "Many say, Who shows us good things?" His answer to the question is "The light of Your countenance, O Lord, is signed upon us" -- the light of God's face is impressed upon us like a signet. In other words, the light of natural reason which enables us to distinguish good offerings from evil -- the very work which is characteristic of the natural law -- is nothing other than an impression of the Divine light upon us. And this is the very same conclusion we reached by rational demonstration: Natural law is nothing else but the mode in which rational creatures share in eternal law.

**I answer that, As stated above (90, 1, ad 1), law, being a rule and measure, can be in a person in two ways: in one way, as in him that rules and measures; in another way, as in that which is ruled and measured, since a thing is ruled and measured, in so far as it partakes of the rule or measure.**

This is a little bit elliptical. Although St. Thomas does not say explicitly that natural law is "in" us in the latter way, not the former, he expects this point to be understood.

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

The critical point is that one of the ways in which the eternal law becomes effective is that our nature has been fashioned as a reflection of it; natural law is an imprint of the eternal law, just as St. Augustine had suggested.

The English translation renders two Latin words by a single English word, "proper." However, these two Latin words have slightly different meanings. Here we find the first instance, in the phrase *in proprios actus et fines*, here rendered "their proper acts and ends." In this case the translation is correct, for the word *proprius* really does mean "proper." What is proper to a thing is what pertains to it but does not pertain to other things, as when we say that pumping blood is proper to the heart, but taking in oxygen is proper to the lungs.

**Now among all others, the rational creature is subject to Divine providence in the most excellent way, in so far as it partakes of a share of providence, by being provident both for itself and for others.**

One might protest that sub-rational creatures also provide for themselves and others. The robin builds a nest; the antelope flees from the lion; the pheasant lures the fox from its hatchlings; the lioness joins with others in the hunt. Yes, but St. Thomas has not yet finished with his explanation. These creatures act toward their purposes in a lower fashion than we do. They do not *consider* their ends, or ask what they mean, or take thought for the future. Nor do they have true culture, for although they seek means to their ends, they do so in rigid ways. A raccoon may pass on to its young the discovery that dumpsters contain good things to eat, but the raccoon does not invent agriculture; nor does it seek or pass on knowledge for its own sake,

knowledge valued simply because it is true. Rationality is not a matter of the score a creature achieves on an intelligence test. One could imagine a creature that achieved a higher score than humans do, yet still lacked rationality. The point is not that there *couldn't* be another rational animal. On earth, however, we don't know of any.

**Wherefore it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the eternal law in the rational creature is called the natural law.**

Unlike the sub-rational creatures, we humans pursue our ends by deliberation and seek to know their meaning. We seek not mates, but spouses. We try not only to obtain what we need, but to understand what we need. Rather than pursuing our ends formulaically, we invent arts and build civilizations. All creatures are governed by God's eternal reason, but we are governed by it in a different way than they are, for among all the animals, we alone have minds that can contemplate the principles of our own order, reflect upon the pattern of our natural inclinations, recognize and conform to the natural law. We must, of course, choose to do these things, for although the sub-rational creatures have no choice but to follow their instincts, we can turn away from the truth. There is no such thing as a wicked lion; there is certainly such a thing as a wicked man.

We come now to the second place where the English translation renders a Latin word as "proper." However, the word *debitum*, in the phrase *ad debitum actum et finem*, here rendered "its proper act and end," actually means not what is proper, but what is due or owing -- a debt. *Proprios*, a descriptive term, signifies function or proper work. By contrast, *debitum* is a legal term, signifying obligation, something that ought to be paid or given. Thus, by the subtlest shading of phraseology -- a mere shift from the "proper" to the "due" -- St. Thomas hints at one of the ways in which nature is connected with law. What things are naturally for is connected with how we ought to employ them. The respiratory powers are for breathing, not for sniffing glue; the sexual powers are for bringing about new life and uniting the parents, not for the wantonness. These are not just the purposes these things are made for; they are also what is right.

**Hence the Psalmist after saying (Psalm 4:6): "Offer up the sacrifice of justice," as though someone asked what the works of justice are, adds: "Many say, Who showeth us good things?" in answer to which question he says: "The light of Thy countenance, O Lord, is signed upon us": thus implying that the light of natural reason, whereby we discern what is good and what is evil, which is the**

**function of the natural law, is nothing else than an imprint on us of the Divine light.**

So far, although the argument has been theological simply in the sense that it concerned God, even so it has proceeded by reason alone, without help from Revelation. Now there is a turn; to supplement his argument, St. Thomas appeals to his favorite among the numerous Scriptural passages that might be cited in support of natural law. The *reason* why we alone among the animals can contemplate our own principles of order, why we alone can recognize and follow the natural law, is that we alone are given true minds, capable of being lit by the light of the mind of God. According to St. Thomas, it is precisely this illumination that the psalmist has in mind when he speaks of the light of God's face.

Of course the expression "light" does not refer to physical light. Yet in St. Thomas's view, it is much more than metaphor, for the analogy between physical and intellectual light is precise. Just as things become seeable by our eyes only to the degree that they are illuminated by the physical light of the sun, so things become intelligible to our minds only to the degree that they are illuminated by the intellectual light of Divine reason. To be sure, in this life we cannot perceive God in Himself, any more than our unaided eyes can gaze directly at the sun. Yet the problem is not that the light is too dim for our eyes, but that it is too bright. Even so, just as the sun's light makes it possible for other things to be seen, so the Divine light makes it possible for other things to be understood.

**It is therefore evident that the natural law is nothing else than the rational creature's participation of the eternal law.**

From all the foregoing, it follows that natural law is the distinctive way in which rational creatures share in eternal law -- a mode quite different from the one in which sub-rational creatures share in it. Their way of sharing in eternal law is passive; ours is active. Their way does not rise to the level of law; ours, being rational, does. They cannot recognize it *as* law. We can, and we do.

***Reply to Objection 1.*** This argument would hold, if the natural law were something different from the eternal law: whereas it is nothing but a participation thereof, as stated above.

**Reply to Objection 1.** This objection would be valid if natural law were something *different* from eternal law. But that is not what it is. As we saw above, natural law is how the rational creature *shares* in eternal law.

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**Reply to Objection 1. This argument would hold, if the natural law were something different from the eternal law: whereas it is nothing but a participation thereof, as stated above.**

The Objector's fundamental mistake lies in thinking that there are two entirely distinct laws, one eternal and one natural. Actually, what we call the natural law is the manner in which we experience the eternal law, via our created rational nature. Could God have dispensed with the natural law? Certainly. He could have governed us as He governs irrational creatures. But this does not make natural law superfluous, because it is *better* to govern us by means of natural law -- by drawing our minds up into the very pattern of His Providence.

In the Third Part, Question 65, Article 4, St. Thomas distinguishes between two ways in which a thing may be necessary. Some things are necessary in the sense that without them, the end cannot be attained at all; others in the sense even though the end can be attained without them, it cannot be attained in such a fitting way. The natural law is not necessary in the first way, but it is necessary in the second. So it is not superfluous.

<p><i>Reply to Objection 2. Every act of reason and will in us is based on that which is according to nature, as stated above (10, 1): for every act of reasoning is based on principles that are known naturally, and every act of appetite in respect of the means is derived from the natural appetite in respect of the last end. Accordingly the first direction of our acts to their end must needs be in virtue of the natural law.</i></p>	<p><b>Reply to Objection 2.</b> The Objector is right to say that we are directed toward the purposes that are proper for us by our reason and will. But on what are our reason and will based? On our nature. How so? In the first place, every act of reasoning is based on principles that are naturally known. In the second place, every appetite is directed toward obtaining some end, and every such end is a means to our ultimate end, which we naturally desire.</p>
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**Reply to Objection 2. Every act of reason and will in us is based on that which is according to nature, as stated above (10, 1): ...**

Remember that in the Objector's view, the natural and the rational were opposites; animals act naturally, but humans act rationally. St. Thomas shows that this view is superficial and wrong. Animal nature is irrational, *but human nature is rational*. To put it another way, the natural and the rational are opposites for beings of their nature, but not for beings of our nature. Yes, we share certain inclinations with the animals, but to us they are not brute instincts. They *make sense* to us -- they are something we reason about.

**... for every act of reasoning is based on principles that are known naturally, and every act of appetite in respect of the means is derived from the natural appetite in respect of the last end.**

The deep structure of the human intellect is itself natural. We know *by nature* such principles as "good is to be done and pursued, and evil is to be avoided," and we are endowed *by nature* with the ability to recognize what is good.

**Accordingly the first direction of our acts to their end must needs be in virtue of the natural law.**

So, although for a beast it is natural to pursue what seems good to it, heedless of greater considerations, for us it is natural to pursue what reason recognizes as *really* good for us, in light of the ultimate purpose. The natural law indicates what this requires.

Notice the precision of the reply to Objection 2. St. Thomas maintains that every act of reason and will in us is based on something that is according to nature. But he does *not* maintain that everything we build upon this base is according to nature, nor does that conclusion follow.

<p><b>Reply to Objection 3.</b> <i>Even irrational animals partake in their own way of the Eternal Reason, just as the rational creature does. But because the rational creature partakes thereof in an intellectual and rational manner, therefore the participation of the eternal law in the rational creature is properly called a law, since a law is something pertaining to reason, as stated above</i></p>	<p><b>Reply to Objection 3.</b> Both rational and irrational creatures partake of the eternal reason, each in its own way. Only the rational creature participates in the eternal reason <i>by means of its intellect, by reasoning</i>. Since law is essentially related to reason, the rational creature's mode of participation in eternal law may itself be called law. Although the irrational creatures' mode</p>
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<p><i>(90, 1). Irrational creatures, however, do not partake thereof in a rational manner, wherefore there is no participation of the eternal law in them, except by way of similitude.</i></p>	<p>of participation in eternal law is something like a law, even so it is not truly a law, because it does not partake of reason.</p>
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**Reply to Objection 3. Even irrational animals partake in their own way of the Eternal Reason, just as the rational creature does.**

In St. Thomas's view, Objection 3 hinges on a misunderstanding of *what it means* to say that man is subject to a natural law, but irrational animals are not. In order to clear up this misunderstanding, he must first clarify the difference between us and the beasts. The difference is *not* that we are drawn into God's eternally reasonable governance of the universe, and they are not. Both partake of Eternal Reason, but we partake of it in a distinctive way.

**But because the rational creature partakes thereof in an intellectual and rational manner, therefore the participation of the eternal law in the rational creature is properly called a law, since a law is something pertaining to reason, as stated above (90, 1).**

Eternal Reason governs us *by way of* our own reason. For just this reason, the way in which it governs us has the character of a law, since law is addressed to minds; it is something the mind can recognize as right.

**Irrational creatures, however, do not partake thereof in a rational manner, wherefore there is no participation of the eternal law in them, except by way of similitude.**

Eternal Reason governs the beasts not by way of their understanding, but without it, since they have no understanding. Because it is not addressed to their minds, the way in which it governs them may resemble true law, but it is not true law.

We see, then, that the Objector has things exactly backwards. Man is not the only creature who is exempt from natural law, but the only creature who is governed by it. Only rational beings can enjoy such an exalted mode of governance, and in this privilege lies their freedom.

## DISCUSSION

The central claim of the classical natural law tradition can be expressed in just a few sentences. Law may be defined as an ordinance of reason, for the common good, made by legitimate public authority, and promulgated. Nature may be conceived as an ensemble of things with particular natures, and a thing's nature may be thought of as the design imparted to it by the Creator -- as a purpose impressed upon it by the divine art, so that it is directed to a determinate end.<sup>10</sup> The claim of the tradition is that in exactly these senses, natural law is both (1) true law, and (2) truly expressive of nature.

Natural law is *law* because it has all that all true law has. It not an arbitrary whim, but something reasonable; it serves not some special interest, but the universal good; its author has care of the universe, for He created and governs it; and it is not a secret rule, for He has so arranged this Creation that the basics of right and wrong are known to every human being.

Natural law is *natural* because it is built into our deep structure, into the constitution of the human person. In the first place, it is built into the inclinations of the moral intellect. We spontaneously recognize such things as the right of being grateful for good done to us, the wrong of deliberately taking innocent human life, and the good of knowing the truth. In the second place, it is built into the rest of our inclinations. Consider how each sex completes and balances the other, how they are partners in turning the wheel of the generations, so they are drawn to each other. In the third place, it is sewn into the fabric of experience. Lives that go with the grain of the created universe tend to prosper; lives that go against it suffer loss, usually even by their own reckoning of "loss." Those who betray their friends are betrayed by them. Those who abandon their children have no one to comfort them when they are old. Those who suppress their moral knowledge become even stupider than they had intended.

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<sup>10</sup>St. Thomas adds, "It is as if the shipbuilder were able to give to timbers that by which they would move themselves to take the form of a ship." Thomas Aquinas, *Commentary on Aristotle's Physics*, Book 2, Lecture 14, trans. Richard J. Blackwell, Richard J. Spath, and W. Edmund Thirlkel, rev. ed. (Notre Dame, Indiana: Dumb Ox Books, 1999), p. 134. One must be careful is quoting from St. Thomas's commentaries, because it is not always clear when he is merely reporting the author's view and when he is agreeing with it. In this case, St. Thomas is certainly agreeing. The point about the divine art is his own, and he introduces his remark not with "He says" but with "Hence, it is clear that."

Obedience to natural law is a condition of authentic freedom, for to disobey the law of our nature is to be untrue to our very selves -- and what kind of freedom could that be?

But this opens a larger question. Why not just say "Follow the natural law because it is naturally good for you," and leave it at that? Why bring God into the picture? One answer is that we don't *bring* God into the picture; He is in it already. There wouldn't be a nature without God; there wouldn't be natural goods without God; there wouldn't be anything without God. The natural law depends on God in the same way that everything depends on God.

This answer is good so far as it goes, but it is incomplete. It shows how natural law depends *ontologically* upon God, but it doesn't show how it depends *practically* upon God. Someone might suggest that for practical purposes, God can be ignored. Even conceding that He made our nature, still, now that we have been made, we should seek what is naturally good for us, just because it is naturally good. Yes, He commands it, the Objector says, but that is not the *reason* we obey.

Yet this suggestion too is incomplete. It supposes that God is one thing, and good another. What if God *is* our good? What if, in some sense, friendship with Him is our *greatest* good? That is exactly what St. Thomas proposes. But in that case, even if we do pursue the good "because it is good," it isn't redundant that He commands it. Now friendship with God might mean either natural friendship with God, which lies in the concordance of wills, or supernatural friendship with God, which lies in union. St. Thomas puts off the latter until Article 4, because it transcends the capacities of our nature. Here we are considering the former. But even natural friendship with God is would be a colossal good, if only it could be achieved.<sup>11</sup>

Consider just the good and beauty of mortal friendship. We enjoy it, yes. But we also appreciate it, and this fact itself is a good; it reflects and thereby doubles the original enjoyment. Did I say doubles? Say rather triples, quadruples, quintuples, as the enjoyment of friendship reverberates in the strings of memory, gratitude, and delight. If we never remember of our friends, have no gratitude for them, and are never moved to joy just because they *are*, we can scarcely be said to have experienced friendship at all. We are diminished, impoverished, mutilated; something is wrong with us. But if all that is true even in the case of goods like mortal friendship, then isn't it still more true in the case of friendship with God? If

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<sup>11</sup>I am setting aside the obstacles brought about by the Fall, to which we return in Article 6.

we cannot take joy in remembering Him, being grateful to Him, and delighting in the thought of Him, aren't we missing the very note on which the chord of good is built?

We are, and this fact alters and deepens the motive for obeying the natural law. True, the natural law directs us to nothing but our good. The Objector responds, "Then we should have done it anyway, even apart from God's command." But is it possible that *part* of what makes it good for us lies in doing it just because He commands it?

What lover has not known the delight of doing something, just because the beloved asked? What child has not begged Daddy to give him a job to do, just so he could do it for Daddy? What trusted vassal did not plead of a truly noble lord, "Command me!" just in order to prove himself in loyal valor? If in such ways, even the commands of mere men can be gifts and boons, then why not still more the commands of God?