

NATURAL LAW AND GRACE:
HOW CHARITY PERFECTS THE NATURAL LAW

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Consider the following odd paradoxes found in the contemporary world of academic scholarship. On the one hand, we find proponents of what is called ‘the natural law.’ These scholars are usually a distinct minority in their discipline (usually philosophy) and often struggle to gain a fair hearing in contemporary moral or legal debates.¹ On the other hand, we increasingly find proponents in both philosophy and theology of what is called ‘virtue ethics.’ These scholars too are usually a distinct minority in their disciplines and struggle like the natural law theorists to get a fair hearing in contemporary moral debates.² What is paradoxical, to my mind, is that although both groups of scholars will acknowledge Thomas Aquinas as their ‘common doctor’ the *Summa of Theology* as one of the key authorities in the tradition they follow, yet one rarely finds the one group talking at any length or depth with the other.

So too, there is a similar disconnect between two major groups when it comes to ‘virtue ethics.’ On the one hand, we find scholars who are interested in restoring the language and practices related to the human *virtues*, while having no interest whatsoever in Thomas’s *theological* perspectives on the virtues. Then there are an increasing number of scholars, on the other hand, who want to view Thomas’s discussion of

¹ Consider, in this regard, the following fairly standard readers on the philosophy of law. In *The Philosophy of Law*, Ninth Edition, ed. Joel Feinberg, Jules Coleman, Christopher Kutz (Independence, KY: Cengage Learning, 2013), one finds one small section on ‘Natural Law Theory,’ in which the two short selections are: Jeremy Bentham, ‘Of Laws in General’ (you read that correctly) and Lon Fuller, ‘The Case of the Speluncean Explorers.’

² The contemporary revival of virtue ethics is frequently traced to Alasdair MacIntyre’s 1981 book *After Virtue* (Notre Dame: University of Notre Dame Press, 1981). Cf. also Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), as well as *Virtue Ethics (Oxford Readings in Philosophy)*, ed. Roger Crisp and Michael Slote (Oxford: Oxford University Press, 1997). One will find next-to-nothing about the natural law in any of these works. Alasdair MacIntyre has subsequently written important essays on the natural law, but the topic does not arise anywhere in *After Virtue*, as it does not in most other treatments of virtue ethics.

the virtues in the *secunda secundae* of the *Summa* almost entirely in terms of the infused virtues and the Gifts of the Holy Spirit. The basic question that must be faced, according to this second group, is whether what Thomas calls ‘imperfect’ or ‘unformed’ virtues – that is to say, virtues not formed by *charity*, which means virtues not infused by divine grace – are really *virtues* at all? Some argue yes, others no.³

Largely unnoticed is a third disconnect. Thomas’s famous discussion of the natural law and all its related cousins (human law, divine law, eternal law) in *STh* I-II, qq. 90-108 comes immediately in advance of his discussion of grace and merit in *STh* I-II, qq. 109-114. And yet, it is nearly unknown in our current context to hear proponents of the natural law talk about the crucial role of grace or charity.

With regard to natural law, grace, virtue, and charity, whereas Thomas Aquinas was the great synthesizer, we are the great dividers.

In what follows, I hope to help bridge some of these divisions. In the first part of the paper, I will outline very briefly Thomas’s understanding of the relationship between the moral precepts of the Old Law and the natural law. This analysis will show that, for Thomas, the basic principles of the natural law are revealed in the Ten Commandments of the Decalogue, all of which can be ‘reduced to’ the two ‘first and common’ precepts of the natural law, which according to Thomas (and the entire patristic and medieval tradition of which he is a part) identify as ‘Love God with all your heart, mind, and strength,’ and

³ For a good representation of the first position, see the series of articles by Angela McKay Knobel, ‘Relating Aquinas’s Infused and Acquired Virtues: Some Problematic Texts for a Common Interpretation,’ *Nova et Vetera* 9/2 (2011): 411–31; ‘Aquinas and the Pagan Virtues,’ *International Philosophical Quarterly* 51 (2011): 339–54; ‘Two Theories of Christian Virtue,’ *American Catholic Philosophical Quarterly* 84/3 (2010): 599–618; and ‘Can the Infused and Acquired Virtues Coexist in the Christian Life?’ *Studies in Christian Ethics* 23/4 (2010): 381–96. Another helpful statement of the view can be found in Eleonore Stump, ‘The Non-Aristotelian Character of Aquinas’s Ethics: Aquinas on the Passions,’ *Faith and Philosophy*, 28:1 (January 2011): 29-43. A somewhat different view of the matter can be found in Brian Shanley, ‘Aquinas on Pagan Virtue,’ *The Thomist* 63 (1999): 552-77. And arguments entirely contrary to those found in McKay Knobel’s work can be found in Thomas Osborne, ‘Perfect and Imperfect Virtues in Aquinas,’ *The Thomist* 71 (2007): 39-64 and ‘Thomas and Scotus on Prudence without all the Major Virtues: Imperfect or Merely Partial,’ *The Thomist* 74 (2010): 165-188. Still valuable in this regard is Gabriel Bullet’s classic treatment in *Vertus Morales Infuses et Vertus Morales Acquires Selon Saint Thomas d’Aquin* (Fribourg, Switzerland: Éditions Universitaires, 1958). I am indebted to my colleague Dr. Thomas Osborne for a number of these references.

‘Love your neighbor as yourself.’⁴

In the second part of the paper, I will take up the question of how and to what extent charity is necessary for fulfilling the natural law, and I will set about this task by analyzing one question at some length: namely, ‘whether the mode of charity falls under the precept.’ Must one, for example, honor one’s father and mother or refrain from stealing *motivated by charity* in order to fulfill the law? Or is it sufficient merely to honor one’s father and mother or refrain from stealing? Since charity requires the free gift of God’s grace, and if to fulfill the moral commandment (and natural law prohibition) against stealing, one needs charity, then in setting forth the Ten Commandments, is God requiring something impossible for humans to fulfill by their own powers? And yet, if charity is *not* required to fulfill the natural law moral prohibition against stealing, and man can fulfill the law by his natural powers alone, wouldn’t this result in the ‘error of the Pelagians’?

These are some of the problems Thomas had to face, both early on in his *Sentences* commentary and then later, in a more abbreviated form, in his *Summa of Theology*, as he worked his way through this complicated question, ‘whether charity falls under the law.’

1. The Natural Law, the Old Law, and the Two Great Commandments of Love

Before we begin our examination of the question ‘whether charity falls under the law,’ however, we must first understand the relationship Thomas believes exists between the natural law, the moral precepts of the Old Law, and the two great commandments to love God and love one’s neighbor as oneself.⁵ Indeed, what we must first understand about Thomas’s famous discussion in qq. 90-97 of the *Prima Secundae* of the *Summa* – a section sometimes called the ‘Treatise on Law’ – is that it is

⁴ I’ve discussed the relationship between the Old Law and the natural law at greater length in ‘What the Old Law Reveals about the Natural Law According to Thomas Aquinas,’ *The Thomist*, vol. 75, no. 1 (January 2011): 95-139. I’ve also discussed some of the historical context within which Thomas’s questions on the Law in the *Summa of Theology* should be understood in ‘Thomas Aquinas on the Ten Commandments and the Natural Law,’ in *The Decalogue and its Cultural Influence*, ed. Dominik Markl, S.J. (Sheffield, UK: Sheffield Phoenix Press, 2013).

⁵ I discuss this topic at greater length in: ‘What the Old Law Reveals about the Natural Law According to Thomas Aquinas,’ *The Thomist*, vol. 75, no. 1 (January 2011): 95-139.

preliminary and incomplete.⁶ To read these questions truncated from the following sections on the Old and New Law is, I believe, to miss crucial information.

Thus if we read the *whole* of the final section of the *Primae Secundae* on law and grace – not stopping, as is customary, after *STh* I-II, q. 97 – what becomes clear is that Thomas believes that the content of the natural law is revealed authoritatively in the moral precepts of the Old Law, or as Thomas puts it: ‘The Old Law showed forth the precepts of the natural law.’⁷ If this is true – if the moral precepts of the Old Law constitute a divinely authorized revelation of the fundamental precepts of the natural law – then we should be able to use the Old Law to help us understand the natural law. And indeed, this is precisely what Thomas does.

So, for example, if we turn to *STh* I-II, q. 100, we will find Thomas in several places describing the hierarchy that obtains among the moral precepts of the Law.⁸ In each article, Thomas identifies three ‘levels’ or ‘grades’ (*gradus*) of moral precept in the Law. These are distinguished according to their degree of universality or particularity and thus according to their accessibility to human reason.

Thomas summarizes the essential elements of this threefold hierarchy near the end of *STh* I-II, q.100 a. 11 as follows (the division of the text, numbering, and emphases are mine):

The moral precepts derive their efficacy from the very dictate of natural reason ... Now of these there are three grades.

(1) For some are most certain, and so evident as to need no promulgation.. *Such are the commandments of the love of God and our neighbor*, and others like these [such as ‘Do unto others as you would have them do unto you] [...] which are, as it were, the ends of the commandments; and so no man can have an erroneous judgment about them.

⁶ I discuss this topic at greater length in: ‘Thomas Aquinas on the Ten Commandments and the Natural Law,’ in *The Decalogue and its Cultural Influence*, ed. Dominik Markl, S.J. (Sheffield, UK: Sheffield Phoenix Press, 2013), 148-168.

⁷ In this regard, it is important to distinguish within the Old Law, the moral precepts from the ceremonial and judicial precepts. The latter two are related to the natural law, but also include elements of divine positive law as well. The ceremonial and judicial precepts are applications (*determinations*) of the basic principles contained in the Decalogue to the particular circumstances of the Jewish people before the coming of Christ. For more on this, see my article, ‘What the Old Law Reveals about the Natural Law,’ esp. pp. 95-100.

⁸ See esp. *STh* I-II, q. 100 aa. 1, 3, and 11.

(2) Some precepts are more particular, the reason of which any person, even an uneducated one, can at once easily grasp; and yet they need to be promulgated, because human judgment, in a few instances, happens to be led astray concerning them. *These are the precepts of the decalogue.*

(3) Again, there are some precepts the reason for which is not so evident to everyone, but only to the wise; and *these are the moral precepts added to the decalogue* [...].⁹

And yet, with this, we have still not seen the full extent of what Thomas has to say about the relationship between the natural law and the ‘divine law.’ Because, as readers of St. Thomas know, the ‘divine law’ has two parts: the Old Law *and* the New Law. They are related to one another as the imperfect is to the perfect. The Old Law, says Thomas, is good, but it is incomplete. It requires the New Law. As we’ll see, although the Old Law has an important role to play in *instructing our intellects*, this alone is not sufficient unless this instruction takes root in our lives by means of the virtues of the human heart – in particular, the virtue of *charity*. We’ll have more to say on this topic in due course.

But if, as we have seen, the two great commandments to love God and love one’s neighbor stand as the two fundamental ‘principles’ of the written version of the natural law, the question then arises whether we can ‘fulfill’ the moral precepts of the Old Law *or* the natural law without charity. Are we, for example, to understand that a person is required to avoid stealing *out of charity*, or is it sufficient simply to avoid stealing, even if one avoids stealing merely out of, say, fear of punishment?

These questions were suggested, as were so many others in the thirteenth century, by certain key discussions in the *Sentences* of Peter Lombard. In book 3, distinction 36, ch. 3 of the *Sentences*, for example,

⁹ “Sed praecepta moralia ex ipso dictamine naturalis rationis efficaciam habent, etiam si nunquam in lege statuuntur. Horum autem triplex est gradus. Nam quaedam sunt certissima, et adeo manifesta quod editione non indigent; sicut mandata de dilectione Dei et proximi, et alia huiusmodi, ut supra dictum est, quae sunt quasi fines praeceptorum, unde in eis nullus potest errare secundum iudicium rationis. Quaedam vero sunt magis determinata, quorum rationem statim quilibet, etiam popularis, potest de facili videre; et tamen quia in paucioribus circa huiusmodi contingit iudicium humanum perverti, huiusmodi editione indigent, et haec sunt praecepta Decalogi. Quaedam vero sunt quorum ratio non est adeo cuilibet manifesta, sed solum sapientibus, et ista sunt praecepta moralia superaddita Decalogo [...].”

one finds the subject heading: ‘Concerning charity, how the whole law depends on it’ (*De charitate, quomodo tota lex in ea pendet*). The very next chapter in the *Sentences* is chapter 1 of distinction 37, and in it the Lombard deals with the topic: ‘Concerning the Ten Commandments, how they are contained in the two commandments of charity’ (*De decem praeceptis, quomodo contineantur in duobus mandatis caritatis*).¹⁰ The order in which Thomas treats these questions in the *Summa Theologiae* is the reverse: he first takes up the question of how the Ten Commandments are contained in (or as he also says ‘reducible to’) the two commandments of charity in *STh* I-II, q. 100 a. 3, for example, and then, seven articles later in *STh* I-II, q. 100 a. 10, asks whether the mode of charity comes under the precept. For our present purposes, it is simply important to note that, for medieval authors, the two questions were understood to be closely connected.

Since it is Peter Lombard’s discussion in *Sentences*, book 3, distinction 36 that set the terms of the debate, it is to Thomas’s *Commentary on the Sentences*, book 3, distinction 36, article 6, to which we must now turn.¹¹

2. Does the Mode of Charity Fall Under the Precept? Is the Law Fulfilled without Charity? Thomas’s Answer in the *Sentences* Commentary

In d. 36, a. 6 of his commentary on book 3 of the *Sentences*, Thomas begins, as he will later in the *Summa*, with those arguments favoring the view that the commandments of the law must be done *in charity*. Given that these are the *objections* to which Thomas will be responding, it might seem that he will be arguing that the commandments need *not* be done in charity. The truth, as we’ll see, is not quite that simple.

2.1 Why Charity Seems to Be Required

‘Just as the virtues are connected among themselves in charity,’ says Thomas, ‘so also all the commandments are reduced to charity.’

¹⁰ See Peter Lombard, *Sententiae*, dd. 36-7 (Grottaferrata: Collegii S. Bonaventurae, 1981), 2:205 ff.

¹¹ All references to Thomas’s *Sentences* commentary in the following paragraphs are taken from *In III Sent* d. 36, a. 6. Thomas’s Latin text was taken from the web site *Corpus Thomisticum*, maintained by Enrique Alarcón at the University of Navarre. <<http://www.corpusthomicum.org/iopera.html>>. All English translations of Thomas’s *Sentences* commentary are mine.

Therefore charity is necessary to fulfill the law.

Next, St. Thomas points to the crucial text in Dt 6.5: ‘You shall love the Lord your God with your whole heart, your whole soul, and your whole strength.’ By this precept, says Thomas, the act of charity is commanded, and since, as Thomas puts it, ‘the works which are in the precept are changed by (*modificantur*) the act of charity,’ thus we are bound to the mode of charity if we are to fulfill the law.

Third, Thomas mentions the passage in Matthew 19:16 where Christ replies to the rich young man’s question, ‘What good deed must I do to have eternal life?’ by saying: ‘If you wish to enter into life, keep the commandments.’ And yet, says Thomas, ‘no one can enter into life’ – that is to say, ‘eternal life’ – without charity. ‘Therefore it would seem that the mode of charity is included in the precept.’

Fourth, Thomas suggests that the ‘deformation’ (*deformatio*) of an act is what is prohibited by a commandment. To steal, on this view, for example, would be ‘deformed’ act, and it is precisely for that reason that it is prohibited. But what is the opposite of ‘deformation’? The obvious answer is ‘formation’ (*formatio*). But what is the ‘form’ of the virtues? For Thomas, the answer is charity.¹² Thus it appears – given this line of reasoning – that since acts lacking charity lack the necessary ‘form’ and since acts that are ‘deformed’ are prohibited, it seems to follow that the mode of charity must be included in the commandment. So, for example, one’s choice to ‘not steal’ must be *informed* by charity, for if it is not, then it would be an ‘unformed’ act, and unformed acts are prohibited by the commandment.

Fifth, 1 Cor 10:31 says: ‘Do all things unto the glory of God.’ Therefore, since the commandments are ordered to our proper end by charity – an end, which as 1 Cor 10:31 shows, is union with God – so it must follow that the commandments must be done with charity.

All of these arguments, as I have said, point very strongly to the conclusion that the mode of charity is included in the precept: that is to say, it is not enough merely that one refrain from stealing or that one honor one’s parents, rather one must do or refrain from doing these acts *with charity*.

2.2 The Problems that Arise if Charity is Required

And yet, as strong as the arguments for requiring the mode of charity, there are, as is turns out, strong arguments on the other side for resisting the insistence that one must always act with charity. Thomas notes, for

¹² *STh* II-II, q. 23 a. 8.

example, that nothing can realistically be commanded ('fall under the precept') unless it is in a person's power to do. But to have charity is not in our power. Indeed, as he points out, St. Jerome anathematized those who claimed that God was unjust for having commanded something impossible to man (*aliquid impossibile homini praecepisse*). It would seem to follow, therefore, that the mode of charity is *not* part of the commandment, lest God would have commanded something impossible.

Thomas also makes note of the following problem. Let us say there is a person who loves (*amat*) God with a natural love (*naturali dilectione*) and does good works or works of piety motivated by this love, but still lacks the supernatural virtue of charity. Since whoever omits whatever is of the very substance of the precept sins, it would follow that such a person, no matter how good the work or how pure the act of piety, would not only be *lacking charity*, but would actually be *sinning*.

Consider man in the original state of innocence, says Thomas. Even apart from the supernatural gift of grace, this man would have had the resources to stay free from sin, it would seem. But this would *not* be the case if the mode of charity was included in the precept. As with the case above, the point is this: If the mode of charity is included in the precept, then not only the one who disobeys the substance of the precepts sins, but indeed even those who *obey* the substance of the precept, but do so without the grace of charity, would also be guilty of sinning. Thus on this view, if I refrain from stealing, but do not do so out of charity, then I am guilty of a mortal sin. This conclusion seems harsh, to say the least. And so it would seem to follow that the mode of charity is *not* included in the precept.

Here, then, is the conundrum in a nutshell: it seems very clear that to do what the law commands without charity is insufficient. Indeed, to hold that a person is able to fulfill the law without charity, and thus without grace, would be akin to the 'error of the Pelagians.' And yet it also does not seem quite right to claim that it is actually a *sin* to do what the law commands without charity. And it also seems problematic to insist that men must do what the law commands *with charity*, since *having charity* is not within our power, rather it is a gift of God's grace.

2.3 Thomas's Attempt to Forge a Middle Way

Whereas others may have adopted an 'either-or' approach to this question – *either* you insist that a person have charity when carrying out the law and anything less is a sin, *or* you allow that charity is not really necessary for fulfilling the commandments – Thomas carved out a middle path by which he: (a) grants the necessity of doing acts with charity for

achieving eternal life, while (b) continuing to recognize the qualified goodness of the acts done without charity.

In his *respondeo*, Thomas suggests that there are four opinions on this question;¹³ the first of these is that the mode of charity falls under the precept *semper* (always), but not *ad semper* (in all instances). This distinction between *semper* and *ad semper* was standard in Thomas's day, and the classic example was this one: a man is obligated to the commandment 'Thou shalt not steal' *semper* and *ad semper* (always and in all circumstances – that is to say, one can never fail to observe the commandment). And yet in the case of the commandment bidding Christians to give alms, this commandment, although it binds *semper* (not merely in the thirteenth century or at a particular time of the year), it does not bind *ad semper* (in all instances). It may be the case, for example, that one is too poor and has no money for almsgiving. So too, similarly, the claim would be that fulfilling the commandment *with charity* is a mandate that binds *semper* (always), but not *ad semper* (in all instances): a man would not be bound to fulfill the commandments *with charity* except for that time during which he actually has charity. 'But this position does not seem sufficient,' concludes Thomas, 'because if the mode of the act is of the substance of the precept, then the obligation runs both to the act and to the mode.'

Others, accordingly, will say that the obligation runs equally to the precept and to the mode; so that, for example, whenever a man is bound to fulfill a precept, he is also bound to fulfill it from charity. God has not commanded something impossible (*aliquod impossibile*), the holders of this position claim, because although a man is not able to have charity on his own account (*per se*), nevertheless he can get it from God, and as Aristotle says, those things we can do through our friends are possible in some way (*aliquo modo possibilia sunt*).¹⁴

But this won't do, concludes Thomas, because what this means is that for someone existing in mortal sin (and thus cut off from God's grace of charity), no matter what kind of good deed such a person were to do, he would still be sinning by the sin of omission insofar as he would be omitting the mode of the act – which, says Thomas very simply without further argument, 'is false' (*quod falsum est*).

And thus there are still others who claim that the mode of charity *in no way* falls under the obligation of the precept, and thus even a man

¹³ In positing this fourfold division, Thomas is following the precedent set by his master Albert the Great; cf. *In III Sent* d. 36 a. 6, in *Alberti Magni Opera Omnia* (Münster: Aschendorff, 1951 –), 28:677 ff.

¹⁴ Cf. *Ethics* 3.3.13; 1112b20-1.

without charity will have fulfilled the precept of the law. ‘But this seems nigh unto the Pelagian heresy’ (*vicinum Pelagianae haeresi*), says Thomas, since it suggests that the precepts can be fulfilled without grace. What, then, is Thomas’s ‘middle way’?

Thomas begins by suggesting that we can be said to be *bound* to the commandments in two ways. In one sense, says Thomas, when we talk about being ‘bound’ by the commandment, we mean that, if we do not do what is stipulated, we would be guilty of omission or transgression. In this sense, we are bound to observe what is stipulated by the commandment, but not necessarily bound to observe it with charity.

In another way, however, when we talk about the commandments, we might be referring not only to the *negative* aspect – the issue of trying to *avoid guilt* either of transgression or omission – but also to the *positive* aspect of what is necessary to receive the ‘fruit of the commandment.’

This first distinction is then associated with a second. As we can distinguish two senses in which we are *bound* to observe the law, so also we can consider the precepts of the Decalogue in two ways. In one way, we can consider the commandments as imposing a certain necessity. And in this respect, nothing ought to be imposed on someone as necessary, grants Thomas, unless he is able to fulfill it by his own power (*nisi quod statim est in ipso ut impleat*), such that, if he were to fail to fulfill it, he would be punished.

We can consider the law in a second way, however, with regard to the intention of the lawgiver who intends by means of the precepts of the law to lead men to virtue.¹⁵ And thus, with regard to the intention of the lawgiver, the mode of virtue is included in the precept – that is to say, one is bound not only to act in accord with the commandment, but to act with charity. But with regard to the first – purely with regard to the *obligation* of the law, that which, if one fails to do, he would be punished – the mode of charity is *not* included in the precept.

Note that in both pairs, the first member of the pair is meant to address the issue of guilt or punishment, while the second is meant to address the question about the ultimate goal or end of the law. Laws, says Thomas, are created for two different sorts of citizens. For the virtuous, the law serves merely as a sort of reminder and a healthy

¹⁵ Thomas has in mind the discussion at the beginning of *Ethics* 2.1 (1103a1-1103b23). See also, in this same question of the *Summa*, the text in *STh* I-II, q. 100 a. 9 ad 2: ‘The intention of the lawgiver is twofold. His aim, in the first place, is to lead men to something by the precepts of the law: and this is virtue. Secondly, his intention is brought to bear on the matter itself of the precept: and this is something leading or disposing to virtue, viz. an act of virtue.’

reinforcement. For those who lack virtue, however, the law comes to them as something compulsory; it brings about their adherence by threat of punishment. The ultimate *goal* of the lawgiver, however, is not merely to constrain the citizens, but, if possible, to make them virtuous.

To put this another way, we might say that there is a twofold end of any law: the first is simply to prevent evil-doing; the second is to help make men good. If men refrain from doing evil, then to a certain extent at least, the first of the two goals of the lawmaker has been met: a certain sort of peace has been preserved. But of course it will be an uneasy peace because citizens who obey the law only because they fear punishment will not restrain themselves if the threat of punishment diminishes. If the bulk of citizens were of this sort – obeying the law only because they fear punishment – then what would be required would be a policeman on every block. (But then, of course, who would police the policemen?)

It is one of the unavoidable paradoxes of law that a state requires a bulk of its citizens to abide by the law out of concern for others and for the common good if the law is to work at all. If very few citizens in the state are motivated by a genuine concern for others and the common good, then the law by itself will have very little chance of bringing authentic peace because there will never be enough police to police everyone if there are not some who will police themselves.

And yet, it still remains true that, if the law can succeed in getting men to *avoid doing evil*, then it has achieved at least part of the goal for which it was instituted. Granted, the lawgiver's intentions would be not be realized 'fully' or 'completely,' but and some measure of the common good would have been achieved nonetheless.

And so too, we might ask, if a person *avoids doing evil*, but do so only out of fear, has he thereby 'fulfilled' the law? Well, in one sense yes, at least with regard to the lawgiver's first intention, which is to restrain evil-doers; but in another sense no, with regard to the lawgiver's ultimate intention, which is not only to restrain evil-doers, but also to *make men good*.

Should, then, a man be punished who has obeyed the law and avoided doing evil, but has done so only out of fear of punishment? Thomas says no. However it is one thing to *avoid punishment*, another thing altogether to receive the 'fruit of the commandment,' which is a new sort of life, the life of virtue, especially the freedom to be able to choose the good that comes with the infused virtue of charity.

It is from this perspective of searching for a perspicacious 'middle way' (*mediam viam*) that we must read Thomas's replies to the various objections.

Take, for example, the first objection, which begins by pointing out that, just as the virtues are connected among themselves in charity, so also all the commandments are reduced to charity. So too, just as the virtues are connected to each other because they are all *formed* by charity, so also all the precepts are connected, claims the objection, because the mode of charity is included in each of the precepts.

Thomas's reply is to grant that, yes, the precepts *are* connected *in a certain way* in charity as to an end, because by observing the commandments in charity a man receives the 'fruit of the commandments.' This reply would be of small consolation to those who claim that the mode of charity is *not* included in the precept. For what Thomas has said, in effect, is that the mode of charity is *not* included in the precept – unless, of course, you want to obtain the *fruit* of the commandment. But who doesn't want that? So acting in accord with the commandment *without* charity may not condemn a person to hell, but it's still not clear what good it does in this life. We need more information.

To the second objection, that (A) Deuteronomy 6:6, 'You shall love the Lord your God [...]' commands the act of charity; (B) the works of the law are changed by the act of charity, therefore (C) the mode of charity is included in the precept, Thomas's reply is somewhat uncertain. He claims *either* that what is being commanded in Deuteronomy 6:6 is not necessarily *caritas* (especially for those who have not been given the gift of charity); rather, what is being commanded is merely the act of natural dilection. *Or* if the act of charity *is* being commanded by Deuteronomy 6:6, then the precept is more concerned with showing us that toward which we ought to tend, rather than that to which we are obligated. Thomas's concern here, very clearly, is not to seem to be asserting that men are obligated by God to do what is impossible: namely, to do acts of charity when God has not supplied them the grace of charity.

To the third objection, that in Matthew 19:16, Christ's statement to the rich young man that if he wishes to enter into life, he must keep the commandments, and that this shows that one must keep the commandments with charity because 'no one can enter into life without charity,' Thomas replies that 'entering into life' has to do with the intention of the lawgiver rather than the obligation of the law. There is obviously a subtle distinction being presupposed here that Thomas's *respondeo* must supply, between the twofold intention of the lawgiver. One intention of the lawgiver is simply to restrain the evil-doer from doing evil for the purposes of protecting the common good, while the other is to help make men virtuous and thereby help bring them to their

ultimate end. The mode of charity is *not* necessary to fulfill the first intention of the lawgiver, says Thomas, although it is necessary to fulfill the second.

The fourth objection argues that, ‘formation’ (*formatio*) is opposed to ‘deformation’ (*deformatio*). But the deformation of a work is precisely what is prohibited by a precept. Therefore since deformation is prohibited by the precept, and deformation is opposed to formation, and since charity is what ‘forms’ the virtuous act, so then charity is included in the obligation of the precept.

Thomas’s reply is brief, and not entirely complete. He argues that ‘to do a *deformed* act and to abstain from it is in our power; but not to do the *formed* act. And thus the reason is not similar.’ Note here again Thomas’s concern to avoid suggesting that God commands man to do something impossible; this much is clear. What Thomas presupposes here is the key distinction supplied in the *respondeo* between achieving the goal intended by the lawgiver (which requires charity) and merely avoiding evil. What Thomas is arguing, in effect, is that the commandments obligate a person to *abstain from a deformed act* (‘Don’t steal,’ for example) – because that is within our power¹⁶ – but it does not obligate us (or at least not in the same way) to *engage in a formed act* (that is to say, refrain from stealing *out of charity*).

To the final objection, that the acts of the commandments must be ordered to the love of God, as it says in 1 Corinthians 10:31: ‘Do all things in the glory of God,’ Thomas replies that the mode of charity adds more to the precept than only the relation of the work to its due end, for requiring the mode of charity adds the obligation that the act proceed from the habit of charity, a habit which, according to Thomas ‘many of those who refer their acts to God are lacking’ (*qua multi carentes, actus suos in Deum referunt*). This last assertion of course is rather striking: namely, that some who refer their acts to God are *still lacking in the habit of charity*. In one sense at least, it seems clear that agents acting without charity are lacking *something*. But notice that Thomas is still unwilling to describe them as ‘guilty of transgression.’

¹⁶ Note, however, that in our fallen state, says Thomas, we are not able to avoid mortal sin or venial for very long without the help of God’s grace. Cf. *STh* I-II, q. 109 a. 8.

3. Twenty Years Later: Thomas's Answer in the *Summa of Theology*

Our review of the longer discussion in the *Sentences* commentary has afforded us a chance to see the complexity of the problem and the lengths to which medieval theologians such as Thomas must go to 'split the difference,' so to speak, so as to avoid claiming that God had commanded something impossible for human beings, on the one hand, or that one could do something meritorious to earn eternal life without supernatural grace, on the other.

The section of the *Prima Secundae* of the *Summa* in which Thomas's discusses this same question was written nearly twenty years later, in 1271. In *STh* I-II, q. 100 a. 10, Thomas decides to frame the issue in terms of its starkest contrast, between those who hold that charity absolutely (*absolute*) falls under the precept and those who hold that charity altogether does not fall under the precept (*omnino [...] non cadit*). Here is what Thomas says in the *Summa* (divisions of the text have been added):

A) For some have said absolutely [*absolute*] that the mode of charity comes under the precept; and yet that it is possible for one not having charity to fulfill this precept: because he can dispose himself to receive charity from God. Nor [say they] does it follow that a man not having charity sins mortally whenever he does something good of its kind [*aliquis non habens caritatem facit aliquid de genere bonorum*]: because it is an affirmative precept [*praeceptum affirmativum*] that binds one to act from charity, and is binding not for all time, but only for such time as one is in a state of charity [*non obligat ad semper, sed pro tempore illo quo aliquis habet caritatem*].

B) On the other hand, some have said that the mode of charity is altogether outside the precept [*omnino modus caritatis non cadit sub praecepto*].¹⁷

It is interesting to note that the second of these two – the view that the mode of charity is wholly absent from the precept – is one that Thomas had rejected outright in his *Sentences* commentary, seeing it as representing the 'error of the Pelagians.' (Cf. the third position in Thomas's *respondeo* recounted above.) As a result, one might expect Thomas similarly to reject it outright here. But he does not. What he says instead is that 'both these opinions are true up to a certain point' (*utriusque autem quantum ad aliquid, verum dixerunt*), an interesting concession to the position that he had earlier associated with the

¹⁷ *STh* I-II, q. 100 a. 10.

Pelagian heresy. We'll see how Thomas handles this particular problem in a moment. But first, how can these two positions, which seem so utterly contrary, both be true?

As usual, Thomas makes a key distinction. But instead of distinguishing the ways in which a precept can be considered, or the ways in which we are bound by a precept, as he had done earlier in his *Sentences* commentary, Thomas focuses his attention instead in the *Summa* on the act of charity, arguing that the act of charity can be considered in two ways: first, as an act by itself (*secundum quod est quidam actus per se*), or second, as being the mode of the acts of other virtues (*secundum quod est modus actuum aliarum virtutum*).

If we consider the act of charity simply as an act by itself (*quidam actus per se*), says Thomas, then it falls under the precepts of the law that specifically prescribe it, as for example in Deuteronomy 6:5, where it commands that 'You shall love the Lord your God with all your heart, with all your soul, and with all your strength,' and in Leviticus 19:18, where we read that 'You shall love your neighbor as yourself.' It is not impossible to observe such precepts, says Thomas, because 'a man can dispose himself to possess charity' (*potest se disponere ad caritatem habendam*), 'and when he possesses it, he can use it.'¹⁸ This position seems strikingly – and rather awkwardly – similar to the position Thomas had rejected earlier in his *Sentences* commentary, where to the claim that 'although a man cannot have charity of himself, yet he can do something whence he may receive it from God' (*quamvis homo per se caritatem habere non possit, tamen potest facere aliquid unde ipsam a Deo accipere*),¹⁹ Thomas's reply was simply 'it is false' (*quod falsum est*). This admonition about the ready availability of charity is not entirely satisfactory, moreover, given what Thomas will say later in the *Summa* about the absolute necessity of prevenient grace. So, for example, in *STh* I-II, q. 109 a. 6, he will insist that even when a man *disposes himself* to receive grace, this too is a result of God's grace.

What the reader should notice here is how Thomas has incorporated very subtly the material from his *Sentences* commentary on 'affirmative precepts' and the distinction between an affirmative precept binding *semper* (always) but not *ad semper* (in all instances) – a distinction he had earlier rejected in his *Sentences* commentary. In the *Summa*, Thomas clarifies and refines the point, specifying that what is in the category of 'affirmative' is precisely not the *mode* of the precept. So, for example, says Thomas, 'the precept *Honor your father* does not include

¹⁸ *STh* I-II, q. 100 a. 10.

¹⁹ *In III Sent*, d. 36 a. 6.

that one's father be honored out of charity, but only that one's father be honored, whence he who honors his father, albeit not having charity, does not become a transgressor of this precept.'

This affirmation in the *Summa* may appear in direct contradiction to what he had previously held in the *Sentences* when he argued against those who held the position that one was bound to the precept *semper* but not *ad semper*, saying: 'But this position does not seem sufficient, because if the mode of the act is of the substance of the precept, then the obligation runs both to the act and to the mode.'

But note that here in the *Summa*, in accord with the distinction Thomas has set forth between being a *transgressor* of the commandment as opposed to *fulfilling* the commandment, one can be said not to have *transgressed* in such a way as to be worthy of punishment, and not yet thereby worthy of the reward or the 'fruit' of the commandment, which only comes with having 'fulfilled' the commandment with *charity*.

And so what Thomas had seemed to grant with one hand, he takes away with the other. He who honors his father, albeit not having charity, does not become a transgressor of the precept 'Honor your father,' but he *is*, Thomas immediately adds, a transgressor of the precept concerning charity with regard to God and neighbor, 'on account of which transgression,' says Thomas, 'he merits punishment.'²⁰

We find a similar approach further on in Thomas's reply to the second objection, where he insists that 'he that honors his father and mother is bound to honor them from charity, not in virtue of the precept, *Honor your father and mother*, but in virtue of the precept, *You shall love the Lord your God with your whole heart*.' And so similarly, Thomas insists in his reply to the first objection: 'Our Lord did not say, 'If thou wilt enter into life, keep one commandment'; but 'keep' all 'the commandments': among which is included the commandment concerning the love of God and our neighbor.'

Thomas's resolution of the problem in the *Summa*, therefore, is not entirely dissimilar to his answer in his *Sentences* commentary, although the terms are a somewhat different. There is a certain sense in which one is bound only by the substance of the precept and not by the mode. And yet in both places he makes clear that charity is essential. Whereas in his *Sentences* commentary, Thomas had argued that one could fulfill the precept and yet, without charity, one would not receive 'the fruit' of the commandment, in the *Summa*, Thomas insists that charity itself is commanded.

²⁰ *STh* I-II, q. 100 a. 10.

4. Grace and Freedom in the *Summa Contra Gentiles*

The reason one does not gain ‘life’ if the commandment is not obeyed out of charity is that, under such circumstances, one’s compliance is not free and voluntary, but compelled. As Thomas remarks in *Summa Contra Gentiles* III, ch. 128, n. 8: ‘For observing justice of the sort prescribed by the divine law’ – that is to say, for observing precepts such as those of the Decalogue – ‘man is inclined in two ways: in one way, from within (*ab interiori*); in the other way, from without (*ab exteriori*).

When the inclination comes ‘from within,’ says Thomas, then man does what the law prescribes voluntarily. This is accomplished, says Thomas, ‘through the love of a man for God and his neighbor’, for ‘he who loves someone gives him his due spontaneously and joyfully, and he even adds something in excess by way of liberality’ (*et etiam liberaliter superaddit*). For Thomas, as for Aristotle before him, the stable disposition that allows a person to give another his due ‘spontaneously and joyfully’ is precisely the definition of a *virtue*. So, for example, as Thomas says in his discussion of justice in the *Secunda Secundae* that, ‘insofar as a man does what he ought, spontaneously and readily [...] this is to act virtuously.’²¹ On Thomas’s view, however, it is precisely the ‘love of God and neighbor’ that makes this promptness, joy, and liberality possible. Indeed, as he claims in his discussion of charity in the *Secunda Secundae*: ‘no virtue has such a strong inclination to its act as charity has, nor does any virtue perform its act with so great pleasure.’²² It is undoubtedly for such reasons that Thomas calls charity ‘the form of the other virtues.’²³

And so, Thomas concludes: ‘the complete fulfillment of the law depends on love (*tota legis impletio ex dilectione dependet*), according to the text of the Apostle: ‘Love is the fulfilling of the law’ (Romans 13:10). And the Lord says that, ‘on these two commandments,’ that is, on the love of God and neighbor, ‘depends the whole law.’ (Matthew 22:40).²⁴

Thomas understands human nature well enough, however, to know that we do not always act ‘from within’ out of charity. And so, along with those whom the law inclines ‘from within (*ab interiori*), there are those whom the law must impel ‘from without (*ab exteriori*). Since

²¹ *STh* II-II, q. 53 a. 3 ad 1.

²² *STh* II-II, q. 23 a. 2.

²³ *STh* II-II, q. 23, a. 8.

²⁴ *ScG* III, c. 128 no. 8.

some people are not so disposed internally that they will do spontaneously what the law orders (*ex seipsis sponte faciunt quod lex iubet*), they must be forced from without (*ab exteriori*) to fulfill what the law requires. The second of these is our customary modern notion of the law as something restraining our freedom to do or to act. Since in the case of this second group, they do what the law requires only from ‘fear of punishments (*timore poenarum*) – not ‘freely’ (*liberaliter*), but in servility (*serviliter*) – they do not fulfill the justice of the law fully.

To say that the law must be fulfilled out of charity means, ultimately, that when I choose to do the good, my will must be drawn to the good without any need to be compelled. If the act is compelled in any way, then it cannot be fully voluntary. And if it is not fully voluntary, then to that extent, it will not be fully conducive to human flourishing.

5. The Twofold Divine Law: Instructing Us By Means of the Old Law, Assisting Us by Means of the New

God’s healing and elevating grace ‘spreading charity abroad in our hearts’ does not make our actions *less* free, therefore, but more so. Grace, by instilling charity in our hearts, enables human free choice by perfecting the power of the will which would otherwise remain captive to sin and vice.

To see this latter point clearly, we must first understand the theology of history that lies behind the distinction between the Old Law and the New. Dom Odon Lottin described this theology of history as follows:

The school of Anselm of Laon spread, on the subject of the natural law, a conception which exercised a profound influence. Before the epoch of the Mosaic Law, humanity was subject to the reign of the natural law, which *naturalis ratio* dictated to him. It was condensed into this principle: Do not do to another that which you would not want for him to do to you. But this natural reason was soon obfuscated by sin, to the point that few men remained faithful to the true God. The Mosaic Law, thus, became necessary to revive the natural law in the heart of man.²⁵

And indeed, we find this same theology of history at work in the thought of Aquinas. In *STh* I-II, q. 98 a. 6, for example, Thomas argues that man’s chief defect since the fall has been pride, and thus ‘it was fitting that the Law should be given at such a time as would be

²⁵ Cf. Dom Odon Lottin, *Le droit naturel chez saint Thomas d’Aquin et ses prédécesseurs*, 2me ed. (Bruges: Beyaert, 1931), 27.

appropriate for the overcoming of man's pride.' Now man is proud of two things in particular, says Thomas: his knowledge and his power. He was proud of his knowledge, says Thomas, '*as though his natural reason could suffice him for salvation.*' And accordingly: 'in order that his pride might be overcome in this matter, man was left to the guidance of his reason without the help of a written law: and man was able to learn from experience that his reason was deficient, since about the time of Abraham man had fallen headlong into idolatry and the most shameful vices. Wherefore, after those times, it was necessary for a written law to be given as a remedy for human ignorance: because 'by the Law is the knowledge of sin' (Romans 3:20).

But this is only the first stage of a two-part moral pedagogy because, continues Thomas:

after man had been instructed by the Law, his pride was convinced of his weakness, through his being unable to fulfil what he knew. Hence, as the Apostle concludes (Romans 8:3-4), 'what the Law could not do in that it was weak through the flesh, God sent His own Son [...] that the justification of the Law might be fulfilled in us [...] for it was fitting [he concludes] that this help should be bestowed on men in an orderly manner, so that they might be led from imperfection to perfection; wherefore it was becoming that the Old Law should be given between the law of nature and the law of grace.'²⁶

This 'law of grace' is what Thomas calls 'the New Law,' concerning which he says:

'Each thing appears to be that which preponderates in it'. [...] Now that which is preponderant in the law of the New Testament, and whereon all its efficacy is based, is the grace of the Holy Spirit, which is given through faith in Christ. Consequently the New Law is chiefly the grace itself of the Holy Spirit, which is given to those who believe in Christ. This is manifestly stated by the Apostle who says (Rm. 3:27): 'Where is [...] thy boasting? It is excluded. By what law? Of works? No, but by the law of faith': for he calls the grace itself of faith 'a law'. [...] Hence Augustine says (*De Spir. et Lit.* xxiv) that 'as the law of deeds was written on tables of stone, so is the law of faith inscribed on the hearts of the faithful': and elsewhere, in the same book (xxi): 'What else are the Divine laws written by God Himself on our hearts, but the very presence of His Holy Spirit?'

²⁶ *STh* I-II, q. 98 a.6.

6. The Position of the Natural Law Under Sin

The problem is that our ‘natural’ powers – and in particular, the power of the natural law, that is, the light of natural reason by which we come to know what ought to be done and what ought to be avoided – this ‘natural power’ has been corrupted by sin, especially original sin. As Thomas often explains, one must consider human nature in two ways. In the first way, we can think of human nature in its full integrity or wholeness (*in sui integritate*), as it was in the first man before he sinned. Secondly, however, there is human nature as it exists in us now, corrupted due to original sin (*corrupta in nobis post peccatum primi parentis*).²⁷ At his creation, before the fall, man was able to act in accord with the natural law. It was at that point, says Thomas, ‘according to his proper natural condition that [man] should act in accordance with reason’; indeed, ‘this law was so effective in man's first state, that nothing either outside or against reason could take man unawares.’ After man turned away from God, however, ‘he fell under the influence of his sensual impulses,’ which began to rule him as though they themselves were a kind of law. This law, the law of the *fomes peccati* (tinder for sin), is, says Thomas, ‘a deviation from the law of reason.’ The more man fell under its sway, the more he ‘departed from the path of reason’ - - so much so that Thomas proclaims elsewhere, rather starkly, that: ‘the law of nature was *destroyed* by the law of concupiscence’ (*lex naturae per legem concupiscentiae destructa erat*).²⁸ The result, according to Thomas, is that in his present fallen state, man is largely *not* able – that is, no longer able – to do the good proportioned to his nature.²⁹

On this view, the ‘natural law’ has been effaced by sin – not completely, but in substantial and critical ways. In this regard, there is a difference between our two major faculties: intellect and will. With regard to the first, our *knowledge* of the natural law has not been completely eradicated, as Thomas makes clear in many places. We still know, for example, what he calls ‘the first and common precepts of the natural law’ such as to ‘Love your neighbor as yourself’ and to ‘Do unto others as you would have them do unto you.’ These cannot be abolished from the heart of man. As to the secondary precepts, such as ‘Do not lie’ or ‘Do not steal,’ these can in some instances be abolished from men’s

²⁷ On this, cf., for example, *STh* I-II, q. 109 a. 2.

²⁸ Thomas Aquinas, *The Commandments of God: Conferences on the Two Precepts of Charity and the Ten Commandments*, tr. L. Shapcote, O.P. (London: Burns Oates, 1937), prol., p. 2.

²⁹ *STh* I-II, q. 109 a. 2.

hearts, claims Thomas, but generally only due to ‘vicious customs and corrupt habits, as among some, theft, and even unnatural vices [...] were not considered sinful.’³⁰

What *has* been effaced substantially since the fall, however, is the ability of our will to do the good that we know. This is Paul’s point: ‘the good which I would do, I do not: but the evil which I would not, that I do.’ It is Thomas’s point too. For we must recall, as we saw above, that there are *two* stages of remediation that come through the divine law. On the one hand, we are ‘instructed by means of God’s law’ – that is, by the written precepts of the Old Law which were given as a ‘remedy for human ignorance.’³¹

In the second place, then, ‘after man had been instructed by the Law,’ it was still necessary that he should be ‘assisted by God’s grace,’ because ‘after man had been instructed by the Law, his pride was convinced of his weakness, through his still being unable to fulfill what he knew.’³²

This project of examining the two ways in which God ‘moves us toward the good’ is precisely the one announced by Thomas in the prologue to the ‘Treatise on Law’ (*STh* I-II, q. 90 a. 1), where he declares that: ‘We have now to consider the extrinsic principles of [human] acts. Now [...] the extrinsic principle moving to good is God, Who both instructs us by means of His Law, and assists us by His Grace.’ And this is precisely the analysis Thomas undertakes in the questions that follow. What is at the heart of that analysis, however, is precisely the distinction between the Old Law which instructs our intellects and the New Law which assists our will, with the discussion of the natural law finding an important place within that context.

The natural law, the light of natural reason given to us by God at creation by which we know and can distinguish good from evil, was damaged due to sin. So God had to restore the natural law in us, and He does so by a two-fold process. First, he instructs us in the fundamental moral precepts that we could know – and indeed, should know – but so often don’t. For the natural law to be fulfilled completely, however, it is not enough for those precepts to be written, as it were, merely on our minds, they must be, to use the language of the Bible, written once again ‘on our hearts.’ And that is the role of the New Law, the law of grace, by which, as Thomas says repeatedly, ‘charity is spread abroad in our

³⁰ *STh* I-II, q. 94 a.6.

³¹ *STh* I-II, q. 98 a. 6.

³² *STh* I-II, q. 98 a. 6.

hearts.³³

Thus, we must not treat the natural law as if it were simply a moral calculus, the way people often treat deontological or utilitarian ethics. We must not forget that the ‘teaching’ of the natural law – even the divinely authorized teaching of the natural law such as is found in the Old Law – is merely the first part of a twofold moral remediation. Thus after God ‘instructs us by means of His Law,’ it remains for Him to ‘assist us by means of His grace.’ The second and truly essential step in restoring in us the ‘law written on our hearts’ at our creation, but effaced by our own sin, comes with the advent of the new covenant when, as the prophet Jeremiah says, God will ‘give His laws into our minds and in our hearts will He write them’ and when, as the prophet Ezekiel promised ‘God will give us a new heart and a new spirit, spreading charity abroad in our hearts, so that we may walk in the Lord’s commandments and keep them’ (Ezekiel 36:26-7). For we know that we are children of God, as the Apostle John tells us, when we love God and keep his commandments, and when keeping his commandments is not burdensome (1 John 5:1-3). Or as Thomas suggests:

Now [fulfilling the Law] is very difficult to a man without virtue: thus even the Philosopher states (*Ethic.* v, 9) that it is easy to do what a righteous man does; but that to do it in the same way, viz. with pleasure and promptitude, is difficult to a man who is not righteous. Accordingly we read also (1 Jn. 5:3) that ‘His commandments are not heavy’: which words Augustine expounds by saying that ‘they are not heavy to the man who loves; whereas they are a burden to him that loves not.’³⁴

7. Some Conclusions

In the opening paragraphs of this article, I mentioned several paradoxical disconnections that characterize contemporary scholarship. Discussions of the natural law and virtue are often no longer connected to one another as they were in Aquinas, and discussions of the acquired virtues are either no longer connected to discussions of grace and charity, or the importance of the acquired virtues and the natural law both diminish to nothing under the presumption that in the end the infused virtues are all that really matter.

³³ Cf., for example, *STh* I-II, q. 107 a. 1 ad 2.

³⁴ *STh* I-II, q. 107 a. 4.

Let's now retrace some of the connections our discussion has uncovered. First, according to Thomas, the fundamental moral principles of the natural law – the basic intellectual *content* – is revealed in and through the moral precepts of the Old Law, especially the Ten Commandments of the Decalogue. But these, it is important to note, are 'reducible,' according to Aquinas, to the two 'first and common principles' of the moral life, namely to 'Love God' and 'Love your neighbor as yourself.'

If our nature had not been damaged by the fall, and if we still retained the necessary integrity between our reason and will, then our natural grasp of these basic principles of the good that ought to be done and the evil that ought to be avoided would be adequate for this life. But sadly our fallen nature now lacks the integrity proper to it, so that our will not only does not always obey the dictates of reason, it will also often distract the intellect, causing it to focus its attention on lesser goods which are easier to attain more quickly.

Understood within the context of the challenges presented by our fallen human nature, the natural law – as an apprehension of the intellect – will suffer, therefore, from the same limitations as do the moral precepts of the Old Law: they lack the power by themselves to fulfill the purpose of the law, which is to *make men good*. This is the criticism St. Paul made of the law in his letters. The knowledge of the commandments convicts us of sin, but it does not by itself alter us within.

In these circumstances, we must seek help – both from friends and from God. Such help will of course be 'undeserved,' precisely because one finds oneself incapable of doing the necessary 'good' to have deserved it. Thus what one seeks first is the 'undeserved gift' – the grace – of a loving forgiveness of one's admitted faults, an admission animated by the desire to change interiorly accompanied by the frank realization that one cannot achieve this transformation on one's own.

As we read in 1 John 4:19: We love because God has loved us first. This is undoubtedly an important lesson to remember as we think about the two 'first and common' principles of the natural law, which are to 'Love God' and 'Love your neighbor as yourself.' In an important way, the first step is not ours; the first step is God's, and it has already been taken. Our first step is to become open to *receive* the free gift of God's love by which, if we remain faithful to its promptings, we can be transformed and live now *freely* in accord with what is truly good and in accord with human dignity and human flourishing.

And so what *animates* the needed change in the fundamental core of our being is the grace of charity: the gift of the Holy Spirit by which

‘charity is spread abroad in our hearts’ (Romans 5:5). Charity, then, informs the other virtues, making them truly *free*. Thus we can say that the ‘fruit’ of the natural law is not achieved – the end for which it is the means is not realized *fully* – until and unless the acts it instructs us to do are animated by the spirit of the selfless love of *charity*, whose ultimate source is the very love shared between the three persons of the Triune God. The work of the natural law is not complete, then, until this ‘unwritten law,’ obscured by the effects of the fall, is written again, not merely on tablets of stone by which are intellects are instructed, but ‘on the fleshy tablets of the human heart’ (cf. 2 Cor 3:3).

And yet nothing we have said makes the natural law or the acquired virtues less important or less worthwhile. As Thomas is fond of repeating: ‘grace does not violate nature, but perfects it.’³⁵ The grace of infused charity does not *violate* man’s natural knowledge of the good, but heals and elevates it, just as God’s gratuitous gift of the moral precepts of the Old Law does not *violate* our natural understanding of the good, but confirms and strengthens it.

God, out of His gratuitous love, has chosen, on the one hand, to instruct our intellects in the true nature of the good, both that which our own intellect might apprehend, as well as the supernatural end with Him about which our intellect could only begin to guess at dimly. This instruction is not a violation or a negation of the goods known by our reason alone; it is a healing and an elevation of that natural vision of the truth of things.

But such ‘instruction’ is not yet sufficient. For even when we *know* the right thing to do, we often still do not do it. As St. Paul complains: ‘For the good that I would do, I do not: but the evil which I would not, that I do’ (Romans 7:19). The healing of our natures is not yet complete even were our intellects to be fully instructed – and for which one of us is that process complete? We still require grace both to heal and to elevate our *will* along with and in accord with our intellect, so as to allow us to act not out of fear or for personal gain, but out of a selfless love such as was revealed in and communicated by the sacrificial life, death, and resurrection of Jesus Christ.

Thus there are two extremes to be avoided in such matters. The first is to claim that grace is merely a natural extension of nature – that nature somehow *demand*s grace. No, rather grace will often seem to *erupt into* nature in quite unexpected ways. And yet although grace is not the

³⁵ *Gratia non tollat naturam, sed perficiat*. Indeed, the first use of the phrase in the *Summa Theologiae* shows up in the very first question of the first part: ST I, q. 1 a. 8, on whether arguments can be used in sacred doctrine.

logical conclusion of the necessary demands of nature – rather, it will often appear to us precisely as a ‘sign of contradiction’ to the world as we know it – yet the redeeming grace God imparts does not simply cast away nature or negate it or make it somehow less important. As revelation does not negate or destroy reason, or make the use of clear human reasoning any less important, so too charity does not negate or destroy the role of the natural law, or make the acquiring of the virtues any less important.