
Ethics

Augustine on How to be Happy

Like most moralists in the ancient world, Augustine bases his ethical teaching on the premiss that everyone wants to be happy, and that it is the task of philosophy to define what this supreme good is and how it is to be achieved. If you ask two people whether they want to join the army, he says in the *Confessions*, one may say yes and the other no. But if you ask them whether they want to be happy, they will both say yes without any hesitation. The only reason they differ about serving in the army is that one believes, while the other does not, that that will make him happy (*Conf.* X. 21. 31).

In *On the Trinity* (DT 13. 3. 6) Augustine tells the story of a stage player who promised to tell his audience, at his next appearance, what was in each of their minds. When they returned he told them ‘Each of you wants to buy cheap and sell dear’. This was smart, Augustine says, but not really correct—and he gives a list of possible counter-examples. But if the actor had said ‘Each of you wants to be happy, and none of you wants to be miserable’, then he would have hit the mark perfectly.

The branch of philosophy that Greeks call ‘ethics’ and which Latins call ‘moral philosophy’, Augustine says, is an inquiry into the supreme good. This is the good that provides the standard for all our actions; it is sought for its own sake and not as a means to an end. Once we attain it, we lack nothing that is necessary for happiness (*DCD* VIII. 8). So far, Augustine is saying nothing that had not been said by classical moralists: and he is following precedent too in rejecting riches, honour, and sensual pleasure as candidates for supreme goodness. The Stoics, among others, held out a

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similar renunciation, and maintained that happiness lay in the virtues of the mind. They were mistaken, however, both in thinking that virtue alone was sufficient for happiness, and in thinking that virtue was achievable by unaided human effort. Augustine takes a step beyond all his pagan predecessors in claiming that happiness is truly possible only in the vision of God in an afterlife.

First, he argues that anyone who wants to be happy must want to be immortal. How can we hold that a happy life is to come to an end at death? If a man is unwilling to lose his life, how can he be happy with this prospect before him? On the other hand, if his life is something he is willing to part with, how can it have been truly happy? But if immortality is necessary for happiness, it is not sufficient. Pagan philosophers who have claimed to prove that the soul is immortal have also held out the prospect of a miserable cycle of reincarnation. Only the Christian faith promises everlasting happiness for the entire human being, soul and body alike (*DT* 13. 8. 11–9. 12).

The supreme good of the City of God is eternal and perfect peace, not in our mortal transit from birth to death, but in our immortal freedom from all adversity. This is the happiest life—who can deny it?—and in comparison with it our life on earth, however blessed with external prosperity or goods of soul and body, is utterly miserable. Nonetheless, whoever accepts it and makes use of it as a means to that other life that he longs for and hopes for, may not unreasonably be called happy even now—happy in hope rather than in reality. (*DCD* XIX. 20)

Virtue in the present life, therefore, is not equivalent to happiness: it is merely a necessary means to an end that is ultimately other-worldly. Moreover, however hard we try, we are unable to avoid vice without grace, that is to say without special divine assistance, which is given only to those selected for salvation through Christ. The virtues of the great pagan heroes, celebrated from time to time in *The City of God*, were really only splendid vices, which received their reward in Rome's glorious history, but did not qualify for the one true happiness of heaven.

Many classical theorists upheld the view that the moral virtues were inseparable: whoever possesses one such virtue truly possesses them all, and whoever lacks one virtue lacks every virtue. As a corollary, some moralists held that there are no degrees of virtue and vice, and that all sins are of equal gravity. Augustine rejects this view.¹

¹ See Bonnie Kent, 'Augustine's Ethics', in *CCA* 226–9.

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A woman . . . who remains faithful to her husband, if she does so because of the commandment and promise of God and is faithful to him above all, has chastity. I don't know how I could say that such chastity is not a virtue or only an insignificant one. So too with a husband who remains faithful to his wife. Yet there are many such people, none of whom I would say is without some sin, and certainly that sin, whatever it is, comes from vice. Hence conjugal chastity in devout men and women is without doubt a virtue—for it is neither nothing nor a vice, and yet it does not have all the virtues with it. (*Ep.* 167. 3. 10)

We are all sinners, even the most devout Christians among us; yet not everything that we do is sinful. We are all vicious in one way or another, but not every one of our character traits is a vice.

In Augustine's moral teaching, however, there is an element that has many of the same consequences as the pagan thesis of the inseparability of the moral virtues. This is the doctrine that the moral virtues are inseparable from the theological virtues. That is to say, someone who lacks the virtues of faith, hope, and charity cannot truly possess virtues such as wisdom, temperance, or courage (*DT* 13. 20. 26). An act that is not done from the love of God must be sinful; and without orthodox faith one cannot have true love of God (*DCG* 14. 45).

Augustine often says that the virtues of pagans are nothing but splendid vices: an evil tree cannot bear good fruit. Sometimes he is willing to concede that someone who lacks faith can perform individual good acts, so that not every act of an infidel is a sin. But even if pagans can do the occasional good deed, this will not help them to achieve ultimate happiness: the best they can hope for is that their everlasting punishment will be less unbearable than that of others.

Through the long history of Christianity many were to accept Augustine's picture of the dreadful future that awaits the great majority of the human race. After the disruption of the Reformation, Calvin in the Protestant camp and Jansenius in the Catholic camp were to offer visions of even darker gloom; and in the nineteenth century Kierkegaard and Newman stressed, like Augustine, how narrow was the gate that gave entry to the supreme good of final bliss. The breezy optimism that characterized many Christians in the twentieth century had little backing from tradition. But that is a matter for the history of theology, not philosophy.

Augustine on Lying, Murder, and Sex

From a philosophical point of view Augustine's contributions to particular ethical debates are of greater interest than his overall view of the nature of morality. He wrote much that repays study concerning the interpretation of three of the Ten Commandments: 'Thou shalt not kill', 'Thou shalt not commit adultery', 'Thou shalt not bear false witness against thy neighbour'.

In *The City of God* Augustine defined for future generations the way in which Christians should interpret the biblical command 'Thou shalt not kill'. In the first place, the prohibition does not extend to the killing of non-human creatures.

When we read 'thou shalt not kill' we do not take this to apply to bushes, which feel nothing, nor to the irrational animals that fly or swim or walk or crawl since they are not part of our rational society. They have not been endowed with reason as we have, and so it is by a just ordinance of the creator that their life and death is subordinate to our needs. (*DCD* I. 20)

In the second place, it is not always wrong for one human being deliberately to take the life of another human being. Augustine accepts that a public magistrate may be justified in inflicting the death penalty on a wrongdoer, provided that the sentence is imposed and carried out in accordance with the laws of the state. Moreover, he says, the commandment against killing is not broken 'by those who have waged war on the authority of God' (*DCD* I. 21).

But how is one to tell when a war is waged with God's authority? Augustine is not one to glorify war: it is an evil, to be undertaken only to prevent a greater evil. All creatures long for peace, and even war is waged only for the sake of peace: for victory is nothing but peace with glory. 'Everyone seeks peace while making war, but no one seeks war while making peace' (*DCD* XIX. 10). On the other hand, Augustine is not a pacifist, as some of his Christian predecessors had been, on the basis of the Gospel command to 'turn the other cheek'. Soldiers may take part, indeed are obliged to take part, in wars that are waged by states in self-defence or in order to rectify serious injustice. Augustine does not spell out these conditions in the way that his medieval and early modern successors did in developing the theory of the just war. He is clear, however, that even in a

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just war at least one side is acting sinfully (*DCD* XIX. 7). And only a state in which justice prevails has the right to order its soldiers to kill. 'Remove justice, and what are kingdoms but criminal gangs writ large?' (*DCD* IV. 4). Nonetheless, he is willing to give historical examples of wars that he considers divinely sanctioned: for instance, the defence of northern Italy against the Ostrogoths, which ended with the spectacular victory of the imperial general Stilicho at Fiesole in 405 (*DCD* V. 23).

What of killing by private citizens, in self-defence or in defence of the life of a third party? Augustine does not seem to have made up his mind whether this was legitimate, and passages in his letters can be quoted in both senses. But on one topic much contested in Hellenistic philosophy Augustine is quite firm: suicide is unlawful. The command 'Thou shalt not kill' applies to oneself as much as to other human beings (*DCD* I. 20).

The issue was topical when Augustine began writing *The City of God* because during the sack of Rome in 410 many Christian men and women killed themselves to avoid rape or enslavement. Augustine maintains that no reason can ever justify suicide. Suicide in the face of material deprivation is a mark of weakness, not greatness of soul. Suicide to avoid dishonour—such as that of the Roman Cato, unwilling to bow to the tyranny of Julius Caesar—brings only greater dishonour (*DCD* I. 23–4). Suicide to escape temptation to sin, though the least reprehensible form of suicide, is nonetheless unworthy of a Christian who trusts in God. Suicide to escape rape—an action which some other Christians, such as Ambrose, regarded as heroic—falls even more firmly under Augustine's condemnation, because to be raped is no sin and should bring no shame on an unconsenting victim (*DCD* I. 19).

Augustine is less forthright in defence of human rights other than the right to life. He asks whether a magistrate does well to torture witnesses in order to extract evidence. He spells out eloquently the evils inherent in the practice: a third-party witness suffers, though not himself a wrongdoer; an innocent accused may plead guilty to avoid torture, and even when the victim of torture is actually guilty, he may lie nonetheless and escape punishment. Overall, the pain of torture is certain while its evidential value is dubious. Nonetheless, Augustine says finally, a wise man cannot refuse to carry out the duties of a magistrate, however unsavoury. He was perhaps unaware that torture had been condemned by a synod of bishops at Rome in 384.

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Unlike other Church Fathers, Augustine taught that sexual reproduction was part of God's plan for the Garden of Eden. However the Fall – as here represented in a Roman catacomb painting – made sexuality shameful and uncontrollable.

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What of slavery? Unlike Aristotle, Augustine does not think that slavery is something natural. It is, he says, the result of sin: and to illustrate this he gives the example of a kind of slavery which Aristotle too regarded as immoral, namely the enslavement of the vanquished by the victors in an unjust war. However, he falls short of an outright condemnation, in this sinful world, of slavery as an institution: he is deterred from doing so by the example of the Old Testament patriarchs, and by Paul's injunctions in the New Testament to slaves to obey their masters. 'Penal slavery is ordained by the same law as enjoins the preservation of the order of nature.' As often when faced with an intractable social or political problem, Augustine takes refuge in an internalization of the issue: it is better to be slave to a good master than to one's own evil lusts, so slaves should make the best of their lot and masters should treat their slaves kindly, punishing them only for their own good (*DCD* XIX. 15–16).

It was in matters of sexual ethics that Augustine's influence on later Christian thinkers was most profound. His teaching on sex and marriage became, with little modification, the standard doctrine of medieval moral philosophers. Among the major philosophers of the Latin Middle Ages, Augustine was the only one to have had sexual experience—if we except Abelard, whose sexual history was fortunately untypical. In modern times Augustine has acquired among non-Christians a reputation as a misogynist with a hatred of sex. Recent scholarship has shown that this reputation needs re-examination.²

It is true that Augustine is author of the strict Christian tradition that regards sex as permissible only in marriage, that treats procreation as the principal purpose of marriage, and that sets consequential limits on the types of sexual activity lawful between husband and wife.³ But Augustine's teaching is much less hostile to sex than that of many of his contemporaries and predecessors. Christians like Ambrose and Jerome thought that marriage was a consequence of the Fall, and that there would have been no sex in the Garden of Eden. Augustine maintained that marriage was part of God's original plan for unfallen man and that Adam and Eve, even had

² See esp. Peter Brown, *The Body and Society* (New York: Columbia University Press, 1988), 387–427.

³ Mark D. Jordan, *The Ethics of Sex* (Oxford: Blackwell, 2002), 110, points out that the principal New Testament text on marriage, 1 Cor. 7, makes no link between marital ethics and procreation: marriage is presented as a concession to the strength of sexual desire.

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they remained innocent, would have procreated by sexual union (*DCD* XIV. 18). (It is true that such union, on his account, would have lacked all the elements of passion that make sex fun: in his Eden, copulation would have been as clinical as inoculation; *DCD* XIV. 26.) Against ascetics who regarded virginity as the only decent option for a Christian, Augustine wrote a treatise defending marriage as a legitimate and honourable estate, *De Bono Conjugali*, written in 401.

Marriage, he says, is not sinful; it is a genuine good, and not just a lesser evil than fornication. Christians may enter into it in order to beget children and also to enjoy the special companionship that links husband and wife. Marriage must be monogamous, and it must be stable; divorce is not permissible and only death can part the couple (*DBC* 3. 3, 5. 5). Since the purpose of procreation is what makes marriage honourable, husband and wife must not take any steps to prevent conception. Husband and wife must honour each other's reasonable requests for sexual intercourse, unless the request is for something unnatural (*DBC* 4. 4, 11. 12). But once the need for procreation has been satisfied, husbands and wives do well to refrain from intercourse and limit themselves to continent companionship (*DBC* 3. 3). Indeed, since there is no longer a need to expand the human race—as there was in the days of the polygamous Hebrew patriarchs—lifelong celibacy, though not obligatory, is a higher state than matrimony (*DBC* 10. 10).

Marriage, for Augustine, is an institution joining unequal partners: the husband is the head of the family, and the wife must obey. He could hardly think otherwise, given the clear teaching of St Paul. He also believed that the male companionship provided by an academic or monastic community was preferable to companionship between men and women even in the intimacy of marriage. But in judging sexual morality he does not operate with a double standard biased in favour of the male. Suppose, he says, a man takes a temporary mistress while waiting for an advantageous marriage. Such a man commits adultery, not against the future wife, but against the present partner. The female partner, however, is not guilty of any adultery, and indeed 'she is better than many married mothers if in her sexual relations she did her best to have children but was reluctantly forced into contraception' (*DBC* 5. 5). Augustine was also sensitive to female property rights: he cannot think of a more unjust law, he tells us, than the Roman *Lex Voconia*, which forbade a woman to inherit, even if she was an only daughter (*DCD* III. 21).

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Since procreation is the divine purpose for sex, it goes almost without saying that only heterosexual intercourse is permissible. 'Shameful acts against nature, like those of the Sodomites, are to be detested and punished in every place and every time. Even if all peoples should do them, they would still incur the same guilt by divine law, which did not make human beings to use each other in that way' (*Conf.* III. 8. 15). Quite recently, the emperor Theodosius had decreed the public burning of male prostitutes.

The commandment 'Thou shalt not bear false witness against thy neighbour' was often extended in Christian commentary into a more general prohibition, but it was a matter of dispute whether lying was forbidden in all circumstances. Just as Augustine opposed those Christians who justified suicide to avoid rape, so he took a rigorous line against those who justified lying in a good cause (e.g. to hide the mysteries of the faith from inquisitive pagans). He wrote two treatises on lying, which he defines as 'uttering one thing by words or signs, while having another thing in one's mind' (*DM* 3. 3). He denies that such lying, with intention to deceive, is ever permissible. Naturally he has to deal with cases in which it seems *prima facie* that a good person might do well to tell a lie. Suppose there is, hidden in your house, an innocent person unjustly condemned. May you lie to protect him? Augustine agrees that you may try to throw the persecutors off the scent, but you may not tell a deliberate lie. 'Since by lying you lose an eternal life, you may not ever lie to save an earthly life' (*DM* 6. 9).

Though all lies are wrong, for Augustine, not all lies are equally wrong. A lie that helps someone else without doing any harm is the most venial, a lie that leads someone into religious error is the most wicked. A false story told to amuse, without any intention to deceive, is not really a lie at all—though it may indicate a regrettable degree of frivolity. (*DM* 2. 2, 25).

Abelard's Ethic of Intention

Augustine's moral teaching lays great emphasis on the importance of the motive, or the overarching desire, with which actions are performed. But among Christian moralists the one who went to the greatest length in attaching importance to intention in morals was Abelard. In his *Ethics*, entitled *Know Thyself*, he objected to the common teaching that killing

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Abelard's teaching on intention focussed on practical problems. Here, in a miniature from a twelfth century legal text, a lady who intended to marry the nobleman on the right, finds that she has married, by mistake, the serf on the left.

people or committing adultery was wrong. What is wrong, he said, is not the action, but the state of mind in which it is done. 'It is not what is done, but with what mind it is done, that God weighs; the desert and praise of the agent rests not in his action but in his intention' (*AE*, c. 3).

Abelard distinguishes between 'will' (*voluntas*) and 'intention' (*intentio*, *consensus*). Will, strictly speaking, is the desire of something for its own sake; and sin lies not in willing but in consenting. There can be sin without will (as when a fugitive kills in self-defence) and bad will without sin (as in lustful desires that one cannot help). If we take 'will' in a broader sense, then we can agree that all sins are voluntary, in the sense that they are not unavoidable and that they are the result of some volition or other—e.g. the fugitive's desire to escape (*AE* 17). Intention, or consent, appears to be a state of mind that is more related to knowledge than to desire. Thus, Abelard argues that since one can perform a prohibited act innocently—e.g. marry one's sister when unaware that she is one's sister—the evil must be not in the act, but in the intention or consent.

Thus, a bad intention may ruin a good act. A criminal may be hanged justly, but if the judge condemns him not out of a zeal for justice, but out

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of inveterate hatred, he sins. More controversially, Abelard maintained that a good intention might justify a prohibited action. The Gospel tells us that those who were cured by Jesus disobeyed his command to keep their cures secret. They did well, because their motive in publicizing the miracles was a good one. God himself, when he ordered Abraham to kill Isaac, ordered something which it was bad to do, and ordering an evil deed is itself evil. But God's intention was a good one, to test his faith; and 'this intention of God was right in an act which was not right' (AE 31).

A good intention not carried out may be as praiseworthy as a good action. Two men both resolve to build an almshouse. One succeeds, but the second is robbed of his money before he can carry out his plan. Each is as deserving as the other: otherwise we must say that one man may be more virtuous than another simply because he is richer or luckier (AE 49).

Similarly, bad intentions are as blameworthy as bad actions. Why then punish actions rather than intentions? Abelard was an early proponent of the doctrine of strict liability, the doctrine that *mens rea* is not required for an offence. Human punishment, he says, may be justified where there is no guilt. Suppose a woman, while asleep, turns over and crushes to death the infant lying beside her. There is no sin there, since she did not know what she was doing; but she may justly be punished in order to make others more careful. The reason we punish actions rather than intentions is that human frailty regards a more manifest evil as worse than a hidden one. But at the Last Judgement God will not judge thus.

Does it follow that those who persecute Christians in the belief that they serve God thereby act praiseworthily? Not necessarily, Abelard says, but they are no more guilty than a man who kills a fellow man by mistake for an animal while hunting in a forest. However, in order to have a good intention, it is not sufficient that a man should believe that he is doing well. 'The intention of the persecutors is erroneous, and their eye is not simple.'

Abelard makes no clear distinction between the persecutors' erroneous opinion about the desirability of killing Christians and their virtuous purpose in the killing, namely to serve God. Consequently, it is not clear whether his doctrine of justification by intention means that an erroneous conscience excuses from guilt, or that a good end justifies means known to be evil. Abelard never clearly distinguished between the volitional and the cognitive element in intention.

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Abelard's doctrine came close to the slogan of 1960s hippies, 'It doesn't matter what you do as long as you're sincere', and it is not surprising that it was found shocking by his contemporaries, even though he believed that our grasp of natural law set a limit to the possibilities of sincere moral error. The Council of Sens condemned the teaching that those who killed Christ in good faith were free from sin; and also among the condemned propositions was 'A man does not become better or worse on account of the works he does' (DB 380).

Aquinas' Ethical System

Aquinas, like Abelard, attached considerable importance to the role of intention in ethics. However, he located the concept of intention within a much richer account of the nature of human action, in which he drew on, and improved on, the account given by Aristotle in his *Nicomachean Ethics*. Aristotle in describing human action makes use of two key concepts: that of voluntariness and that of purpose. For him, something is voluntary if it is originated by an agent free from compulsion or error; it is a purpose (*prohairesis*) if chosen as part of an overall plan of life. His concept of the voluntary was too broad and his concept of purpose too narrow to demarcate most of the moral choices of everyday life. While retaining and refining Aristotle's concepts, Aquinas introduced the concept of intention to fill the gap between the two of them.

He explains the concept as follows. There are three types of action: those that are ends in themselves, those that are means to ends, and those that we do, perhaps reluctantly, as unavoidable accompaniments of actions of the first two kinds. It is in actions of the middle kind that we exhibit intention: we intend to achieve the end by the means. Actions of the third kind are not intentional, but merely voluntary. Voluntariness, then, is the broadest category; whatever is intentional is voluntary, but not vice versa. Intention itself, while not as broad as voluntariness, is a broader concept than Aristotle's purpose (*ST* 1a 2ae 12).

Human acts, according to Aquinas, may again be divided into three categories, this time in respect of moral evaluation. Some kinds of act are good (e.g. almsgiving), some are bad (e.g. rape), and some are indifferent (e.g. taking a country walk). Each individual action in the concrete will be

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performed in particular circumstances with a particular end in view. For an individual action to be morally good, it must belong to a class of acts that is not bad, it must take place in appropriate circumstances, and it must be done with a virtuous intention. If any of these elements is missing, it is a bad act. Consequently, a bad intention can spoil a good act (almsgiving out of vainglory), but a good intention cannot redeem a bad act (stealing to give to the poor). We may not do evil that good may come (*ST* 1a 2ae 19–20).

Aquinas agrees with Abelard that the goodness of a good action derives from the good will with which it is performed; but he says that the will can only be good if it is willing an action of a kind reason can approve. We may have a false belief about the goodness or badness of an action; such a belief is called by Aquinas an erroneous conscience. We must follow our conscience, even if erroneous; but though an erroneous conscience always binds us, it does not always excuse us. While an error about a fact (e.g. whether this woman is or is not married to someone else) may, if not the result of negligence, excuse from guilt, an error about divine law (e.g. the belief that adultery is not sinful) does not excuse. Again, against Abelard, Aquinas insists that good will cannot be fully genuine unless it is put into action when opportunity arises. Only involuntary failure will excuse non-execution. Thus Aquinas avoids the paradoxes that brought Abelard's theory of intention into disrepute (*ST* 1a 2ae 19. 5–6).

Aquinas uses his concept of intention when discussing how the morality of an action may be affected by its consequences. For him, foresight is not the same thing as intention: a consequence may be foreseen without being intended. 'A man, crossing a field the more easily to fornicate, may damage what is sown in the field; knowingly, but without a mind to do any damage.' In a case such as this, where it is a bad deed with bad consequences, the distinction is morally unimportant since in each case the wrongdoing is aggravated by the consequences. However, the distinction is important when we are dealing with the bad consequences of otherwise good acts. In discussing the lawfulness of killing in self-defence, Aquinas explains that the act of a person defending himself may have two effects, one the preservation of his own life, the other the death of the attacker. The use of reasonable violence in self-defence is permitted, even if death results as an unintended consequence; but it is never lawful for a private citizen actually to intend to kill (1a 2ae 20. 5).

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Among both his admirers and his detractors, Aquinas has a reputation as a proponent of the doctrine of natural law. The reputation is not wholly accurate. Though he was writing within a Judaeo-Christian tradition which gives prominence to divine commandments as setting the standard by which acts are to be judged lawful or sinful, Aquinas' ethical theory gives pride of place not to the biblical concept of law but to the Aristotelian concept of virtue. In the *Prima Secundae* there are twenty questions on virtue to eighteen on law, while the *Secunda Secundae* is structured almost entirely around the virtues, pagan and Christian. But though Aquinas showed comparatively little interest in law as a key to morality, he did give an important place in his moral thinking to the notion of nature.

It has been common for centuries to think of Nature as a single universal force, more or less personified according to mood and context. Such was not Aquinas' notion. As an Aristotelian he starts from the fact that humans, animals, and other living beings reproduce their kind; and the nature of each thing that lives is what makes it belong to a particular natural kind. Generative processes end with the reproduction of a nature, that is to say, the bringing into being of another specimen of the same species. The nature of a thing is the same as its essence, but its essence considered as a source of activity and reproduction.

The reproduction of a nature, which is the result of the process of generation, is also the point and purpose of that process. St Thomas believed that each nature had itself a point no less than the process that reproduced it. This must be so, it might well seem, if reproduction itself were to serve any purpose. Bringing humans into being would have no point unless being a human had some point other than bringing other humans into being. 'The nature of a thing,' St Thomas wrote, 'which is the goal of its production, is itself directed to another goal, which is either an action, or the product of an action' (*ST* 1a 49. 3). Thus it might be that the point of being a glow-worm was to shine, and the point of being a bee was to make honey. Obviously, it is a matter of great importance, if this line of reasoning is correct, to have a correct view of what is the point of being a human.

All creatures, Aquinas teaches, exist for the sake of God; intelligent and non-intelligent creatures alike, in so far as they develop in accordance with their natures, mirror divine goodness. But intelligent creatures mirror God in a special way: they find their fulfilment in the understanding and

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contemplation of God. Human happiness is not to be found in sensual pleasures, in honour, glory, riches, or worldly power, nor even in the exercise of skill or moral virtue: it is to be found in the knowledge of God, not as he can be known in this life by human conjecture, tradition, or argument, but in the vision of the divine essence which Aquinas believes he can show to be possible in another life by means of supernatural divine enlightenment.

In all this, Aquinas draws heavily on Aristotle's *Ethics*. In the tenth book of that work Aristotle teaches that human happiness is to be found in philosophical contemplation, but he gives inconsistent reasons for doing so. He says that the intellect is what is most human in us, but also that it is superhuman and divine. Aquinas, in 1a 2ae 5. 5, resolves this ambiguity. A full understanding of human nature shows, he maintains, that humans' deepest needs and aspirations cannot be satisfied in the human activities—even the highest philosophical activities—that are natural for a rational animal. Human beings can be perfectly happy only if they can share the superhuman activities of the divine, and for that they need the supernatural assistance of divine grace. Instead of having a natural capacity for supreme happiness, human beings have free will, by which they can turn to God, who alone can make them happy.

The nature and point of each of the virtues is to be seen in the light of this overarching goal of human existence. Because the goal is supernatural we need, besides moral virtues such as fortitude and temperance, and besides intellectual virtues such as wisdom and understanding, the theological virtues of faith, hope, and charity. Only those who share in St Thomas' faith in the beatific vision as the culmination of a virtuous life can enter fully into the moral system that he presents. But thanks largely to the Aristotelian underpinning of his moral thinking, much of his thinking on individual moral topics is highly instructive also for the secular philosopher.

Aquinas seeks to reconcile Aristotelian with biblical ethics in the following manner. For Aristotle it is reason that sets the goal of action, and provides the standard by which actions are to be regarded as virtuous or vicious; in the Bible the standard is set by a code of laws. There is no conflict, Aquinas maintains, because law is a product of reason. Reflection on the essence of human action and choice, as described by Aristotle, leads to the formation of a set of ultimate practical principles to guide the

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activity of virtue in which human flourishing consists. Among these ultimate principles is the biblical injunction to love one's neighbour as oneself: a principle that Aquinas regarded as the first and common precept of human nature, self-evident to human reason.⁴

Human legislators, the political community or its delegates, use their reason to devise laws for the general good of particular states. But the world as a whole is ruled by the reason of God. The eternal plan of providential government, which exists in God as ruler of the universe, is a law in the true sense. It is a natural law, inborn in all rational creatures in the form of a natural tendency to pursue the behaviour and goals appropriate to them. It is this tendency that becomes articulate in the ultimate principles of practical reason. This natural law is simply the sharing, by rational creatures, in the eternal law of God. It obliges us to love God and to love our neighbour as ourselves. It is by the application of this principle that we reach specific moral rules to govern action in areas such as homicide, sexual relations, and private property.

Aquinas as Moralist

In each of the areas identified above Aquinas laid down norms that are issues of controversy at the present time, and to illustrate his approach to moral issues we may consider examples from each in turn.

On the topic of warfare, Aquinas puts himself the question 'Is soldiering always a sin?' (2a 2ae 40. 1). Following Augustine,⁵ Aquinas answers in the negative, but lays down specific conditions for war-making to be lawful (2a 2ae 40. 1). The first is authority: only a prince may lawfully make war: a private citizen should take his grievances to court. Secondly, there must be a just cause: the enemy must be guilty of fault—not necessarily military aggression, but some violation of the rights of one's community or one's allies. Thirdly, the intention of those making war must be right: they must intend to promote good or to avoid evil. This appears to mean that the forceful redress of an injury must not do more harm than leaving the

⁴ All this is very well explained in J. Finnis, *Aquinas: Moral Political, and Legal Theory* (Oxford: Oxford University Press, 1998).

⁵ And also Alexander of Hales, one of the fullest early medieval theorists of the just war. See Barnes, 'The Just War', in *CHLMP* 771–84.

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injuries unaddressed. Developed by later thinkers, in particular Grotius, the theory of the just war is still influential in both theoretical and practical international debate.

Aquinas accepted the legitimacy of capital punishment, imposed by lawful authority. This is a teaching that even some of his most devoted followers find difficult to accept, claiming that it is a violation of the principle that one may not do evil that good may come. But anyone who is not a pacifist must accept that the deliberate taking of human life may sometimes be lawful. If a national community may in a just war lawfully take the life of citizens of other states, it is hard to see why it is absolutely prohibited from taking the life of one of its own citizens.

When we turn to sexual ethics we find that Aquinas' thought is much conditioned by the Aristotelian biology that he accepted. For much of his life he believed that in biological generation the female merely provided nutrition for an active principle provided by the male. Since like begets like, a female is, on this view, an anomalous or defective male. Aquinas combined this theory of the transmission of human nature with the biblical account of the creation of the first pair to provide a basis for the subordination of women in medieval Christian society. The following passage shows what he would have thought of the ordination of women:

St Paul says it is not for women to utter publicly before the whole church: partly because the female sex was made submissive to the male, as Genesis says, and public instruction and persuasion is a task for leaders not subjects; partly lest men's sexual desires be aroused and partly since women generally haven't the fullness of wisdom required for public instruction. The grace of prophecy enlightens the mind, and knows no difference of male or female, as St Paul says; but utterance concerns public instruction of others, and there sex is relevant. Women exercise what wisdom or knowledge they have in private instruction of their children, not in public teaching.

Aquinas is often invoked in contemporary discussions of the morality of contraception and abortion. In fact, he had very little to say on either topic. Contraception is discussed, along with masturbation, in a question in the *Summa contra Gentiles* concerning 'the disordered emission of semen'. Aquinas maintains that this is a crime against humanity, second only to homicide. This claim rests on the belief that only the male provides the active element in conception, so that the sperm has an individual history continuous with the embryo, the fetus, and the infant. In fact, of course, male

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and female gametes contribute equally to the genetic constitution of the eventual human being. An embryo, unlike the father's sperm or semen, is the same individual organism as an infant at birth. For Aquinas, the emission of semen in circumstances unsuitable for conception was the same kind of thing, on a minor scale of course, as the exposure or starvation of an individual infant. That is why he thought masturbation a poor man's version of homicide.⁶

On the topic of abortion, Aquinas has remarkably little to say directly, mentioning it at most thrice in the vast expanse of his corpus. But the relevance of his teaching to the contemporary debate centres on his teaching about the beginning of human life. He is not an ally of those at the present time who claim that human life begins at conception. The developing human fetus does not count as a human being until it possesses a human soul, and this does not occur at conception, but after pregnancy is considerably advanced. For Aquinas the first substance independent of the mother is the embryo living a plant-like life with a vegetative soul. That substance disappears and is succeeded by a substance with an animal soul, capable of nutrition and sensation. Only at a later stage is the rational soul infused by God, changing this animate substance into a human being. Aquinas clearly believed that late abortion (even if caused unintentionally) was homicide. A person who strikes a pregnant woman, he says, will not be excused from homicide (1a 2ae 64. 8). But at an earlier stage, abortion, on Aquinas' account, though wrong, is wrong only for the same reason as masturbation and contraception: it is the destruction of an individual that is potentially a human being.

The theory of three successive entities at different stages of pregnancy does not seem entitled to any great respect. It is too closely linked to the idea that only the male is the active cause of the human generative process, and to the theory that the intellectual soul is immaterial and must therefore be divinely infused. The theory obscures the fact that there is an uninterrupted history of development linking conception with the eventual life of an adult. However, there are reasons quite different from Aquinas' for denying that the life of each human individual originates at

⁶ In *ST* 1a 118 and 119 Aquinas presents a more complicated account of the development of the fetus, according to which the mother originates the vegetative soul, the father originates the sensitive soul, and God creates the intellectual soul. But he does not seem to have applied this schema to reproductive ethics.

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conception. The line of development from conception to fetal life is not the uninterrupted history *of an individual*. In its early days a single zygote may turn into something that is not a human being at all, or something that is one human being, or something that is two people or more. Fetus, child, and adult have a continuous individual development which gamete and zygote do not have.

If this is correct, the destruction of an embryo at an early stage is not necessarily a form of homicide. It is no easy matter to decide exactly at what point an embryo becomes a human being, and this is not the place to attempt to decide such a difficult issue. But it seems clear that much abortion in practice takes place at a point after this stage has been reached, and therefore involves—as contraception does not—the destruction of an individual human being. Aquinas' superannuated biology is one of the ancestors of the common modern opinion which places contraception and abortion on the same moral plane. This is an error whether it leads to the denunciation of contraception no less than abortion as a serious sin, or whether it leads to the defence of abortion, no less than contraception, as a fundamental right of women.

Though he was a member of an order that held all its property in common, Aquinas did not believe in communism outside religious communities. So far from property being theft, the theft of someone else's property was a serious sin. Moreover, there is nothing wrong with doing business for the sake of profit, provided that one intends to make a good use of the profit obtained (2a 2ae 77. 4). However, Aquinas cannot be regarded as an enthusiastic supporter of capitalism: the right to acquire and retain private property is, for him, severely limited, and the making of money is subject to strict rules.

First of all, it is sinful to accumulate more property than one needs to support oneself, relatively to one's condition in life and the number of dependants one has. Secondly, if one has money to spare one has a duty—as a matter of natural justice, and not of benevolence—to give alms to those in need. Thirdly, if you fail to relieve the poor, then they may, in urgent need, legitimately take your property without your leave. 'In cases of need, all things are common. So it does not seem to be a sin if someone takes someone else's property, for it has been made common because of the state of need' (2a 2ae 66. 7). Thomas adds a Robin Hood clause: in similar cases, one may take someone else's property to succour an indigent third party (ad 3).

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Psalm 15 blesses the man “that putteth not out his money to usury”. This ninth century MS of the Psalter shows the good man giving his surplus instead to Christ.

Aquinas was strongly opposed to usury, that is to say, the taking of interest, however small, on money lent. He bases his opposition both on Old Testament texts and on Aristotelian principles. Some things, he says, are consumed when they are used: the use of wine, for instance, is to drink it, and once drunk it no longer exists. Other things can be used without being consumed: one can live in a house without destroying it. If you tried to charge separately for the wine and its use, you would be selling the same thing twice; but you can rent the house out without selling the house itself. But because money is used by being spent, money is like wine, not like a house; if someone gives you back a sum of money you lent him, you cannot charge him for the use he made of it in the meanwhile (2a 2ae 78).

The profits of usury, Aquinas said, must be returned to those who have been wrongly charged interest. The duchess of Brabant asked him whether it would be lawful for her to confiscate from the Jews in her realm the money that they had made usuriously. Certainly, Aquinas replied: but in the style of Portia he added that if she did so, it would be wrong for her, no less than the Jews, to keep such ill-gotten gains. She should try to trace the

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unfortunate people who had fallen into the hands of moneylenders, and restore to them the interest they had paid (*DRI* 1. 278).

Scotus on Divine Law

Murder, abortion, usury were all, for Aquinas, violations of the natural law of God. But he structured his ethical system not around the concept of law, but around the concept of virtue as the route to self-fulfilment in happiness. It is Duns Scotus who gave the theory of divine law the central place that it was to occupy in the thought of Christian moralists henceforth. Scotus agrees with Aristotle and Aquinas that human beings have a natural tendency to pursue happiness (which he calls the *affectio commodi*); but, in addition, he postulates a natural tendency to pursue justice (an *affectio iustitiae*). The natural appetite for justice is a tendency to obey the moral law no matter what the consequences may be for our own welfare. Human freedom consists in the power to weigh in the balance the conflicting demands of morality and happiness.⁷

In denying that humans seek happiness in all their choices, Scotus is turning his back not only on Aquinas but on a long tradition of eudaimonistic ethics, with roots going back to Plato and Aristotle. Scotus is surely right to maintain that one's own happiness is not the only possible aim in life. A person may map out his life in the service of someone else's happiness, or for the furtherance of some cause which may perhaps be unlikely to triumph during his lifetime. A daughter may forgo the prospect of marriage and congenial company and a creative career in order to nurse a bedridden parent. It is unconvincing to say that such people are seeking their own happiness in so far as they are doing what they want to do.

In the eudaimonistic tradition freedom is conceived as the ability to choose between different possible means to happiness; and wrongdoing is represented as the outcome of a failure to apprehend the appropriate means. For Scotus, freedom extends not just to the choice of means to a predetermined end, but to a choice between independent and possibly competing ultimate goals. The blame for wrongdoing is placed less on a defective understanding, more on the waywardness of an autonomous will.

⁷ See R. Cross, *Duns Scotus* (Oxford: Oxford University Press, 1999), 88.

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The rightness or wrongness of the will's choice is determined by whether it accords or does not accord with the divine law. All medieval thinkers saw wrongdoing as a violation of divine law, but for Scotus the relationship between the morality of an action and the contents of divine commands was much more direct than it was for his predecessors. According to theologians in the eudaimonist tradition, certain actions were wrong because they were in conflict with the necessary conditions for human happiness as truly understood, and it was precisely because they were obstacles to happiness that God had forbidden them. For Scotus, on the other hand, an action could be wrong simply because God had forbidden it, whether or not it had any relevance to the fulfilment or non-fulfilment of human nature.

Just as Scotus' theory extends the degree of choice available to the human will subject to the divine law, so it extends the degree of freedom possessed by God in issuing commands to the human will. Scotus explores this topic in treating of the relation between the natural law and the explicitly formulated commands of the Decalogue (*Ord 3. d 37*). St Thomas had held that all of the Ten Commandments belonged to the natural law: it followed that God could not dispense from them, could not give permission for humans to act against them. Scotus agreed that no exceptions could be permitted to commandments belonging to the natural law; but he disagreed that all ten Commandments formed part of that law.

There are, indeed, some commands that God could not possibly give: he could not, for instance, command anyone to hate him, or blaspheme against him. Truths such as 'God must be loved above all things' are necessarily true, prior to any decision of God's will. God cannot dispense from such a law, and laws of this kind are the kernel of morality, the true natural law. In maintaining this, Scotus shows that he did not accept what is sometimes called the divine command theory of morality, according to which the moral value of any action whatever consists in nothing other than its prescription or prohibition by God. But it is only commands that have God himself as their object that strictly belong to the natural law.

Scotus does, indeed, accept the divine command theory for a limited number of cases. Beyond the provisions of the basic natural law, God's freedom to command is absolute. He can dispense from the law against

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killing human beings: when he ordered Abraham to sacrifice Isaac, he was replacing the original universal prohibition with a new, more specific, rule. Further, God was free, in principle, never to have enacted at all the command 'Thou shalt not kill'. And God can give commands, such as the prohibition on eating the fruit of the tree in Eden, where the action commanded or prohibited has no intrinsic rightness or wrongness. In such cases the moral value of the action does consist in nothing other than its relationship to the content of the divine command.

The laws of the second part of the Decalogue, for Scotus, fall between these arbitrary commands and the commands that are part of the basic natural law. It is true, quite apart from any divine command, that murder is a bad action, but this is a contingent, not a necessary, truth. The principles that find expression in the later Commandments can be said to belong to the law of nature only in an extended sense. In giving these commands, God exhibits justice towards his creatures: but he can override them, when necessary, in the interests of a higher justice—as when he permitted polygamy to the Old Testament patriarchs. Moreover, God is under no necessity to treat his creatures justly at all: the infinite owes no obligation to the finite. The will expressed in his commands is a free will; without any contradiction he could command murder, adultery, theft, and lying (*Oxon.* 4. 4. 6. 1). The only limit on the power to command is that placed by the principle of contradiction itself: even divine commands may not be inconsistent with each other. So the totality of commands in force must make up a coherent system.

Two important consequences follow from Scotus' ethical theory. The first is a limitation on human capacity for moral reasoning; the second is an externalization of the notion of sin. The natural law is the moral law that is capable of being discovered by natural reason: but if those principles that concern human beings' relationships to each other are not part of the natural law, then, however plausibly they can be argued for, we can only be certain of them in virtue of revelation. An act in breach of divine law places one in a state of sin; but this does not, according to Scotus, effect any internal change in the sinner. Guilt is not an intrinsic property of the human offender: it is simply the external fact that God has resolved on punishment. Both of these Scotist theses were to become fundamental issues of controversy at the time of the Reformation.

The Ethics of Ockham

Ockham's ethical theory is very similar to that of Scotus, despite the disagreements between the two philosophers on metaphysical issues. Though his analysis of freedom was different from Scotus', Ockham agrees that freedom is the fundamental feature of human beings, and that the will is independent of reason. 'Every man experiences that however much reason may dictate a thing, his will can either will it or fail to will it or will its opposite' (*OTh.* 9. 88). Even the choice of the ultimate end is free: a man may refuse to make happiness his goal, in the belief that it is a state unattainable by the kind of human beings we find ourselves to be (*OTh.* 1. 443).

Like Scotus, Ockham places law, not virtue, in the centre of ethical theory. He goes further than Scotus, however, in emphasizing the absolute freedom of God in laying down the divine law. Whereas Scotus accepted that some precepts (e.g. the command to love God) were part of a natural law, and derived their force not from the free decision of God but from his very nature, Ockham taught that the moral value of human acts derived entirely from God's sovereign, unfettered, will. God, in his absolute power, could command adultery or theft, and if he did so such acts would not only cease to be sinful but become obligatory (*II Sent.* 15. 353).

Obligation is a central ethical concept for Ockham. Evil is defined as being an action performed under an obligation to do the opposite. Humans are obliged by the divine commands; but God is under no obligation to human beings. God would not be violating any obligation if he were to order a human being to hate God himself. By the very fact that God wills something, it is right for it to be done. He would not be doing anything wrong even if he directly caused such an act of hatred in a person's will. Neither God nor the human person would sin; God because he is not under any obligation, the human because the act would not be a free one and only free actions are blamable (*IV Sent.* 9).

Ockham, like his Aristotelian predecessors, says from time to time that what makes an act virtuous is that it should be in accordance with correct rational judgement and that it should be performed precisely for that reason. Again, he follows tradition in saying that a person must act in accordance with their conscience (i.e. their rational moral judgement) even if it is in error. But these Aristotelian remarks are not in conflict with

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the fundamentally authoritarian nature of his ethic. If we are to follow reason and conscience, this is because God has commanded us to do so (III *Sent.* 13). Presumably, God in his absolute power could order us to disobey our consciences just as he can order us to hate the divine goodness.

If God's commands are arbitrary, can the content of the divine law be known without revelation? Ockham puts the question whether in moral matters there can be a demonstrative science. In answer he makes a distinction between two kinds of moral teaching. There is positive moral theory, which contains laws, divine and human, which concern actions that are good and evil only because they are commanded or prohibited by the relevant legislator. But there is also another kind of moral theory—the kind that Aristotle talks about—that deals with ethical principles. Positive moral theory, Ockham tells us, is not deductive; but the other kind does allow conclusions to be demonstrated (*OTh.* 9. 176–7).

One might wonder, given Ockham's general theory, whether any specific conclusion could be drawn that went beyond 'Obey God's commands'. But he tells us that there are principles that rule out particular kinds of acts (II. *Sent.* 15. 352). Murder, theft, and adultery, he tells us, are by definition, not to be done. 'Murder' denotes killing, and connotes that the killer is obliged by divine command to do the opposite. This may enable one to conclude that murder is wrong; but it will not enable one to tell, without revelation, whether a particular killing—e.g. the killing of Abel by Cain—was or was not murder.

It turns out, moreover, that for Ockham, the true subject matter of morality are not public actions like murder and adultery, but rather private, interior, acts of willing. No external act can have, in itself, a moral value, because any external act is capable of being performed by a madman, who is incapable of virtuous action. An action carried out in conformity with a virtuous will has no moral value additional to the moral value of the willing. The very same act of walking to church is virtuous if done out of piety, vicious if done for vainglory. A suicide who throws himself off a cliff, but repents while falling, passes from a vicious state to a virtuous one without any change in external behaviour.

We have already met, in Abelard's moral teaching, a similar privileging of interior as against exterior action. What is remarkable in Ockham is the complete severance that is made between the interior and the exterior life. A human's willing to perform an action is an independent action only

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contingently connected with the actual performance of the action. Of course an external action of mine can conform, or fail to conform, to my will—but so can the actions of causes quite outside my control. My will can just as well ‘command’ that a candle should burn in church, or that a donkey should shit in church (*Oth.* 9. 102).