

**PHHS 1051**

**HISTORY OF PHILOSOPHY: MEDIEVAL**

Prepared by the Instructor

Spring 2019

## HISTORY OF PHILOSOPHY: MEDIEVAL

Instructor: Fr. Augustine Thompson O.P.  
Office Hours: F 11:00-12:00 (DSPT 116E) Phone: 510-883-2055

### COURSE DESCRIPTION:

This course will focus principally on the development of Christian philosophical theology, emphasizing: Patristic Roots (to 1100), Scholastic Synthesis (1200 to 1325), and Nominalist Critique (1325-1450). Attention will also be given to the reception of Greek, Arab and Jewish learning by the medieval west. Anselm of Canterbury, Bonaventure, Thomas Aquinas, Duns Scotus, and William of Occam will receive special attention. Students will be expected to interpret and discuss such texts orally (proved by participation in class discussions) and analyze and interpret them in writing (proved by written examinations).

**Student learning goals.** That the students acquire a foundational knowledge of the history of Christian thought (philosophy / theology) from late antiquity to the early modern period.. In that process, they will learn to analyze medieval philosophical / theological texts, isolating their first principles and to make meaningful comparisons between authors of diverse perspectives. They will also become familiar with the influences of pagan, Jewish, and Islamic ideas on Christian thought in the period..

**Student learning outcomes.** That the students become proficient in interpreting and discussing medieval philosophic / theological texts (demonstrated by participation in class discussions), and become conversant with major authors and trends in the period as a whole (proved by comprehensive written exams).

### *Required Reading*

If you do not know this book, you should: **The Bible.**

This may be considered the “text-book”. Read it as the term progresses:

**Knowles, David, *Evolution of Medieval Thought*. Vintage, 1962.**

<http://www.amazon.com/Evolution-Medieval-Thought-David-Knowles/dp/0394702468>

Numerous used copies are available through Amazon: prices between \$4 and \$12.00

Primary Sources in Translation will be assigned from:

**Hyman, Arthur and Walsh, James, eds. *Philosophy in the Middle Ages: The Christian, Islamic, and Jewish Traditions*. NEW EDITION. Hackett, 2010. \$46.19**

<http://www.amazon.com/Philosophy-Middle-Ages-Christian-Traditions/dp/160384208X>

**Fairweather, Eugene, ed. *A Scholastic Miscellany: Anselm to Ockham*. Westminster, 1982. \$28.89**

[https://www.amazon.com/Scholastic-Miscellany-Library-Christian-Classics/dp/0664244181/ref=sr\\_1\\_3?s=books&ie=UTF8&qid=1544830086&sr=1-3](https://www.amazon.com/Scholastic-Miscellany-Library-Christian-Classics/dp/0664244181/ref=sr_1_3?s=books&ie=UTF8&qid=1544830086&sr=1-3)

### Requirements of Course:

1. Two written exams (each 45% of grade)
2. *Active* participation in discussions and preparation of readings presentations (10% of grade)

## Purposes, Outcomes, and Grading Rubrics for the Course

### *Course Goals*

This introductory level survey course seeks to impart to students:

1. An understanding of the institutional, intellectual, and cultural history of Christian thought from late antiquity to the end of the Middle Ages sufficient to allow them **intellectual integration** of deeper studies on these thinkers or those influenced by them.

2. A sense of the ever provisional nature of all historical studies, which should encourage the students to model the **academic humility** and openness to contrasting opinions and methods that inform historical debate.

3. By reading difficult and alien writers on their own and achieving the mastery necessary to perform well on the course exams, the students should begin to develop the **self-direction** necessary for their future historical study.

4. Since the essay questions for the exams will be distributed before the exam and the students encouraged to work together preparing their answers, the course will foster a climate of **collaboration** and common ownership proper to research work and teaching.

5. By encountering a thought world that is profoundly different from our own modern one, students will acquire new perspectives that will allow them to **prophetically challenge** the commonplaces and prejudices of modern culture.

### *Course Outcomes*

1. A **broad knowledge** of the history of the ancient and medieval thought as a whole, including the major Pagan, Jewish, and Islamic influences on it..
2. Beyond the broad outlines, ability to undertake even more **focused and critical reflections** on the texts studied, demonstrated in weekly discussions.
3. The **ability to communicate** the fruits of their own study, especially in class discussions..
4. The ability to bring sound historical conclusions to bear on **contemporary theological and ecclesiastical issues**, especially during discussions.
5. An understanding of the historical relations between the Church and **non-Christian religions**, in Jewish and Islamic thought (three weeks of the course will be devoted directly to these authors).

### *Grading Rubrics*

“A” signifies a comprehensive and accurate general understanding of the development of ancient and medieval Christianity and a sure and solid control of the ideas of all authors studied.

“A-“ signifies a generally solid familiarity with the development of ancient and medieval Christianity and the ability to sketch out the basic ideas of the major authors and most minor authors studied.

“B+” signifies a basic familiarity with the general development of ancient and medieval Christianity, but somewhat sketchy recall of the ideas of individual authors, including the major ones. This is only marginally satisfactory in master’s level work, even in an introductory class.

“B” signifies even less secure understanding of development and serious lacunae for even major authors. As such, although passing, this is probably not sufficient quality for master’s credit.

Below a “B” means that, for all intents and purposes, the performance is so poor that it could not be used to fulfil requirements in a master’s program.

NOTE: If you need special arrangements to meet the course requirements for reasons of some documented disability, please see the instructor after the first meeting of the seminar.

## **MEDIEVAL PHILOSOPHY SYLLABUS**

READ EACH ASSIGNMENT BEFORE THE DAY IT IS LISTED (AND THEN AGAIN AFTER THE LECTURE IF YOU HAVE TIME); Knowles should be read by the end of the week assigned.

### **WEEK ONE: HEBREW FAITH AND GREEK REASON**

Knowles, chapter 1-2

Feb. 5 — Ancient Roots: Platonism and Aristotelianism

*Patristic Heritage*

Feb. 8 — Augustine 1: Knowledge, Anthropology--Hyman, pp. 9-34 (*The Teacher*), 64-65 (*On The Trinity*).

### **WEEK TWO: KNOWLEDGE FOR GOD'S CITY**

Knowles, chapters 3-4

Feb. 12 — Augustine 2: God and Creation--Hyman, pp. 81-99 (*The City of God*).

Feb. 15 — Boethius--Hyman, pp. 103-37 (*Consolation of Philosophy*) and pp. 138-39 (*Contra Eutychen*).

### **WEEK THREE: THE INHERITANCE TRANSFORMED**

Knowles, chapters 5-8

Feb. 19 —DISCUSSION: PATRISTIC INHERITANCE

Feb. 22 —Anselm I: Hyman, pp. 158-161 (*Monologion*).

### **WEEK FOUR: FAITH AND DIALECTICS**

Knowles, chapters 9-10

Feb. 26 —Anselm II: Hyman, pp. 161-81 (*Proslogion* and *Reply to the Fool*)

Mar. 1 —Dialectics: Peter Abailard: Fairweather, pp. 276-97 (Method and Ethics).

*Sources of Scholasticism: Lawyers, Muslims, and Jews*

### **WEEK FIVE: FROM LOGIC TO LAW**

Knowles, chapters 11

Mar. 5 —DISCUSSION: ABAILARD AND ANSELM

Mar. 8 —The Canonists—Gratian, Decretals, and Glosses on Canon Law in this packet

**WEEK SIX: EXEGETES AND MYSTICS**

Knowles, chapter 12-14

Mar. 12 —The Victorines:--Fairweather, pp. 300-18 (Hugh), and pp. 324-31 (Richard).

Mar. 15 —DISCUSSION: CANONISTS, VICTORINES

**WEEK SEVEN: ISLAMIC PHILOSOPHY I**

Knowles, chapter 15

Mar. 19 —FIRST EXAM (in class)

Mar. 22 —Origins of Islamic Philosophy--Hyman, pp. 244-64 (Selections from Ibn Sina, *The Salvation* and from *The Healing*).**SPRING RECESS: MARCH 25–29****WEEK EIGHT: ISLAMIC PHILOSOPHY II**

Knowles, chapters 16.

Apr. 2 — Avicenna and Platonizing Aristotelianism—Continue working on the Ibn Sina readings.

Apr. 5 — Averroës and Purified Aristotelianism--Hyman, pp. 289-303 (Ibn Rushd, *The Decisive Treatise*)**WEEK NINE: JEWISH PHILOSOPHY**

Knowles, chapters 17-18

Apr. 9 — Jewish Philosophy in the Middle Ages--Hyman, pp. 364-85 (Maimonides, *Guide of the Perplexed*)

Apr. 12 — DISCUSSION: MUSLIMS AND JEWS

*The Scholastic Synthesis***WEEK TEN: ARISTOTELIANS**

Knowles, chapters 20–21

Apr. 16 — Albert the Great and Thomas Aquinas 1: Being and Becoming--Hyman, pp. 451-57 (*On Being and Essence*), and pp. 466-70 (“Does God Exist?”).Apr. 19 — Thomas Aquinas 2: The Human Person and Ethics--Hyman, pp. 494-528 (*Summa* on Human Person, the Will, and the Virtues).**WEEK ELEVEN: CONTROVERSY OVER ARISTOTLE**

Knowles, chapter 22, 19

Apr. 23 — Radical Aristotelianism--Hyman, pp. 440-46 (Siger of Brabant, *On the Eternity of the World*)

Apr. 26 — Bonaventure 1: The Reaction to Aristotle: Rethinking Knowledge--Hyman, pp. 414-17  
*(Collations on the Hexameron)* and *Retracing the Arts to Theology* (in this packet).

**WEEK TWELVE: BONAVENTURE**

Knowles, chapters 23-24

Apr. 30 —Bonaventure 2: Mystical Assent—Hyman, pp. 417-36 (*The Mind's Journey to God*)

May 3 — DISCUSSION: AQUINAS AND BONAVENTURE

*Later Medieval Thought*

**WEEK THIRTEEN: FRANCISCAN ALTERNATIVES**

Knowles, chapter 25-27

May 7 — Duns Scotus: God--Hyman, pp. 556-70 ("Existence of an Infinite Being" and "God"), and  
 pp. 599-606 (On Moral Acts); Hyman, pp. 541-50 ("The Condemnation of 1277").

May 10 —William Ockham: Termism, Hyman, pp. 608-15 (*Summa Logicae*), pp. 631-36 (On  
 Relations); and pp. 643-49 (On the Virtues).

**WEEK FOURTEEN:**

Knowles, chapter 28

May 14 —From Nominalism to Humanism to Francisco Suarez S.J.—*Metaphysical Disputations*  
 XIII.5 (in this packet)

May 17 —DISCUSSION: SCOTUS AND OCKHAM (AND PERHAPS SUAREZ)

**EXAM WEEK**

May 21—SECOND EXAM (in class)

PH 1051  
Fr. A. Thompson, O.P.

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NOTE: If you need special arrangements to meet the course requirements for reasons of some documented disability, please see the instructor after the first meeting of the seminar.

## MEDIEVAL PHILOSOPHY BIBLIOGRAPHY

*This bibliography is provided for those who want to read more of medieval authors and modern scholarly work on them. It may one day serve you in preparing term papers.*

### ANCIENT AUTHORS (300-900)

#### *Augustine of Hippo:*

- H. A. Deane, *The Political and Social Ideas of Augustine* (New York, 1963)  
R. A. Marcus, *Saeculum: History and Society in the Theology of St. Augustine* (Cambridge, 1970)  
E. TeSelle, *Augustine the Theologian* (Cambridge, 1970)  
G. O'Day, *Augustine's Philosophy of Mind* (1987)  
J. M. Rist, *Augustine: Ancient Thought Baptized* (Cambridge, 1994)

Translations: Nearly all his works and letters are translated in *A Select Library of the Nicene and Post-Nicene Fathers of the Christian Church*, Series 1, vols 1ff., ed. P. Schaff (New York, 1890-1908)--But this edition is antiquated, the notes misleading, and the English difficult. You should consult: J. Quasten, *Patrology*, vol. 4: *The Golden Age of Latin Patristic Literature*, ed. A. de Berardino (Westminster, 1986), pp. 355-394, for new translations of any work you use. E.g. use *City of God*, trans. Henry Bettinson (Penguin, 1972); *Confessions*, trans. F. J. Sheed (Indianapolis: Hackett, 1992), etc.

#### *Boethius:*

- Boethius, his Life, Thought and Influence*, ed. M. T. Gilson (Oxford, 1981)  
H. Chadwick, *Boethius: The Consolation of Music, Logic, Theology, and Philosophy* (Oxford, 1981)

Translations: *Boethius: The Consolation of Philosophy* (Baltimore, 1969); *Boethius: The Theological Tractates and the Consolation of Philosophy* (London, 1973); *Boethius De Topicis Differentiis* (Ithaca, 1978); "Commentary on the Isagoge of Porphyry, Book I" in *Selections from Medieval Philosophy I: From Augustine to Albert the Great* (New York, 1929)

#### *John Scotus Eriugena:*

- D. Moran, *The Philosophy of John Scotus Eriugena* (Cambridge, 1989)  
W. Otten, *The Anthropology of Johannes Scottus Eriugena* (Leiden, 1991)

Translations: *Johannis Scotti Eriugena Periphyseon (De Divisione Naturae)*, trans. I

Sheldon-Williams and L. Bieler (Dublin, 1986-72); there are other partial translations by C. Schwartz (Book I), Uhlfelder (Indianapolis, 1972), and in *Medieval Philosophy*, trans. H. Shapiro (New York, 1964), and in *Selections from Medieval Philosophers I: Augustine to Albert the Great* (New York, 1920)

## LOGICIANS AND PRE-SCHOLASTICS (1000-1200)

*Anselm of Canterbury:*

- R. J. Campbell, *From Belief to Understanding* (Canberra, 1976)
- J. Hopkins, *A Companion to the Study of St. Anselm* (Minneapolis, 1972)
- G. R. Evans, *Anselm* (Oxford, 1989)
- D. Henry, *The Logic of St. Anselm* (Oxford, 1976)

Translations: *Works*, trans. J. Hopkins and K. Richardson, 4 vols. (New York, 1976); there are numerous other translations of his principal works, also note *The De Grammatico of St. Anselm: The Theory of Paronymy*, trans. D. Henry (Notre Dame, 1964)

*Peter Abailard (Abelard):*

- R. Weingart, *The Logic of Divine Love* (Oxford, 1970)
- D. E. Luscombe, *The School of Peter Abelard* (Cambridge, 1969)
- M. Fumigalli, *The Logic of Abelard* (New York, 1970)
- L. Grane, *Peter Abelard: Philosophy and Christianity in the Middle Ages* (New York: 1970)
- M. Tweedale, *Abailard on Universals* (Amsterdam, 1976)

Translations: *Abailard's Ethics* (Oxford, 1935); *Abailard's Christian Theology* (Oxford, 1948); *Selections from Medieval Philosophers I: Augustine to Albert the Great* (New York, 1929); *The Story of Abelard's Adversities* (Toronto, 1954); *A Dialogue of a Philosopher with a Jew and a Christian* (Toronto, 1979); *Soloquium* trans. in *Studi medievali*, 3 ser, 25 (1984), 857-94

*John of Salisbury:*

- C. C. J. Webb, *John of Salisbury* (1935)
- H. Leibschütz, *Medieval Humanism in the Life and Writings of John of Salisbury* (Princeton, 1950)

Translations: *The Metalogicon of John of Salisbury* (Berkeley, 1955); *Frivolities of Courtiers and Footprints of Philosophers* (Minneapolis, 1938)

*Gratian the Canonist:*

- S. Chodorow, *Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum* (Los Angeles, 1972)

S. Kuttner, *Harmony from Dissonance* (Latrobe, 1960)

Translations: *Gratian: Treatise on Laws with the Ordinary Gloss* (Washington DC, 1992); see instructor for unpublished translations of Gratian (CC. 26-34) on marriage and superstition.

*Robert Grosseteste:*

S. Thompson, *The Writings of Robert Grosseteste, Bishop of Lincoln* (Cambridge, 1940)

Translations: *Robert Grosseteste: On Light or the Beginnings of Forms* (Milwaukee, 1942); theological treatises in *Selections from Medieval Philosophers I: From Augustine to Albert the Great* (New York, 1929).

## HIGH SCHOLASTICS (1200-1300)

*Bonaventure:*

E. Gilson, *The Philosophy of St. Bonaventure* (London, 1938)

J. Ratzinger, *Bonaventure's Theology of History* (Chicago, 1971)

F. J. Quinn, *The Historical Constitution of Bonaventure's Philosophy* (Toronto, 1973)

Z. Hayes, *The Hidden Center* (New York, 1981)

Translations: *The Works of Bonaventure*, 5 vols., trans. J. de Vinck (Paterson, 1960-70); there are many other translations of individual works. One can now find translations of the *Commentary on the Sentences* on the internet at the Franciscan Institute site.

*Siger of Brabant:*

F. Van Steenberghen, *Aquinas and Radical Aristotelianism* (Washington, 1980)

Translations: *St. Thomas Aquinas, Siger of Brabant, St. Bonaventure: On the Eternity of the World* (Milwaukee, 1964); *Medieval Philosophy: Selected Readings from Augustine to Buridan* (New York, 1964).

*Thomas Aquinas:*

E. Gilson, *The Christian Philosophy of Thomas Aquinas* (New York, 1957)

M. D. Chenu, *Toward Understanding St. Thomas* (Chicago, 1964)

F. C. Copleston, *Aquinas* (Harmondsworth, 1955)

J. Pieper, *Introduction to Thomas Aquinas* (New York, 1962)

R. McInerny, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas* (Washington DC, 1982)

B. Davies, *The Thought of Thomas Aquinas* (Oxford, 1992)

D. Burrell, *Aquinas: God and Action* (London, 1974)

- A. Kenny, *Aquinas* (Oxford, 1980)  
 D. O'Connor, *Aquinas and Natural Law* (New York, 1968)  
 A. Sertillanges, *Saint Thomas Aquinas and his Work* (London, 1933)

Translations: *The Summa Theologica of St. Thomas Aquinas* (London 1921-32; rpt. by Benziger in 3 vols.), or *Summa Theologiae* (London, 1964-81; or New York, 1964ff.); *Commentary on Aristotle's Physics* (New Haven, 1963); *Aquinas on Being and Essence* (Notre Dame, 1965); *Commentary on the De Anima* (London, 1951); *Truth* [Disputed Questions] (Chicago, 1952-54); *On the Truth of the Catholic Faith* [Summa Contra Gentiles] (New York, 1954-56); *On Kingship to the King of Cyprus* (Toronto, 1949); *On the Soul* (St. Louis, 1949); *Commentary on the Metaphysics of Aristotle* (Chicago, 1961). Translation selections are found in: *Selections from Medieval Philosophers II: Roger Bacon to William of Ockham* (New York, 1930); *Basic Writings of Saint Thomas Aquinas* (New York: 1948); *Introduction to Saint Thomas*, trans. A. Pegis (New York, 1948); *Philosophical Texts*, trans. T. Gilby (London, 1951); *Theological Texts*, trans. T. Gilby (London, 1955); *The Pocket Aquinas* (New York, 1960); *the Philosophy of Thomas Aquinas: Introductory Readings* (London, 1988); *Albert and Thomas Aquinas: Selected Writings*, trans. S. Tugwell (New York, 1988); there have appeared many other translations, including commentaries on the Bible, Aristotle, etc.

## **FRANCISCAN SCHOOL (1300-1500)**

### *John Duns Scotus:*

- E. Bettoni, *Duns Scotus* (Washington DC, 1961)  
 A. B. Wolter, *The Philosophical Theology of John Duns Scotus* (Ithaca, 1990)  
 E. Gilson, *The Philosophy of John Duns Scotus*  
 B. M. Bonanasea, *Man and his Approach to God in John Duns Scotus* (Langham, 1983)

Translations: *John Duns Scotus: God and Creatures* (Princeton, 1975); *Selections from Medieval Philosophers II: Roger Bacon to William of Ockham* (New York, 1930); *Reason and Revelation: A Question from Duns Scotus* (Edinburgh, 1935); *The De Primo Principio of John Duns Scotus* (St. Bonaventure, 1949); "Duns Scotus and the Necessity of Revealed Knowledge: Prologue to the Ordinatio of John Duns Scotus," ed. H. Shapiro, in *Medieval Philosophy* (New York, 1964); *John Duns Scotus: Philosophical Writings* (Indianapolis, 1987); *John Duns Scotus: A Treatise on God as First Principle* (Chicago, 1966); *On the Will and Morality* (Washington, 1986)

### *Nicolas of Autrecourt:*

- J. Weinburg, *Nicolaus of Autrecourt* (Princeton, 1948)

Translation: *The Universal Treatise of Nicholas of Autrecourt* (Milwaukee, 1971)

*William of Ockham:*

- E. A. Moody, *The Logic of William of Ockham* (1935)  
 A. S. McGrade, *The Political Thought of William of Ockham* (Cambridge, 1974)  
 G. Leff, *William of Ockham* (Manchester, 1975)  
 M. McC. Adams, *William of Ockham* (Notre Dame, 1987)  
 M. Menges, *The Concept of Univocity Regarding the Predication of God and Creature according to William Ockham* (New York: 1952)  
 H. Shapiro, *Motion, Time, and Place According to William Ockham* (St. Bonaventure, 1957)  
 D. Webering, *The Theory of Demonstration according to William of Ockham* (St. Bonaventure, 1953)

Translations: *Predestination, God's Foreknowledge, and Future Contingents* (Indianapolis, 1969); *Ockham: Philosophical Writings* (Edinburgh, 1957); "Commentary on Porphyry," *Franciscan Studies* 33 (1973), 171-254, and 34 (1974), 306-382; *Ockham's Theory of Propositions: Part II of the Summa Logicae* (Notre Dame, 1980); *Ockham's Theory of Terms: Part I of the Summa Logicae* (Notre Dame, 1974); *Medieval Political Philosophy: A Sourcebook* (New York: 1963); *Selections from Medieval Philosophers II: Roger Bacon to William of Ockham* (New York: 1930); *Ockham: Studies and Selections* (LaSalle, 1938); *De Sacramento Altaris* [On the Mass], trans. T. Birch (Burlington, 1930)

*Francisco Suarez*

Frederick Copleston, "Francisco Suarez," *A History of Philosophy* (1963), vol. 3: 253-405, best short summary in English.

Raoul de Scorraile, *François Suárez de la Compagnie de Jesus*. (1912-13), best in French.

Joseph H. Fichter, *Man of Spain: A Biography of Francis Suárez* (1940), best in English, but hagiographic.

Carlos Larrainzar's Una introduccion a Francisco Suárez. (1977), probably the best of all.

Jorge J. E. Gracia, "Francisco Suárez: The Man in History," *American Catholic Philosophical Quarterly* 65 (1991): 259-66

Carlos Noreña, "Suárez and the Jesuits," *American Catholic Philosophical Quarterly* 65 (1991): 267-86.

Do not ignore: Sydney Penner's bibliography website: <http://sydneypenner.ca/bib.shtml>

Translations: *Descartes' Meditations: Background Source Materials*, edited by Roger Ariew, John Cottingham, and Tom Sorell (Cambridge: Cambridge University Press, 1998); *Extracts on Politics and Government from Defense of the Faith, Laws and God the Lawgiver, Tract on Faith, Tract of Charity*, translated by George Albert Moore (Chevy Chase 15, Md: Country Dollar Press, 1950); *Selections from Three Works of Francisco Suárez, S. J.*, prepared by Gwladys L. Williams, Ammi Brown, and John Waldron (1944; rpt. Buffalo, N.Y.: William S. Hein & Co., 1995). And do not ignore the unpublished translations made available by Sydney Penner here: <http://www.sydneypenner.ca/SuarTr.shtml>



# SELECTIONS FROM THE CANONISTS

## GRATIAN'S DECRETUM: ON THE NATURE OF LAWS

### DISTINCTION ONE

#### Part 1.

*The human race is ruled by two things, namely, natural law and usages. Natural law is what is contained in the Law [of Moses] and the Gospel. By it, each person is commanded to do to others what he wants done to himself and prohibited from inflicting on others what he does not want done to himself. So Christ said in the Gospel: "Whatever you want men to do to you, do so to them. This indeed is the Law and the Prophets."*

*Thus Isidore says in Etymologies, V, II:*

#### C. I.

*Divine ordinances are established by nature, human ordinances by usages.*

§1. All ordinances are either divine or human. Divine ordinances are determined by nature, human ordinances by usages; and thus the latter vary since different things please different people.

§2. Morality is divine ordinance. Law is human ordinance.

§3. To pass through another's field is moral, but it is not legal.

*From the text of this authority one can understand clearly how divine and human ordinances differ, since whatever is moral is included in the term "divine or natural ordinances," while by the term "human ordinances," we understand the usages drawn up in writing and passed on as law. Law is a general term, containing many species.*

*Thus Isidore says in Etymologies, V, III:*

#### C. II.

*Ordinance is a species.*

Law is a general term; ordinance is a species of law. Law [*ius*] is so called because it is just [*justum*]. Law consists of ordinances and usages.

[*Isidore, Etymologies, V, III:*]

#### C. III.

*What ordinance is.*

Ordinance is written enactment.

[*Isidore, Etymologies, V, III; II, X:*]

#### C. IV.

*What usage is.*

Usage is long-continued custom, derived to a certain extent from usages.

[*Isidore, Etymologies, V, III; II, X:*]

#### C. V.

*What custom is.*

§1. Custom is a sort of law established by usages and recognized as ordinance when ordinance is lacking.

§2. It does not matter whether it is confirmed by writing or by reason, since reason also supports ordinances.

§3. Furthermore, if ordinance is determined by reason, then ordinance will be all that reason has already confirmed—all, at least, that is congruent with religion, consistent with discipline, and helpful for salvation. Custom is so called because it is in common use.

*So, when it says “it does not matter whether custom is confirmed by writing or by reason,” this shows that, in part, custom has been collected in writing, and, in part, it is preserved only in the usages of its followers. What is put in writing is called enactment or law, while what is not collected in writing is called by the general term “custom.”*

Part 2.

*There is, however, another division of law, as Isidore attests in Etymologies, V, IV, when he says:*

#### C. VI.

*What the species of law are.*

§ 1. Law is either natural, civil, or that of nations.

[*Isidore, Etymologies, V, IV:*]

#### C. VII.

*What natural law is.*

§ 2. Natural law is common to all nations because it exists everywhere through natural instinct, not because of any enactment.

§ 3. For example: the union of men and women, the succession and rearing of children, the common possession of all things, the identical liberty of all, or the acquisition of things that are taken from the heavens, earth, or sea, as well as the return of a thing deposited or of money entrusted to one, and the repelling of violence by force. This, and anything similar, is never regarded as unjust but is held to be natural and equitable.

[*Isidore, Etymologies, V, V:*]

#### C. VIII.

*What civil law is.*

Civil law is what each people and each commonwealth establishes as its own law for divine or human reasons.

[*Isidore, Etymologies, V, VI:*]

### C. IX.

*What the law of nations is.*

The law of nations deals with the occupation of habitations, with building, fortification, war, captivity, servitude, postliminy, treaties, armistices, truces, the obligation of not harming ambassadors, and the prohibition of marriage with aliens. This law is called the law of nations because almost all nations make use of it.

[*Isidore, Etymologies, V, VII:*]

### C. X.

*What military law is.*

Military law deals with the formalities of declaring war, the obligations involved in making a treaty, advance against the enemy on signal, commitment to combat, and withdrawal, again on signal, military punishment of shameful acts such as deserting one's post, the payment of stipends, the order of ranks and conferring of honors such as a wreath or a chain, the distribution of booty, its just division according to the status and the exertions of different persons, and the prince's share.

[*Isidore, Etymologies, V, VIII:*]

### C. XI.

*What public law is.*

Public law treats sacred things, priests and magistrates.

[*Isidore, Etymologies, V, IX:*]

### C. XII.

*What the law of the Quirites is.*

§1. The law of the Quirites is that peculiar to the Romans, and it binds none save the Quirites, that is, the Romans.

§2. This law deals with legal inheritance, cretion, guardianships, and usucaption. These laws are met with among no other people, but are particular to the Romans and laid down for them alone.

## 1. PROPERTY

**Case.** This passage is divided into three parts. In the first, Ambrose inveighs against the greedy man, and compares him to the insane, for as the insane person does not see the truth of a thing but his own passions and fantasies, so the greedy man does not see what he ought. He is always devoted to usury and greed, and he contemplates gold more willingly than the sun.

In the second part, which begins “But you say . . .” Ambrose responds to the objection of the greedy man who says: “I do not sin if I diligently care for my own and do not seize that of another.” But Ambrose says that he does not have what is his own, for what he possesses beyond what he uses is common and for all the needy. In the third part which begins “Is it iniquitous . . . ?” he responds to other objections that the greedy man makes. That man says: “If that which I possess is not mine and I sin in keeping it, then God is iniquitous who gave me so much and gave

little or nothing to many others who are needy.” But Ambrose responds that God willed to give riches so that the rich might make good use of them and the poor are crowned for the virtue of patience. For whatever one withholds beyond what is necessary for himself is stolen from the poor as a whole. One who deprives the poor of what they need sins no less than one who takes things away.

### THE DECRETUM OF GRATIAN

#### Distinction 47

*At the end of the last section it was seen that usury was prohibited to those ordained. Those who practice usury are devoted to cupidity. Cupidity is prohibited to those ordained by the Apostles, for it is easy for such people to deviate from justice.*

**C. 8.** *To be greedy is to seize the goods that are for the relief of necessities. (Ambrose on the Gospel [Luke xii, 16]: “The land of a rich man brought forth plentifully . . .”)*

As those whose minds are carried away by insanity so that they do not see themselves but rather their own passions and fantasies, so, when the mind of the greedy has once been bound by the chains of cupidity, he sees always gold, always silver, he always calculates his returns, he regards gold with more joy than the sun. He asks gold even in his prayer and supplication to God. [*and shortly thereafter:*] Sometimes, indeed, by the most evil art of usury, gold is made to breed gold. And what are you doing? Never satisfied,<sup>a</sup> never approaching the end of your cupidity. [*and further on:*] But, you say, what is the injustice if I diligently care for my own without seizing what is another's?<sup>b</sup> Oh, imprudent saying! Your own, you say? What things? From what hoard did you bring them into this world?

<sup>a</sup>**satisfied**—Because to the greedy man the whole world seems to be worth less than an *obolus*, as is stated in C. 14, q. 4, c. 11. Thus it is said that the greedy man is always needy, and that to take away gold is to store air. Thus it is said in Tobit: The torch of avarice fails for a person who fails to be astonished at his own. Naked he is rich, thirsty sated, and hungry full. The rich man wants to have as much more as he takes.

<sup>b</sup>**another's**—As though he said one cannot sin as to one's things. But it is advantageous to the republic that no one use

his thing badly. I. 1.8.2.

**‘common’** that is, to be given to another in time of necessity, as in C. 12, q. 1, c. 7; *id.* q. 2, c. 70; D. 86, c. 14. Moreover, the law says that in time of necessity provisions are to be shared by all. D. 14.2.2. 2.

**<sup>d</sup>by violence**—It is said here that a person who withholds more than is necessary for himself takes by violence. C. 12, q. 1, c. 10; *id.* q. 2, c. 70. This is true if it is done in time of necessity. At other times one can keep more than is necessary for oneself. C. 12, q. 1, c. 13; *id.* c. 17.; *id.* q. 2, c. 70.

**‘no less**—It is found in other places that one who takes something commits a greater wrong than one who does not give. C. 12, q. 2, c. 34.

When you came into the light when you left your mother’s womb, stuffed with what possessions and goods, I ask, did you come?

*[and shortly thereafter:]* Let no one call his own what is common.<sup>c</sup> In deed, the expense that expense that exceeds what is sufficient is taken by violence.<sup>d</sup>

*[and further on:]* Is it iniquitous of God that he does not distribute the means of life to us equally? So that you have riches and abundance while others are needy and in want? Is it to confer a crown on you for the proof of your kindness and on the others for their virtue of patience? You have received wealth of God, and you deem yourself to act in no way unjustly if you use it for your own ends, if you alone obtain the sustenance of the lives of many? What is more grasping, more greedy, than one who turns the food of many, not to his own use, but his own delicacy and abundance? Is it no less<sup>e</sup> a crime to take from him that has than to refuse to succor the needy when you can and are well off. It is the hungry man’s<sup>f</sup> bread you withhold, naked man’s cloak that you store away, and the money that you bury in the earth is the price of the poor man’s ransom and freedom. You know that you are seizing goods to the extent that you are able to do as you please are able to do as you please.

**‘hungry man’s**—  
Are the . . . poor  
t h e m - s e l v e s  
therefore able to  
make a claim? Not  
directly in court,  
but they can  
denounce to the  
church one who  
does not give, and  
so the church can  
c o m p e l h i m .  
Argument from X.  
5.3. 42.

## 2. COMMON OWNERSHIP

**CASE** [*Added later-not part of the original gloss*] In Jerusalem there were some who renounced their own things like the Apostles themselves but did not observe this well, and so Pope Clement wrote to James and to those living with him. First saluting them, he taught that to be in common. He proved this with first is that by natural law in the beginning all things were common, but through iniquity property was introduced so that one says, "This is mine, that is yours."

Second is the authority of Plato saying everything ought to be common, even wives. Third is the authority of the prophet. Fourth is the example of the Apostles. Fifth is the example of the Christians of the primitive church who sold their fields and gave the price of them to the Apostles. Sixth is the example of Ananias and Saphira who died because of the price of the fields before the feet of Peter.

In conclusion he urges them not to fall

from the rule of the Apostles . . .

### THE DECRETUM OF GRATIAN

Causa 12, Question 1

*It is commanded by many authorities that clerics are to possess nothing.*

**C. 2.** *All clerics are to maintain life in common (Clement, Letter 5)*

Bishop Clement to his most dear<sup>a</sup> brothers and fellow disciples living in Jerusalem, and his most dear brother Bishop James. The common life, brothers, is necessary for all, and especially for those who desire to serve God without reproach, and who want to imitate the life of the Apostles and their disciples. The common use of all<sup>b</sup> that there is in this world ought to be for all men. But through iniquity,<sup>c</sup> one person says this is his and another that, and so a division is made among mortals.

At last, the wisest of the Greeks, knowing this to be so, said that all things ought to be in common among friends: he did not doubt that even spouses<sup>d</sup> are to belong to all. And he said, as one cannot divide air<sup>e</sup> or the splendor of the sun, so that which remains and which is given in common to all in this world to have ought not to be divided, but to be had in common. Wherefore, moreover, the Lord speaks through the prophet, saying: "Behold how good and pleasant it is," and so forth.

<sup>a</sup>**Most dear**—He proves by six reasons that all things are in common . . .

<sup>b</sup>**of all**—Wherefore Tullius [Cicero] says the possession of things in common is most sweet, and the Philosopher says men would live most peacefully in this world if two words were abolished, namely, "mine" and "yours."

<sup>c</sup>**But through iniquity**—That is, by a custom of the law of nations that is contrary to natural equity. That it is contrary: see above, D. 8, c. 1. Or through iniquity means through solicitude as in the text, "Make friends for yourselves by means of unrighteous mammon," that is by means of money which is sought after with solicitude. C. 14, q. 5, a. c. 15.

<sup>d</sup>**spouses**—Not as carnal use but as to obedience or as to love. D. 31, c. 11. The argument is that

a general word is to be understood generally. D. 19, c. 1.

<sup>e</sup>**air**—is said to be common as to its use I. 21.1. But as to the right to build, whoever has

the land has the air up to the sky. D. 43.23.21.

4 [24.225]. A man may build as high as he wishes. Nevertheless, he may do so only as long as he does not exceed the ordinary height. C. 8.10.1.

**<sup>f</sup>of one heart and of one mind**—That is they were united by the bond of charity.

**<sup>g</sup>possessed**—Therefore one may possess a thing of which one may not have the property. Against this position, see X. 2.26.7. But here it says “possessed,” that is, “detained in the way that a slave is said to possess.” D. 41.2.24.

**<sup>h</sup>Saphira**— See below, C. 23, q. 8., c. 13; *id.* c. 16.

**<sup>i</sup>on account of their sin**—One dies more quickly on account of sin. C. 23, q. 4, c. 51.

Having held fast to the observance of this same custom, the Apostles and their disciples, as said earlier, led a common life, one with us and you. Wherefore, as well, you know, the multitude of them were of one heart and of one mind,<sup>f</sup> nor did any of them or of us say of anything he possessed<sup>g</sup> that it was his, but everything was in common for them and for us, nor was any of us needy. Indeed, everyone who possessed houses or fields sold them and offered their price and the remaining things they had, laying them before the feet of the Apostles (as certain of you here with us have seen or learned), who divided and gave them to each in proportion to his need.

Ananias, that harsh man, and his wife Saphira,<sup>h</sup> who lied to the Apostles as to the price of the fields that they sold in our presence, in the sight of all there present, and in the sight of the Apostles were both struck dead on account of their sin<sup>i</sup> and their lie. Others whom we have known and have seen are not worthy of being recorded or pointed out.

Accordingly, we command you to beware, and we enjoin<sup>j</sup> you to follow the teaching and example of the Apostles, for those who neglect their commands are not only answerable, but are cast out. You are not only to beware of these things but to preach them to all. Therefore, giving counsel, we urge your prudence that you do not fall from the rule of the Apostles but, leading a common life and understanding the sacred scriptures correctly, you pay fully what you have vowed to God.

.....

[After citing authorities to show that “in no way is it permitted for clerics to have something as their own” and “other authorities by which it is admitted that even bishops as well as others can have things as their own,” Gratian concludes:]

**<sup>j</sup>we enjoin**—that is, warn. Similarly in C. 28, q. 1, c. 9. Nevertheless, it seems that this was enjoined, for the primitive church could enjoin conduct: continence, for example. But if today this were enjoined, the status of the universal church would be deformed, which ought not to be done. C. 1, q. 7, c. 23. Or you can say enjoined were those who then had renounced what belonged to them and not others. C. 17, q. 1, c. 1.

[Dicta Gratiani:] *Therefore, the things of the Church are to held as though in common, not as though they belonged to a person. As one does not say "this is mine" of a thing held in common, so one does not say "this is mine" of a thing of the Church, lest one be seen not to imitate the charity of the Apostles who had nothing of their own but everything in common.*

*We respond, however, that while maintaining the perfection of charity, according to the discretion of the Church, a distribution is made of ecclesiastical possessions so that the possessions of a certain church are committed to certain people to dispense. They do so first for the needs of themselves and the sub-ministers of their church, and the surplus is used to minister to the faithful. So also prebendaries of the church may receive what is distributed, not as something of their own, but in order that the common utility be served. From what is assigned to them they may first provide for their own.*

### 3. THEFT

**C. 1. CASE.** The case is clear. Note here the penalty for one who steals a man and sells him. Ber[nardus.]

<sup>a</sup>**whoever steals a man**—that is, a free man, for this penalty would not be imposed for stealing a slave. D. 48.15.7. But this penalty is not imposed according to the canons. X. 5.17. 4; C. 33, q. 2, c. 6. Tanc[redus]

**C. 2 CASE.** It is said that if thieves or robbers are killed while stealing, they are not to be prayed for. But if they are caught or wounded and are confessed, communion ought not to be denied them. Note that those killed while stealing are not to be received by the Church and they are not to be prayed for. And note that those who die in mortal sin are not prayed for.

<sup>b</sup>**not to be prayed for**—because they are deemed to have died in mortal sin. C 23, q. 5. c. 12.

<sup>c</sup>**deacons**—in case of necessity even a layman. D. 4, c. 88 *de cons.* (toward the end); D. 6, c. 1, (at the beginning).

<sup>d</sup>**communion**—that is, the Eucharist. D. 50, c. 63. The person who confesses them can also give them burial. C. 13, q. 2, c. 30.

**C. 3. CASE.** This provision is brief, and does not have an appropriate summary because it is understood in different ways. Abb[as]. The case is clear. Note that necessity does not completely excuse theft, and, indeed, moderate necessity is to be understood here, for it would be otherwise if the necessity were grave.

<sup>e</sup>**penance**—From the fact that penance is imposed it is gathered that the necessity was moderate. Penance would not have been imposed if it had been grave. Argument against: D. 5, c. 26 *de*

*cons.* For in necessity all things are common. Argument from D. 42, c. 1; C. 12, q. 1, c. 2; C. 23, q. 7, c. 3; D. 47, c. 8. He ought to believe the owner would permit it. I. 4.1.7. A moderate penance is imposed because the sin is moderate.

But why is a woman not excused from fornication because of necessity in case of hunger? D. 23.2.43.5. As in the case of theft? I answer that by necessity the thing that is stolen becomes common but, in the case of fornication it is not so, and, indeed, one ought to suffer any evil rather than consent to evil. C. 23, q. 5, c. 3. Why am I excused from homicide if out of necessity I defend myself and kill someone, but not from fornication? I answer that I do not kill, but it is rather as though the person who attacks me kills himself. D. 9.1.1.11 and argument from X. 5.12.9.

#### THE DECRETALS OF GREGORY IX Book 5, Title 18

**C. 1. From Exodus** [21: 16]

Whoever steals a man<sup>a</sup> and sells him shall, if convicted, be put to death.

**C. 2. From the Council of Trier**

If thieves and robbers are killed stealing or carrying off goods, then it seems, they are not to be prayed for.<sup>b</sup> But, if they are captured or wounded and make a confession to a priest or deacon,<sup>c</sup> we do not deny them communion.<sup>d</sup>

**C. 3. From the Penitential of Theodore**

If a person stole food, clothing, or money because of necessity, being hungry or naked, he should do three weeks penance,<sup>e</sup> and if he returns what he stole he should not be compelled to fast.

#### 4. USURY IN GRATIAN

**CASE.** This is entitled the third question, and it is asked here whether it is usury if anything beyond the principal is demanded. The answer is surely yes, unless money is loaned to the Church by a layman so that Church land can be redeemed from the hands of a layman, in which case the fruits of the Church lands can be retained beyond the amount of the principal as Innocent III says in X 3.20.1 and Alexander in X 5.19.1 (*at the end*).

Similarly, one is not allowed to expect anything beyond the principal, as will be seen in c. 1 below. Indeed the hope of payment can be usury as it can be simony. Argument from C. 1, q. 3, c. 11.

**That**—Here it is asked whether usury is to receive anything beyond the principal. The answer is surely yes, except in five cases. The first is in favor of the Church. X 5.19.1; X 5.19.7. The second is when a guarantor has paid principal and usury he may claim the usury to be paid him. D. 26.1. The third is when a penalty is claimed beyond the amount of the principal. C. 12, q. 2, c. 10. The fourth is when usury is sought in the place of damages, as I shall explain below, C. 14, q. 4, c. 8 and D. 17.2.73 [2.72]. The fifth is when something is received for a thing that is not defined by weight, number or measure, as in a lease. The sixth case is when something is taken because of uncertainty X 5.19.6.

Not only profit of whatever kind but also the hope of it makes a person a usurer, as will be explained in c. 1 below, just as it can make one guilty of simony. C. 1, q. 3, c. 11. In

order to understand this question you must know that there are two contracts that are by their nature gratuitous: loan for consumption (*mutuum*) and loan for use (*commodatum*). In a loan for consumption, it is certain, and it follows, that it must be gratuitous for otherwise it is usurious. If a loan for use is not gratuitous, it is not usurious, but, if something is taken

for the loan for use it ceases to be a loan for use. For something is taken either for the thing itself or for the use of the thing. If something is taken for the thing itself, either money is taken or another thing. If money is taken, the contract is a sale and purchase; if another thing is taken, the contract is an exchange (*permutatio*). If money is taken for the use of a thing, it is a contract of lease. If another thing is taken it is the innominate contract “I give that you give” or “I give that you do.” All these contracts are allowed to laymen even as part of their business. D. 88, c. 10.

Clerics, however, should abstain from buying and selling insofar as they are able for it is not easy to engage in these transactions without sin. D. 5, c. 2 *de poen*. Nevertheless, in case of necessity, such transactions are permitted to clerics. X 3.50.1. It is also permitted for clerics to buy some raw material to make some product, if their resources are not sufficient for them. D. 91, c. 3; C. 21, q. 1, c. 1; D. 5, c. 33 *de cons*. In that case, they do not make a profit by trading but by making something. Such a profit was permitted to the Apostles. C. 21, q. 1, c. 1.

#### THE DECRETUM OF GRATIAN

##### Causa 14, Question 3

*That<sup>a</sup> to take profit beyond the amount given is to demand usury is proven by the authority of Augustine who wrote on Psalm [37], at the verse “He is ever giving liberally and lending . . .”*

**C.1. CASE.** Someone gives money as a loan and expects something back beyond the principal. Augustine asks whether this is usurious. He answers that it is.

<sup>b</sup>**expecting**—Some say, by an agreement. Or even without an agreement since mere hope makes one a usurer. But what if you lend with an agreement that the borrower will lend in return to you when the need arises. I do not believe this can be put in an agreement, obligation that cannot be reduced to an agreement.

<sup>c</sup>**more than**—as long as it is defined by weight, number or measure. The matter is otherwise with a horse or a house for in these cases it is permitted to receive the principal and a profit. The reason is that in the things just mentioned that are defined by weight, number and measure, ownership is transferred since the transaction is a loan for consumption. Therefore the thing is immediately at the risk of the person receiving it. Therefore it is unsuitable to impose a greater burden on account of this thing. But the house and the horse are not at risk of that person. Therefore it is not unsuitable if a greater burden is imposed for this reason when such things are given. D. 12.2. 30.

But an objection can be made. Suppose that someone sells the use of money

and himself receives the risk as to the use of money. The contract is not defective because the use of the money belongs to the person that sells, and so he is allowed to sell it. So you have a case in which someone can receive money for money. But this case is not the same, for money does not deteriorate. but other things deteriorate.

Again, if a creditor gratuitously loaned money to a seller, it would seem that the seller has the nonlegal obligation to the creditor that one owes to someone who has done a favor for one. X. 3.26.7; D. 5.3.28.8. He therefore has a natural obligation to him. Query: then why can he not reduce the natural obligation to a civil obligation, as

when an agreement is made to give what one is nevertheless obligated to give or when an agreement is made as to spiritual obligations which one is otherwise bound to perform: X. 35.11; X. 1.6.4.

**C. 2 CASE.** Some people do not wish to receive money for money loaned as usury, so they receive a small present that they say is not usury. But Jerome says that whatever is received beyond the principal is deemed usury.

<sup>d</sup>**money**—when the word “money” is taken strictly. Taken generally, however, “money” is whatever you have. C. 1, q. 3, c. 6. C 3.

**C. 1.** *One who exacted more than he gave accepted usury. (Augustine on Psalm 37)*

If you take usury from a man, that is, if you lend your money expecting<sup>b</sup> to get back something more than<sup>c</sup> you gave, not only the money but something than you gave, whether it be wheat or wine or olives or anything else, if you expect to receive more than you gave, you are a usurer, and unworthy in doing so and not to be praised.

**C. 2.** *Whatever is required to be given in excess is usury. (Jerome on Ezekiel, I, viii)*

Some believe that usury is only in money.<sup>d</sup> Divine scripture includes any taking of things in excess so that you may not receive more than you give. Some people accept small presents of various kinds in return for money lent, and they do not consider what they take to be usury or excess which, however, was accepting more for what was given.

**C. 3. CASE.** Some people loan money to businessmen to receive part of the merchandise as profit. Ambrose asks whether this truly ought to be deemed usury. He answers that it should be, and not only that but whatever is demanded beyond the principal is deemed to be usury whatever name is given it. He proves this by the authority of the law of Moses. The rest of the passage is clear.

**°precept--**Some people do not want to act against the law but they act in fraud of the law. A person acts in fraud of the law when he observes the words of the law but circumvents their intention. D. 13.29 [3.30] Fraud of law is committed in four ways. First, thing for thing, that is, when some thing is given fraudulently, as here and in C. 1, c. 114. Such is the fraud against which the Macedonian Law is aimed. D. 14.6.93 [73]. Again, the fraud can be person for person as when one person practices usury by using the person of another. D. 46, c. 10.

When a husband cannot give something to his wife, he has it done by another person who gives. D. 24.13.13. Again, fraud can be one contract for another as when a woman cannot give something to a man and so pretends to be selling. D. 24.1.5. 5; C. 16, q. 3, c. 10. Again, fraud can be one contract for another but in a different way, as when a woman who cannot guarantee an obligation constitutes herself the principal debtor. D. 16.1.8; C. 33, q. 5, c. 3.

**f of the law**—That is, of the canons legally in force, namely, the law of the prophet saying: “Who has not given his money at usury . . .” [Ps 15: 5]

**C. 3. Whatever exceeds the principal is usury.**  
(Ambrose on Tobit 14)

A great many people take refuge from the precept<sup>e</sup> of the law<sup>f</sup> by giving money to businessmen<sup>g</sup> and receiving merchandise from them in the place of the profits of usury instead of exacting the usury in money. Let them listen to what the law<sup>h</sup> says. It says you shall not take as usury food or any other thing. [Deut. 23: 19] [And shortly thereafter:]

Taking food is usury, and whatever is added<sup>i</sup> to the principal is usury. Call it by whatever name you will, it is usury. So it is if one decides a banquet is to be celebrated and asks these businessmen<sup>j</sup> to send casks of wine for free or orders wine from Pienza or Ticino from innkeepers, or obtains meat from butchers, or asks others to prepare fruit.<sup>k</sup>

**C. 4. When more is required than is given, usury is taken.** (Council of Nymwegen)

Usury occurs when more is taken back than what is given. As, for example, if you gave one hundred shillings and you required more, or gave one measure of grain and exacted more than that.

*Thus it is clearly shown that whatever is exacted beyond the principal is usury.*

**°businessmen**—It seems that if one gives his money to businessmen so that they buy merchandise, and he takes part of the profit for himself, this is legitimate. I do not concede that it is, if the risk is placed on the party receiving the money; the parties have entered into a loan for consumption. But if, by these words, they have entered into a contract of partnership, then the risk falls on both of them. Then it is perfectly lawful for one partner to give money and the other, who lacks money, to supply labor. D. 17.2. 5.

**h the law**—of Moses.

**i added**—by an agreement.

**j businessmen**—to whom one has loaned money.

**k fruit**—Thus it appears that usury differs

from the crime of simony for the crime of simony is not committed by taking a moderate amount. X. 5.3.18. But that is not the meaning of X. 5.3.8. It must be understood that when the amount is moderate, there is no presumption of that simony has been committed with regard to a person.

## 5. USURY IN PAPAL DECRETALS

**CASE.** Some merchants buy pepper, cinnamon or other merchandise that at the time of sale is not worth more than five pounds, and they promise to pay six pounds at the end of a fixed term. It is asked whether such a contract is usurious. The Pope answers that although such a contract may not be adjudged usurious because of its form, nevertheless, the sellers commit sin unless there is a doubt as to whether the merchandise will be worth more or less at the time payment is to be made.

Accordingly, those who make such contracts ought to do better and consider well abstaining from such contracts for human thoughts cannot be hidden from God. Note that some are excused from the sin of extravagance because of doubt.

<sup>a</sup>**buy**—they are not deceived as to the just price but they knowingly buy for more because of the delay in payment. Note that if they were deceived and so gave more than the just price, the contract would not have the species of usury, for it is permitted for the contracting parties to deceive each other, D. 4.4.17.4 [16.4], within half of the just price. X 3.173; X 3.17.6; C. 4.44.2 Ala[nus].

<sup>b</sup>**not worth**—nevertheless, it appears that it is worth so much. A thing is worth the amount for which it can be sold. D. 36.1.1.16; D. 35.2.81 [2.82]; D. 4.7.253 [2.52]; D. 39.6.18.3; D. 14.2.2.4. The price of things is not

determined by the common estimation. D. 35.2.63. For the argument against see D. 40.4.14. But here the sale was not made at the common estimation. Ber[nardus].

### THE DECRETALS OF GREGORY IX

#### Book 5, Title 19

##### C. 6. *Alexander III to the Archbishop of Genoa.*

You say that in your city it often happens that some people buy<sup>a</sup> pepper or cinnamon or other merchandise which then is not worth<sup>b</sup> more than five pounds and promise payment of six pounds at the end of a fixed term to those from whom they receive the merchandise. A contract of this type is permissible and cannot be censured, according to its form,<sup>c</sup> as usurious.<sup>d</sup> Nevertheless the sellers<sup>e</sup> will commit sin, unless there is doubt<sup>f</sup> as to whether the merchandise will be worth more or less at the time of payment. And, therefore, let your citizens reflect well on their salvation, whether they will refrain from such contracts, as no hu-

not have sold. X 5.19. 19 (*at the end*). Because of the doubt they are excused from the sin of usury for the word “sin” is to be interpreted to mean usury. X 5.19.19. Accordingly, it must be understood that, although the contract is not usurious according to its form, it still may have been entered into in fraud of usury for which one is liable as a matter of equity. Argument from X 3.21.4. Usury is usury, whatever name it is called. C. 14, q. 3, c. 1; id. c. 2.

<sup>f</sup>**unless there is doubt**—See X. 5.19.19 as to this. Where there is such a doubt it is still preferable to abstain, for people sometimes

<sup>c</sup>**according to its form**—similar to X. 3.21.4. The form of a contract must be inspected to judge whether it is usurious for all being is by a form. In this case, however, it is not always true, as is said below. Ber[nardus].

<sup>d</sup>**usurious**—Argument against: X 5.19.10, and the solution is given there.

<sup>e</sup>**sellers**—these seller are excused from sin because of the doubt. Otherwise, they would

say they have a doubt about matters that are not to be doubted and vice versa, and the safer way is to be chosen. X 5.27.5. Therefore it is said that they ought to reflect well on their salvation for there is danger in these transactions. Ber[nardus].

man's intentions are hidden<sup>g</sup> from almighty God.

**ghidden**—because God knows what is secret. D. 32, c. 11; C. 2, q. 5, c. 20. From him the quality of sin and the affection of sin is not hidden. C. 24, q. 3, c. 38. Tanc[redus].

## 6. USURY IN PAPAL DECRETALS: “TO BROTHER RAYMOND”

**CASE.** Someone lends a certain quantity of money to someone voyaging across the sea or going to fairs, and, because the creditor himself bears the risk of the money, he receives something beyond the principal. It is asked whether he is to be censured as a usurer. The Pope responds that he is.

**S e c o n d** , another question is raised. Someone gives ten shillings in order to receive a corresponding measure of wine, oil or grain at another time that is worth more than. It is asked whether he is to be censured as a usurer. The Pope responds that he is not for this reason to be deemed a usurer, if there is doubt as to whether it will be worth more or less at the time of payment. Thus he is excused because of the doubt.

Third, another question is raised. Someone sells bread, grain, wine, or other merchandise in order to receive more at the end of a certain period than it is worth at the time of the sale. It is asked whether he is to be censured as a usurer. The Pope responds that by reason of the doubt, this person is also excused from usury so long as his own merchandise was not to be sold at the time of the contract.

Note that one who loans money to the merchant in order to receive something beyond the principal is deemed to be a usurer even though he bears the risk of the money himself. And so note also that he is not allowed his compensation in usury. Again, one must not only abstain from evil but from every kind of evil. Again, when there is doubt, matters are to be interpreted in the more favorable light. Again, a person is excused

from usury because of doubt. Again, a person is not excused by any sort of doubt but only when the doubt is probable.

### C. 19. Gregory IX to Brother R.

Those who loan a certain amount of money to merchants voyaging or going to fairs and receive something beyond the principal for bearing the risk<sup>a</sup> are to be censured as usurers. One who gives ten shillings in order to get back, at another time, a corresponding measure of grain, wine or oil which is then worth more is not for this reason to be deemed a usurer so long as there is genuine doubt<sup>b</sup> whether it will be worth more or less at the time of performance.

<sup>a</sup>**risk**—Because this person bears the risk himself it seems that he is permitted to receive something beyond the principal as a sort of compensation. But the risk as to borrowed money belongs to the debtor as the money becomes his. Nevertheless, the return is usurious as it goes beyond the nature of a loan for consumption, as is said in X. 5.19.8. So, if no risk were to follow and he received something beyond the principal, it would be usury. Moreover, in a loan for consumption (*mutuum*), nothing is to be hoped for along with the sum lent. Give a loan for consumption and hope for nothing else. X. 3.19.10; C. 14, q. 3 (*in its entirety*). No compensation or dispensation ought to be admitted for one to take usury. X. 3.19.10. Therefore, whether he bears the risk or not he ought to take nothing beyond the principal.

<sup>b</sup>**genuine doubt**—Therefore, if it is certain that it would be worth more at the time of payment, the transaction is censured as usurious. X. 3.19.6. So he is excused because of the doubt for both the buyer and the seller expect an equal advantage and disadvantage from the delay. It is similar to C. 8.43.24. Again, it is argued here that in doubt the most favorable interpretation is to be placed on matters. X. 5.41.2. For we ought to be more prompt to absolve than to condemn. X. 2.19.2; D. 44.7. 46 [7.47]. On the contrary, it seems that it is preferable where there is doubt to abstain from such contracts because of the

danger. Argument from X. 5.27.5. Indeed, sometimes people pretend to have some doubt where there is no doubt. Yet, in such cases people are to be left to their own consciences. Again, it is argued here that because of the doubt something is permitted that would otherwise be unlawful. C. 13, q. 2, c. 19;

A person is also to be excused because of this doubt, if he sells bread, grain, wine, oil or other merchandise and receives more for it than it is then worth at the end of a certain period, provided, nevertheless, that at the time of the contract the goods were not to be sold.<sup>c</sup>

D. 25.4.1.1; D. 5.1.5; C. 4.32.17. And one is excused because of the doubt as in the following section.

**‘were not to be sold**—Otherwise, he is not to be excused, for if then the goods were to be sold for less, and, with certain knowledge of this, he

received more for waiting a period, then it is usury. It is so in X. 5.19.6, as, indeed, is said there.

# ST. BONAVENTURE

## RETRACING THE ARTS TO THEOLOGY

1. *Every good gift and every perfect gift is from above, coming down from the Father of Lights*, says James in the first chapter of his epistle. These words of Sacred Scripture not only indicate the source of all illumination but they likewise point out the generous flow of the manifold rays which issue from that Fount of light. Notwithstanding the fact that every illumination of knowledge is within, still we can with reason distinguish what we may call the external light, or the light of mechanical art; the lower light, or the light of sense perception; the inner light, or the light of philosophical knowledge; and the higher light, or the light of grace and of Sacred Scripture. The first light illumines in regard to structure of artifacts; the second, in regard to natural forms; the third, in regard to intellectual truth; the fourth and last, in regard to saving truth.

2. The first light, then, since it enlightens the mind in reference to structure of artifacts, which are, as it were, exterior to man and intended to supply the needs of the body, is called the light of mechanical art. Being, in a certain sense, servile and of a lower nature than philosophical knowledge, this light can rightly be termed external. It has seven divisions corresponding to the seven mechanical arts enumerated by Hugh in his *Didascalicon*, namely, weaving, armour-making, agriculture, hunting, navigation, medicine, and the dramatic art. That the above-mentioned arts suffice (for us) is shown in the following way. Every mechanical art is intended for man's consolation or for his comfort; its purpose, therefore, is to banish either sorrow or want; it either benefits or delights, according to the words of Horace:

Either to serve or to please is the wish of the poets.

And again:

He hath gained universal applause who hath combined the profitable with the pleasing.

If its aim is to afford consolation and amusement, it is dramatic art, or the art of exhibiting plays, which embraces every form of entertainment, be it song, music, poetry, or pantomime. If, however, it is intended for the comfort or betterment of the exterior man, it can accomplish its purpose by providing either covering or food, or by serving as an aid in the acquisition of either. In the matter of covering, if it provides a soft and light material, it is weaving; if a strong and hard material, it is armour-making or metal-working, an art which extends to every tool or implement fashioned either of iron or of any metal whatsoever, or of stone, or of wood.

In the matter of food, mechanical art may benefit us in two ways, for we derive our sustenance from vegetables and from animals. As regards vegetables, it is farming; as regards flesh meats, it is hunting. Or again, as regards food, mechanical art has a twofold advantage: it aids either in the production and multiplication of crops, in which case it is agriculture, or in the various ways of preparing food, under which aspect it is hunting, an art which extends to every conceivable way of preparing foods, drinks, and delicacies--a task with which bakers, cooks, and innkeepers are concerned. The term "hunting" (*venatio*), however, is used for all these things because it has a certain excellence and courtliness.

Furthermore, as an aid in the acquisition of each (clothing and food), the mechanical arts contribute

to the welfare of man in two ways: either by supplying a want, and in this case it is navigation, which includes all commerce of articles of covering or of food; or by removing impediments and ills of the body, under which aspect it is medicine, whether it is concerned with the preparation of drugs, potions, or ointments, with the healing of wounds, or with the amputation of members, in which latter case it is called surgery. Dramatic art, on the other hand, is the only one of its kind. Thus the sufficiency (of the mechanical arts) is evident.

3. The second light, which enables us to discern natural forms, is the light of sense perception. Rightly is it called the lower light because sense perception begins with a material object and takes place by the aid of corporeal light. It has five divisions corresponding to the five senses. In his Third Book on Genesis, Saint Augustine bases the adequacy of the senses on the nature of the light present in the elements in the following way. If the light or brightness which makes possible the discernment of things corporeal exists in a high degree of its own property and in a certain purity, it is the sense of sight; commingled with the air, it is hearing; with vapor, it is smell; with fluid, it is taste; with solidity of earth, it is touch. Now the sensitive life of the body partakes of the nature of light for which reason it thrives in the nerves, which are naturally unobstructed and capable of transmitting impressions, and in these five senses it possesses more or less vigor according to the greater or less soundness of the nerves. And so, since there are in the world five simple substances, namely, the four elements and the fifth essence, man has for the perception of all these corporeal forms five senses well adapted to these substances, because, on account of the well-defined nature of each sense, apprehension can take place only when there is a certain conformity and fitness between the organ and the object. There is another way of determining the adequacy of the senses, but Saint Augustine sanctions this method and it seems reasonable, since corresponding elements on the part of the organ, the medium, and the object lend joint support to the proof.

4. The third light, which enlightens man in the investigation of intelligible truths, is the light of philosophical knowledge. It is called inner because it inquires into inner and hidden causes through principles of learning and natural truth, which are inherent in man. There is a triple diffusion of this light in rational, natural, and moral philosophy, which seems adequate, since it covers the three aspects of truth -- truth of speech, truth of things, and truth of morals. Rational philosophy considers the truth of speech; natural philosophy, the truth of things; and moral philosophy, the truth of conduct. Or we may consider it in a different light. Just as we find in the Most High God efficient, formal or exemplary, and final causality, since "He is the Cause of being, the Principle of knowledge, and the Pattern of human life," so do we find it in the illumination of philosophy, which enlightens the mind to discern the causes of being, in which case it is physics; or to grasp the principles of understanding, in which case it is logic; or to learn the right way of living, in which case it is moral or practical philosophy. We are now considering it under its third aspect. The light of philosophical knowledge illumines the intellectual faculty itself and this enlightenment may be threefold: if it governs the motive power, it is moral philosophy; if it rules itself it is natural philosophy; if it directs interpretation, it is discursive philosophy. As a result, man is enlightened as regards the truth of life, the truth of knowledge, and the truth of doctrine.

And since one may, through the medium of speech, give expression to what he has in mind with a threefold purpose in view: namely, to manifest his thought, to induce someone to believe, or to arouse love or hatred, for this reason, discursive or rational philosophy has three sub-divisions: grammar, logic, and rhetoric. Of these sciences the first aims to express; the second, to teach; the third, to persuade. The first considers the reasoning faculty as apprehending; the second, as judging; the third, as persuading. Since the mind apprehends by means of correct speech, judges by means

of true speech, and persuades by means of embellished speech, with good reason does this triple science consider these three qualities in speech.

Again, since our intellect must be guided in its judgment by formal principles, these principles, likewise, can be considered under three aspects: in relation to matter, they are termed formal; in relation to the mind, they are termed intellectual; and in relation to Divine Wisdom, they are called ideal. Natural philosophy, therefore, is subdivided into physics proper, mathematics, and metaphysics. Thus physics treats of the generation and corruption of things according to natural powers and seminal causes; mathematics considers forms that can be abstracted in their pure intelligibility; metaphysics treats of the cognition of all beings, which it leads back to one first Principle from which they proceeded according to the ideal causes, that is, to God, since He is the Beginning, the End, and the Exemplar. Concerning these ideal causes, however, there has been some controversy among metaphysicians.

Since the government of the motive power is to be considered in a threefold way, namely, as regards the individual, the family, and the state, so there are three corresponding divisions of moral philosophy: namely, ethical, economic, and political, the content of each being clearly indicated by its name.

5. Now the fourth light, which illumines the mind for the understanding of saving truth, is the light of Sacred Scripture. This light is called higher because it leads to things above by the manifestation of truths which are beyond reason and also because it is not acquired by human research, but comes down by inspiration from the "Father of Lights." Although in its literal sense it is one, still, in its spiritual and mystical sense, it is threefold, for in all the books of Sacred Scripture, in addition to the literal meaning which the words outwardly express, there is understood a threefold spiritual meaning: namely, the allegorical, by which we are taught what to believe concerning the Divinity and humanity; the moral, by which we are taught how to live; and the anagogical, by which we are taught how to be united to God. Hence all Sacred Scripture teaches these three truths: namely, the eternal generation and Incarnation of Christ, the pattern of human life, and the union of the soul with God. The first regards faith; the second, morals; and the third, the ultimate end of both. The doctors should labor at the study of the first; the preachers, at the study of the second; the contemplatives, at the study of the third. The first is taught chiefly by Augustine; the second, by Gregory; the third, by Dionysius. Anselm follows Augustine; Bernard follows Gregory; Richard (of Saint Victor) follows Dionysius. For Anselm excels in reasoning; Bernard, in preaching; Richard, in contemplating; but Hugh (of Saint Victor) in all three.

6. From the foregoing statements it can be inferred that, although according to our first classification the light coming down from above is fourfold, it still admits of six modifications: namely, the light of Sacred Scripture, the light of sense perception, the light of mechanical art, the light of rational philosophy, the light of natural philosophy, and the light of moral philosophy. And for that reason there are in this life six illuminations, and they have their twilight, for all knowledge will be destroyed; for that reason too there follows a seventh day of rest, a day which knows no evening, the illumination of glory.

7. Wherefore, very fittingly may these six illuminations be related to the six days of creation or illumination in which the world was made, the knowledge of Sacred Scripture corresponding to the creation of the first day, that is, to the creation of light, and so on, one after the other in order. Moreover, just as all those creations had their origin in one light, so too are all these branches of

knowledge ordained for the knowledge of Sacred Scripture; they are contained in it; they are perfected by it; and by means of it they are ordained for eternal illumination. Wherefore, all our knowledge should end in the knowledge of Sacred Scripture, and especially is this true of the analogical knowledge through which the illumination is reflected back to God whence it came. And there the cycle ends; the number six is complete and consequently there is rest.

8. Let us see, therefore, how the other illuminations of knowledge are to be brought back to the light of Sacred Scripture. First of all, let us consider the illumination of sense perception, which is concerned exclusively with the cognition of sense objects, a process in which there are three phases to be considered: namely, the medium of perception, the exercise of perception, and the delight of perception. If we consider the medium of perception, we shall see therein the Word begotten from all eternity and made man in time. Indeed, a sense object can stimulate a cognitive faculty only through the medium of a similitude which proceeds from the object as an offspring from its parent, and this by generation, by reality, or by exemplarily, for every sense. This similitude, however, does not complete the act of perception unless it is brought into contact with the sense organ and the sense faculty, and once that contact is established, there results a new percept. Through this percept the mind is led back to the object by means of the similitude. And even though the object is not always present to the senses, still the fact remains that the object by itself, when in its finished state, begets a similitude. In like manner, know that from the mind of the Most High, Who is knowable by the interior senses of our mind, from all eternity there emanated a Similitude, an Image, and an Offspring; and afterwards, when “the fullness of time came,” He was united to a mind and a body and assumed the form of man, which had never been before. Through Him the minds of all of us which receive that Similitude of the Father through faith in our hearts, are brought back to God.

9. If we consider the exercise of sense perception, we shall see therein the pattern of human life, for each sense applies itself to its proper object, shrinks from what may harm it, and does not usurp what does not belong to it. In like manner, the spiritual sense lives in an orderly way when it exercises itself for its own purpose, against negligence; when it refrains from what is harmful, against concupiscence; and when it refrains from usurping what does not belong to it, against pride. Of a truth, every disorder springs from negligence, from concupiscence, or from pride. Surely then, he who lives a prudent, temperate, and submissive life leads a well-ordered life, for thereby he avoids negligence in things to be done, concupiscence in things to be desired, and pride in things that are excellent.

10. Furthermore, if we consider the delight of sense perception, we shall see therein the union of God and the soul. Indeed every sense seeks its proper sense object with longing, finds it with delight, and never wearied, seeks it again and again, because “the eye is not filled with seeing, neither is the ear filled with hearing.” In the same way, our spiritual senses must seek with longing, find with joy, and time and again experience the beautiful, the harmonious, the fragrant, the sweet, or the delightful to the touch. Behold how the Divine Wisdom lies hidden in sense perception and how wonderful is the contemplation of the five spiritual senses in the light of their conformity to the senses of the body.

11. By the same process of reasoning is Divine Wisdom to be found in the illumination of the mechanical arts, the sole purpose of which is the production of artifacts. In this illumination we can see the eternal generation and Incarnation of the Word, the pattern of human life, and the union of the soul with God. And this is true if we consider the production, the effect, and the fruit of a work, or if we consider the skill of the artist, the quality of the effect produced, and the utility of the product derived therefrom.

12. If we consider the production, we shall see that the work of art proceeds from the artificer according to a similitude existing in his mind; this pattern or model the artificer studies carefully before he produces and then he produces as he has predetermined. The artificer, moreover, produces an exterior work bearing the closest possible resemblance to the interior exemplar, and if it were in his power to produce an effect which would know and love him, this he would assuredly do; and if that effect could know its maker, it would be by means of the similitude according to which it came from the hands of the artificer; and if the eyes of the understanding were so darkened that it could not elevate itself to things above itself in order to bring itself to a knowledge of its maker, it would be necessary for the similitude according to which the effect was produced to lower itself even to that nature which the effect could grasp and know. In like manner, understand that no creature has proceeded from the Most High Creator except through the Eternal Word, “in Whom He ordered all things,” and by which Word He produced creatures bearing not only the nature of His vestige but also of His image so that through knowledge they might become like unto Him. And since by sin the rational creature had dimmed the eye of contemplation, it was most fitting that the Eternal and Invisible should become visible and take flesh that He might lead us back to the Father. Indeed, this is what is related in the fourteenth chapter of Saint John: “No one comes to the Father but through Me,” and in the eleventh chapter of Saint Matthew: “No one knows the Son except the Father; nor does anyone know the Father except the Son, and him to whom the Son chooses to reveal him.” For that reason, then, it is said, “the Word was made flesh.” Therefore, considering the illumination of mechanical art as regards the production of the work, we shall see therein the Word begotten and made incarnate, that is, the Divinity and the Humanity and the integrity of all faith.

13. If we consider the effect, we shall see therein the pattern of human life, for every artificer, indeed, aims to produce a work that is beautiful, useful, and enduring, and only when it possesses these three qualities is the work highly valued and acceptable. Corresponding to the above-mentioned qualities, in the pattern of life there must be found three elements: “knowledge, will, and unaltering and persevering toil.” Knowledge renders the work beautiful; the will renders it useful; perseverance renders it lasting. The first resides in the rational, the second in the concupiscible, and the third in the irascible appetite.

14. If we consider the fruit, we shall find therein the union of the soul with God, for every artificer who fashions a work does so that he may derive praise, benefit, or delight therefrom--a threefold purpose which corresponds to the three formal objects of the appetites: namely, a noble good, a useful good, and an agreeable good. It was for this threefold reason that God made the soul rational, namely, that of its own accord, it might praise Him, serve Him, find delight in Him, and be at rest; and this takes place through charity. “He who abides in it, abides in God, and God in him,” in such a way that there is found therein a kind of wondrous union and from that union comes a wondrous delight, for in the Book of Proverbs it is written, “My delights were to be with the children of men.” Behold how the illumination of mechanical art is the path to the illumination of Sacred Scripture. There is nothing therein which does not bespeak true wisdom and for this reason Sacred Scripture quite rightly makes frequent use of such similitudes.

15. In like manner is Divine Wisdom to be found in the illumination of rational philosophy, the main concern of which is speech. Here are to be considered three elements corresponding to the three aspects of speech itself: namely, the person speaking, the delivery of the speech, and its final purpose or its effect upon the hearer.

16. Considering speech in the light of the speaker, we see that all speech signifies a mental concept.

That inner concept is the word of the mind and its offspring which is known to the person conceiving it; but that it may become known to the hearer, it assumes the form of the voice, and clothed therein, the intelligible word becomes sensible and is heard without; it is received into the ear of the person listening and still it does not depart from the mind of the person uttering it. Practically the same procedure is seen in the begetting of the Eternal Word, because the Father conceived Him, begetting Him from all eternity, as it is written in the eighth chapter of the Book of Proverbs, “The depths were not as yet, and I was already conceived.” But that He might be known by man who is endowed with senses. He assumed the nature of flesh, and “the Word was made flesh and dwelt amongst us,” and yet He remained “in the bosom of the Father.”

17. Considering speech in the light of its delivery, we shall see therein the pattern of human life, for three essential qualities work together for the perfection of speech: namely, suitability, truth, and ornament. Corresponding to these three qualities, every act of ours should be characterized by measure, beauty, and order so that it may be controlled by its proper measure in its external work, rendered beautiful by purity of affection, and regulated and adorned by uprightness of intention. For then truly does one live an upright and well-ordered life when his intention is upright, his affection pure, and his activity within its proper limit.

18. Considering speech in the light of its purpose, we find that it aims to express, to instruct, and to persuade; but it never expresses except by means of a likeness; it never teaches except by means of a clear light; it never persuades except by power; and it is evident that these effects are accomplished only by means of an inherent likeness, light, and power intrinsically united to the soul. Therefore, Saint Augustine concludes that he alone is a true teacher who can impress a likeness, shed light, and grant power to the heart of his hearer. Hence it is that “he who teaches within hearts has his Chair in heaven.” Now as perfection of speech requires the union of power, light, and a likeness within the soul, so, too, for the instruction of the soul in the knowledge of God by interior conversation with Him, there is required a union with Him who is “the brightness of his glory and the image of his substance, and upholding all things by the word of his power.” Hence we see how wondrous is this contemplation by which Saint Augustine in his many writings leads souls to Divine Wisdom.

19. By the same mode of reasoning is the Wisdom of God to be found in the illumination of natural philosophy, which is concerned chiefly with the formal causes in matter, in the soul, and in the Divine Wisdom. These formal causes it is fitting to consider under three aspects: namely, as regards the relation of proportion, the effect of causality, and their medium of union; and in these three can be accordingly found the three (central ideas of the three senses of Holy Scripture) mentioned above.

20. Considering the formal causes according to their relation of proportion, we shall see therein the Word Eternal and the Word Incarnate. The intellectual and abstract causes are, as it were, midway between the seminal and the ideal causes. But seminal causes cannot exist in matter without the generation and production of form; neither can intellectual causes exist in the soul without the generation of the word in the mind. Therefore, ideal causes cannot exist in God without the generation of the Word from the Father in due proportion. Truly, this is a mark of dignity, and if it becomes the creature, how much more so the Creator. It was for this reason that Saint Augustine said the Son of God is the “art of the Father.” Again, the natural tendency in matter is so ordained toward intellectual causes that the generation is in no way perfect unless the rational soul be united to the material body. By similar reasoning, therefore, we come to the conclusion that the highest and noblest perfection can exist in this world only if a nature in which there are the seminal causes, and a nature in which there are the intellectual causes, and a nature in which there are the ideal causes

are simultaneously combined in the unity of one person, as was done in the Incarnation of the Son of God. Therefore all natural philosophy, by reason of the relation of proportion, predicates the Word of God begotten and become Incarnate so that He is the Alpha and the Omega, that is, He was begotten in the beginning and before all time but became Incarnate in the fullness of time.

21. Now if we think of these causes according to the effect of causality, we shall be considering the pattern of human life, since generation by seminal causes can take place in generative and corruptible matter only by the beneficent light of the heavenly bodies which are far removed from generation and corruption, that is, by the sun, the moon, and the stars. So too the soul can perform no living works unless it receive from the sun, that is, from Christ, the aid of His gratuitous light; unless it seek the protection of the moon, that is, of the Virgin Mary, Mother of Christ; and unless it imitate the example of the other saints. When all these concur, there is accomplished in the soul a living and perfect work; therefore the right order of living depends upon this threefold cooperation.

22. Moreover, if we consider these formal causes as regards their medium of union, we shall understand how union of the soul with God takes place, for the corporeal nature can be united to the soul only through the medium of moisture, (vital) spirit, and warmth—three conditions which dispose the body to receive life from the soul. So too we may understand that God gives life to the soul and is united to it only on the condition that it be moistened with tears of compunction and filial love, made spiritual by contempt of every earthly thing, and be warmed by desire for its heavenly home and its Beloved. Behold how in natural philosophy lies hidden the Wisdom of God.

23. In the same way is the light of Sacred Scripture to be found in the illumination of moral philosophy. Since moral philosophy is concerned principally with rectitude, it treats of general justice which Saint Anselm calls the “rectitude of the will.” The term “right” has a threefold signification and accordingly, in the consideration of rectitude are revealed the three central ideas (of the senses of Sacred Scripture) previously mentioned. In one sense of the word, that is called “right, the middle of which is not out of line with its extreme points.” If then God is perfect rectitude and that by His very nature since He is the Beginning and the End of all things, it follows that in God there must be an intermediary of His own nature so that there may be one Person who only produces, another who is only produced, but an intermediary who both produces and is produced. There is likewise need of an intermediary in the going forth and in the return of things: in the going forth, an intermediary which will be more on the part of the one producing; in the return, one which will be more on the part of the one returning. Therefore, as creatures went forth from God by the Word of God, so for a perfect return, it was necessary that the Mediator between God and man be not only God but also man so that He might lead men back to God.

24. In another sense, that is called “right” which is conformed to rule. Accordingly, in the consideration of rectitude there is seen the rule of life. For he indeed lives rightly who is guided by the regulations of the divine law, as is the case when the will of man accepts necessary precepts, salutary warnings, and counsels of perfection that he may thereby prove the good and acceptable and perfect will of God. And then is the rule of life right when no obliquity can be found therein.

25. In the third sense, that is called “right” the summit of which is raised upward, as for instance, we say that man has an upright posture. And in this sense, in the consideration of rectitude there is manifested the union of the soul with God; for since God is above, it necessarily follows that the apex of the mind itself must be raised aloft. And indeed this is what actually happens when man’s rational nature assents to the First Truth for His own sake and above all things, when his irascible

nature strives after the Highest Bounty, and when his concupiscible nature clings to the Greatest Good. He who thus keeps close to God is one spirit with him.

26. And so it is evident how the manifold Wisdom of God, which is clearly revealed in Sacred Scripture, lies hidden in all knowledge and in all nature. It is evident too how all divisions of knowledge are handmaids of theology, and it is for this reason that theology makes use of illustrations and terms pertaining to every branch of knowledge. It is likewise evident how wide is the illuminative way and how in everything which is perceived or known God Himself lies hidden within. And this is the fruit of all sciences, that in all, faith may be strengthened, God may be honored, character may be formed, and consolation may be derived from union of the Spouse with His beloved, a union which takes place through charity, to the attainment of which the whole purpose of Sacred Scripture, and consequently, every illumination descending from above, is directed -- a charity without which all knowledge is vain -- because no one comes to the Son except through the Holy Ghost who teaches us all the truth, who is blessed forever. Amen.

## Metaphysical Disputations XIII.5<sup>1</sup>

*Whether matter is pure potentia and in what sense that should be accepted.*

1. The solution to the arguments that were presented in the previous section against our view depend on the resolution to the present question. For it should not be denied by us that matter is pure *potentia*<sup>2</sup> since all the philosophers seem to agree in that assertion. But the true meaning of that locution needs to be explained.

*Various views.*

2. The disciples of St. Thomas, then, are commonly interpreted as saying that matter is pure *potentia* because it does not have any existence from itself or in itself except through form. On the other hand, Scotus, Henry, and others cited above distinguish two *actus*, namely, a formal *actus* and an entitative *actus*. And they teach that matter has an entitative *actus* of itself but not a formal *actus*. Consequently, they say that matter is called pure *potentia* in relation to the formal *actus* but not in relation to the entitative *actus*.

3. But certain modern authors, who do not dissent from Scotus in reality, do, nevertheless, disapprove of that way of speaking. For they admit that matter has a proper existence distinct from the existence of the form. Consequently, they teach that matter actually is other than nothing. Yet they deny that it should be called an entitative *actus*, first on account of the argument made above that there is neither an informing *actus* nor a subsisting *actus* and also because, although matter has an *actus* of existence proper to itself, it, nevertheless, is not its own existence, since in every created thing existence is distinguished *ex natura rei* at least from essence.

4 [3]. But still, if the thing that these authors teach does not displease, I do not see why the way of speaking can displease. For Aristotle does not oppose such a way of speaking, as we will show, and it is not out of keeping with the common and received use of the terms. For in as many ways as *potentia* can be said, in so many ways *actus* can also be said. But a thing is said to be in *potentia*, either in passive *potentia* because it can receive an *actus*, in active *potentia* because it can effect, or in objective or logical *potentia* because it would not be repugnant to be although it is not. In the same way, therefore, a thing can be said to be an *actus* or to be in *actus* either with respect to a receptive *potentia* or with respect to an objective *potentia*, omitting active *potentia* for now since it is not relevant at present. Therefore, although prime matter is pure receptive *potentia* and thus in its essence includes no formal *actus* (which is signified through the expression ‘pure’), it can, nevertheless, after it is created not be said to be in pure objective *potentia*. For this reason, therefore,

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<sup>1</sup> This translation is ©Sydney Penner 2014: [http://www.sydneypenner.ca/su/dm\\_13\\_5.pdf](http://www.sydneypenner.ca/su/dm_13_5.pdf)

It is based on the 1597 edition. Paragraph numbering, however, in which the 1597 and Vivés editions do not agree in this case, follows the Vivés edition, since it is the most widely used edition (The 1597 paragraph numbers are included in square brackets).

<sup>2</sup>Because they are the key technical terms and because it is unclear how best to translate them, I will leave ‘actus’ and ‘potentia’ untranslated in this section. Generally, ‘actus’ could have been translated either with ‘act’ or with ‘actuality’, while ‘potentia’ could have been translated either with ‘potency’ or ‘potentiality’. In other contexts, ‘potentia’ can also mean ‘power’ but that is probably not the right translation in this context. Suárez also uses ‘actualitas’, ‘potentialitas’, and cognates; these I will render into their closest English cognates.

it is rightly said to be or to have an entitative *actus*.

5 [4]. Nor is it relevant that it is or is not by its own existence. First, indeed, because when matter is called pure *potentia*, what is denied is not only that it is *actus* but also that it is constituted from *actus* and *potentia*. Moreover, if matter has a proper existence, even though in the end it is not its own existence, nevertheless we cannot deny that it is constituted from its own essence and existence. Therefore, it includes *actus*, for actual existence is *actus* of an essence, according to everyone and especially according to that opinion. Therefore, matter cannot be said to be pure *potentia* in relation to an entitative *actus*.

Also, according to that view, *actus* is not sufficiently divided into formal and subsistent. For beyond those there is also the *actus* of existence which is not subsistence since it is received in the essence and it is not properly formal since it is not a form. But it can be said to be a terminative *actus* of essence. Therefore, since matter insofar as it is really distinguished from form includes this *actus*, it cannot be called pure *potentia* in relation to entitative *actus*.

Furthermore, according to that view about the real or *ex natura rei* distinction of existence from actual essence it cannot be denied that actual essence as co-distinguished from existence has some actuality that an essence conceived only in objective *potentia* does not have. Therefore, an actual essence, even if it is not by its own existence, is some entitative *actus*, that is, something other beyond pure objective *potentia*. In fact, unless an actual essence is conceived in this way, one cannot understand that opinion which distinguishes it from existence, either as thing from thing or as from a real mode.

6 [5]. Whatever we think about the distinction between essence and existence, then, matter as distinct from a form in a thing is certainly some entitative *actus*, yet in a different way. For those who do not distinguish *ex natura rei* existence from essence but only in reason say that matter insofar as it is an actual entity is by its own existence and actual essence which are the same in the thing. And since, according to this opinion, the entitative *actus* of a thing is nothing other than existence or its actual entity, for this reason one rightly concludes that matter is some entitative *actus*. But according to that other opinion which distinguishes *ex natura rei* existence from actual essence yet admits that prime matter has its own proper existence which it retains under whatever form, one should say that matter is its own actual essence beyond the *actus* of form and that it has a proper *actus* of existence. But those who posit a real distinction between essence and existence such that they deny that matter has proper existence beyond the existence that is bestowed by form consequently say that matter is pure *potentia* in relation to formal *actus* as much as in relation to entitative *actus* or to the *actus* of existence. Nevertheless, they cannot deny that there is some actual entity in the being of the essence. Although, since they think that the actuality of the essence wholly depends on a distinct existence, for that reason they can say that matter, even if in the thing it has the entity of an essence, nevertheless, it is *potential* in such a way that it is not capable of existence except by means of a form. And in this sense they can call it pure *potentia*, even in relation to entitative *actus*.

7 [6]. Since, therefore, we think that matter has its own partial existence and that the existence is not distinguished on the part of the thing from the actual essence but is only distinguished by our way of conceiving it, we also think it most true that matter as it is an actual entity in the thing is also some entitative *actus* in the thing. And according to reason or our way of conceiving it is composed from being and essence as from a terminating *actus* and an objective, as it were, *potentia*. Each point is sufficiently clear from what was just said about the preceding view. Moreover, I always speak about matter as it is an actual entity, since if it is conceived according to only that which it has of itself, excluding every efficiency, in that way it has no actuality in itself and is only in the force of a cause and of itself only has a non-repugnancy to being. But this is not proper to matter, for even form—in fact, every created thing considered in itself—is pure *potentia* in this

way. Therefore, one must speak about matter as it is an actual entity, or, what is the same, insofar as it has in itself a proper *actus* of existing distinct from the *actus* of a form.

8 [7]. But in order to resolve the difficulties touched on in the previous section and to explain the philosophers' way of speaking and to remove every ambiguity from the terms, I note that the name '*actus*' can be taken in different ways. For sometimes it is said absolutely and sometimes respectively. Sometimes something is called an *actus* because it actualizes something. This is the way in which form is the *actus* of matter. And I call this a respective *actus*, since it is the *actus* of something else. But sometimes something is called an *actus* because it is in itself something actual rather than *potential*, even though it does not actualize anything else. This is the way in which God is called an *actus*. And this I call an *actus* absolutely speaking.

In turn each of these *actus* can be subdivided. For a physical and formal actualizing *actus* (for example, a physical form) is one thing, but a metaphysical *actus* is another thing. The latter is multiple: for one is the *actus* of essence (e.g., difference), another is the *actus* of existence (e.g., existence), and the *actus* or mode of subsistence can also be added. But *actus* said absolutely is sometimes the *actus* of something else without qualification, but sometimes the *actus* of something else with qualification. The former is that *actus* which in the genus of being without qualification or of substance is complete in such a way that it is neither constituted through a physical *actus* distinct from it nor actualized through it or requiring it for existence. Or it can be explained differently: that being is called an *actus* without qualification which by the force of its own actuality includes the formal perfection that other composite beings usually have through a substantial informing *actus*. Hence although an absolute *actus* of this sort is not an actualizing or informing *actus*, it can, nevertheless, not be called a formal *actus* in the most eminent way, that is, as having per se that complement of perfection that is usually conferred through an informing *actus* on those things that are completed through composition. But that being is called a qualified *actus* which has some actuality insofar as it actually is beyond nothing, yet has incomplete and imperfect *actus*, because it is not sufficient in such a way that it does not need another *actus* both in order to be completed in the ratio of being without qualification and also in order to exist.

*The resolution of the question.*

9 [8]. Therefore, it should be said, first, that matter is not called pure *potentia* with respect to every metaphysical *actus*, that is, because it includes no metaphysical *actus*. For this cannot be true. First, because prime matter in its essential concept cannot be understood to be composed from genus and differences, as, for example, if the matter of the heavens and of these lower things were distinguished in species, the matter of generable things that we are talking about now would be composed of the genus of matter in general and the proper difference that can be taken from its relation to the form of generable being. This matter, therefore, has its own metaphysical formal *actus*, by which it is constituted in its essence.

And it is confirmed: for matter by its nature has some perfection and transcendental goodness, as St. Thomas also teaches in SCG 3 ch. 20. For it is certain that a composite of matter and form is something more perfect than a form by itself.<sup>3</sup> Therefore, matter has something of perfection that it adds to the composite. Likewise, matter itself is desirable and agreeable, not only as a means but per se, since by reason of its perfection it is agreeable to this form or composite. Matter, therefore, has by its own nature some proper perfection. But perfection cannot be understood without some actuality, at least transcendental actuality.

Furthermore, matter has a proper *actus* of existence, as was shown.

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<sup>3</sup> See DM 15.7.6.

Finally, it has a partial and proportionate *actus* of subsistence. For it entirely needs that in order to be a first subject. For a first subject stands underneath everything, but to subsist in itself comes before standing under other things. We will say more about this below when discussing subsistence. Therefore, prime matter cannot be pure *potentia* in such a way that it excludes every metaphysical actuating *actus*.

10 [9]. I say, second: matter is not such a pure *potentia* that there is not some qualified entitative *actus*. This assertion was sufficiently shown and proven from what was said about the opinion of Scotus. And it is sufficiently gathered from the ratio of a first subject: for it is necessary that in a first subject there be a real passive *potentia*, or, rather, it itself essentially is a passive *potentia*. Nor can a real passive *potentia* be understood without some entitative actuality. For how can it be understood that something truly and really is receptive to something else without itself being something? Hence, the Commentator rightly says in *On the Heavens* III, comm. 29, that every passive *potentiality* is grounded in some actuality. And St. Thomas says in *ST* Ia.46.1 ad 1 that matter is not called being in *potentia* in the way in which possible being is called in *potentia* solely from the non-repugnance of the terms. He, therefore, presupposes that there is some being actually grounding the real passive *potentia*, or, rather, that there is a real passive power in the genus of substance.

11 [10]. I say, third: matter is said to be pure *potentia* with respect to informing or actualizing *actus* and with respect to pure *potentia. actus* speaking absolutely and without qualification. It is shown: for in the first place, matter is neither an actualizing nor an informing *actus*, as is clear per se from the ratio of a first subject. Furthermore, it does not include in its intrinsic and essential concept a physical informing *actus*. For we showed that it is a simple entity, which is also gathered from the ratio of a first subject. In addition, matter is such an entity that it is not per se sufficient for existing without a substantial *actus* perfecting and actualizing it. Hence, it formally or eminently includes no formal *actus* by the force of its own precise entity. And, therefore, it is not an *actus* absolutely and without qualification. Finally, whatever the entity is in prime matter, it is entirely for exercising the function (*munus*) of a power receptive to a substantial form. For this is what it was primarily and per se made for. For this reason, as we said above, it includes in its essential ratio a transcendental disposition (*habitudinem*) to form.

From these things, therefore, it is clear that it is deservedly called pure *potentia* in the genus of substance and is best explained in the stated way. For, since matter is a simple entity and is in its entirety a receptive *potentia*, it is very well called pure *potentia*. Moreover, just as it is customarily said that an exclusive expression does not exclude concomitants, so also the expression ‘pure’ does not exclude the qualified entity and actuality necessary for the ratio of a real *potentia*. But it does exclude in particular every other function besides passive *potentialities* and, furthermore, it excludes the ratio of a completed *actus* or an unqualified *actus*, speaking absolutely. And, what comes to the same thing, it excludes every formal *actus*, both as properly informing and as unqualifiedly constituting a perfect and complete *actus*.

12 [11]. But for the sake of considering the use of words, speaking strictly, one thing is signified when matter is called pure *potentia* and another thing if it said to be in pure *potentia*. For the first is strictly true and has the legitimate sense just explained. But the second is at the very least ambiguous. For to be in pure *potentia* taken strictly signifies the privation of actual existence. For this reason it is usually said only of that which actually is nothing yet could be. But that cannot be said of matter after it is created or co-created. For although it is nearly nothing, it nevertheless is not nothing but a true thing, as we said earlier with Augustine.

We can distinguish in a similar way between the locutions ‘to be in *actus*’ and ‘to be *actus*’. For ‘matter is in *actus*’ is strictly true, since it signifies nothing other than that there is matter in the nature of things and that it exists, which is true, just as it is true that matter is created, receives form,

and composes a composite. All of those include its existing. But ‘matter is *actus*’ is at the very least ambiguous. For in an absolute sense it seems to signify that it is an actualizing *actus* or certainly that it is an unqualified *actus*. And for this reason it should not be taken absolutely, but it should be taken with some diminishing addition, namely, that it is an entitative *actus* that is imperfect and qualified.

13 [12]. Moreover, that this explanation of matter in the nature of pure *potentia* is harmonious with what Aristotle and other philosophers said is obvious. For in *Physics* I, text. 69, when comparing prime matter to the matter of artefacts, he says that it is related to form and essence strictly speaking as wood to a statue or to the form of a statue. From this he concludes that matter is what is formless. Through this and other similar expressions he only excludes from matter every formal and complete *actus*, but not the entitative *actus*, incomplete and inchoate, as it were, without which it could not be a real receptive *potentia*.

Furthermore, it is understood from the definition of matter that he gives in *Physics* I.9, text. 82, where he says that matter is ‘the first subject, from which something per se comes to be, since it is in it’. For matter is said to be in the produced thing, since it remains through its own entity in the produced thing, composing the latter through itself. And in that very place Aristotle says that matter according to its own entity is prior to the produced thing and is ungenerable and incorruptible. And, finally, he says that matter is a being per se, but per accidens is not a being by reason of privation.<sup>4</sup> Therefore, he does not exclude every entitative actuality from matter, but only the formal [actuality] to which it is in *potentia*.

Finally, in *Metaphysics* VII and in other places, when he says that matter is not a certain quantity or a certain kind or a this something, he only excludes the composition resulting from an informing *actus* and every formal *actus* from the entity of the matter. Nor is anything else really necessary for the function and office of matter, as is clear from the reason that Plato also reports in *Timaeus* and from him Aristotle in *On the Heavens* III.8, namely, because that which is receptive to other things must not actually have that to which it is susceptible but only have it *potentially*. But matter is susceptible to formal *actus* and complete being. Therefore, it must be said to be pure *potentia* with respect to these, but not with respect to the entity properly its own.

In addition, Averroes says in the same sense that matter subsists through being able, since it substance such that its whole [entity] is ordered to receiving, and for this reason it is essentially incomplete and *potential*. And St. Thomas explains the *potentiality* of matter in the same way in *De spiritualibus creaturis*, art. 1, citing Augustine, *De Genesi ad litteram* I.14–15.

*The arguments remaining from the previous section are resolved.*

14 [13]. Through these things, then, there is a sufficient response to all the testimonies that were presented against our view in the preceding section. Indeed, even the arguments are also almost resolved, for they at best show that matter is pure *potentia*, but not in any other sense than the one that we explained. This will become clearer by responding in form to the argument made there.

For when it is said that matter is not composed of *actus* and *potentia*, we concede that that is true concerning proper physical *actus* and *potentia*. But it must be conceded that metaphysically matter is composed from *actus* and *potentia* proportionate to it, that is, from genus and difference, essence and existence, nature and incomplete subsistence. But when it is inferred that there is a *potentia* prior to matter, it is responded that with respect to physical *potentia* this is disagreeable and plainly repugnant. Nevertheless, that does not follow from what was said, since we do not say that matter is composed of physical *potentia* and *actus*. But if the discussion is about metaphysical *potentia*, it thus is true that matter in general is conceived as prior than this species of matter, and

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<sup>4</sup> Compare to modern translations of 192a4–5.

the essence of matter is conceived as prior to its existence, not insofar as it is a being actually but absolutely. Likewise, the nature of matter is in some genus prior to its partial subsistence. Nevertheless, taken strictly, it does not follow that there is given in the thing itself some *potentia* prior to matter, but in the matter itself there is given one ratio prior to another. Yet in that ratio that is conceived as prior there is always included the *potentia* of matter itself, either confusedly (as in the concept of matter in general) or as possible (as in the precise concept of the essence of matter or through the mode of a partial nature only, considered apart from the partial mode of subsisting).

15 [14]. But to the second part by which it was proved that matter in no way is an *actus*, we concede that it is not an actualizing or informing *actus* and that it is not an *actus* unqualifiedly complete and perfect in itself. What the arguments by which this was proven there show at most is that matter is not a subsisting *actus*, but they do not show that matter is not an incomplete and entitative *actus*. In this sense, therefore, I deny that a partial entity or subsisting *actus* is more perfect than any informing *actus* whatever since that partial entity participates less in the ratio of *actus* than an informing *actus* does. Furthermore, I deny that an incomplete subsisting *actus* cannot be given. For the very subsisting essence of matter is a proper partial subsistence, and with that having been added it can be designated an *actus* in a respect, that is, with respect to its own entity, by which it is separated from nothing and from [merely] possible being.

But all the remaining things that were brought up there proceed with respect to complete *actus* subsisting and including formal *actus* through a simple and more excellent mode. And in the same sense what was supplied in a certain confirmation in that very place—namely, that every *actus* is the principle of some operation—is true. For that is true concerning *actus* that are formal or informing or subsisting completely. Yet it is not necessary that it be universally true of every partial and entitative *actus*, since it is not necessary that every entity be the principle of some operation properly and in the genus of efficient cause. For it could have been made for exercising another genus of cause. And thus the entity of matter is for receiving rather than for acting.

#### *Objections to the above resolution.*

16 [15]. But there are still some other objections yet to be resolved, objections that are customarily made against the last assertion of this section. First, because apart from being there is no *actus*, since nothing has actuality except insofar as it is. For this reason being itself is the actuality of all things, as St. Thomas says in ST Ia.4.1 ad 3. But matter does not have being except through a form, as Avicenna says in *Metaphysics* II.2. And Boethius says in *On Unity and the One*<sup>5</sup> that all being in created things is from form. Therefore.

Second, because otherwise nothing per se one would come about from matter and form. For something per se one does not come to be from two beings in *actus*. This is the reason why nothing per se one comes to be from a subject and an accident, since it is one thing to be a subject and another thing to be an accident.

Third, physical matter is entirely simple. Therefore, either it is entirely *actus* or entirely *potentia*, since a simple entity cannot be composed of a physical *actus* and *potentia*. But that it is entirely *actus* cannot be said, since it is essentially *potentia*. Therefore, it is entirely *potentia* and includes no *actus*.

Fourth, because pure *actus* is *actus* in such a way that it has nothing of *potentiality* or receptive *potentia* mixed in. Therefore, contrariwise, pure *potentia* is *potentia* in such a way that it has nothing of actuality mixed in. For they have the character of opposites, and pure *potentia* must stand maximally apart from pure *actus*. But pure *potentia* would not stand maximally apart if it were

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<sup>5</sup> This work is now ascribed to Domenicus Gundissalinus, a twelfth century philosopher in Spain.

to include something of actuality.

Fifth, because if matter is something actual, then it is either a substance or an accident. But it is not the second, as is obvious per se. But neither is it the first, since it is a *potentia* for substance. But that which is a *potentia* for something is not actually that, since these two are repugnant [to each other].

Last, because otherwise matter could be cognized per se and directly and by a proper cognition, which the philosophers seem universally to deny with Aristotle and Plato in the cited passages.

17 [16]. The first and second objections will receive a full explicit treatment below in the disputation on the essence and being of creatures.<sup>6</sup> For now the principle that ‘every being is from form’ can briefly be explained in two ways. The first is about specific and complete being. The second is that every being is from form either intrinsically giving and composing it or at least terminating its dependency in some way. And in this way the being of matter can be said to be from form insofar as it depends on it, as was said.

But the other axiom that ‘something per se one does not come to be from two beings in *actus*’ cannot be understood about any actual entities. Rather, it is impossible that a being per se and complete actually be composed except from incomplete actual beings. For what is nothing, as we have often said, cannot really compose [anything] and, in particular, not a being per se one. Therefore, the axiom must be understood as concerning beings complete in *actus* in their genera. For those are not order per se and do not cohere in the right way for composing a being per se one. We do not say, however, that matter is in this way a being in *actus*, but instead we say that it is, as it were, a certain kind of inchoate being that is naturally inclined to and per se conjoined with form as completing an integral being, as we will explain more fully later.

18 [17]. To the third objection, it is responded that matter is entirely *potentia* and entirely *actus* in the way that we explained, not through a composition of *actus* with *potentia* but through identity and (if I may speak in this way) through intimate and transcendental inclusion. For not every *potentia* is opposed to every *actus*, but with proportion. Consequently, receptive *potentia* is not opposed to incomplete entitative *actus*, but rather essentially includes it.

19 [18]. To the fourth objection, it is said, first, that just as pure *actus* includes no *potentia* receptive to another *actus*, so also pure *potentia* includes no *actus* actualizing something. In this respect the analogy holds, but not with respect to entitative *actus*. Hence, if this is what the discussion is about, the consequence is denied, since it involves the repugnance that there is a real receptive *potentia*, however pure, without intimately including the actuality of being. But, the other way around, it is not repugnant to include the actuality of being in such a way that it involves no *potentiality*. For *potentiality* expresses imperfection, but it is not repugnant for there to be perfection so pure that it excludes every imperfection. But it is repugnant for there to be real imperfection so pure that it is without any perfection. For it would rather be nothing and the pure negation of every perfection. Hence, just as the theologians say that there is a highest good that includes no evil and yet there is no highest evil such that it has no goodness or is not founded in it. Thus, although a pure *actus* that excludes all *potentia* be given, yet a pure *potentia* that excludes all actuality, including entitative and incomplete actuality, cannot be given.

But the objection was also raised concerning the highest distance between pure *potentia* and pure *actus*. This can be resolved, first, by denying that it belongs to the ratio of pure *potentia* to be maximally distance from pure *actus*. For celestial matter is pure *potentia* and yet is not maximally distant from pure *actus*. For the matter of these lower things is more distant, since it is more imperfect. And so far it is uncertain whether there could be other matter less perfect than this lower

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<sup>6</sup> Cf. DM 31.

matter and consequently even farther from the perfection of God than prime matter. Accidents are also more distant than prime matter from divine perfection. Two kinds of distance can also be distinguished: one can be called negative, which is the sort of distance there is between being and nothing, and the other positive on the part of two extremes. Therefore, it does not belong to the ratio of pure *potentia* to be distant from God in the first way, but rather in the second way. And for this reason, although we admit that pure *potentia* is maximally distant from pure *actus*, it does not follow that pure *potentia* includes no actuality, since that distance is not the highest compared to a negative but [a comparison] between two positives. For this reason it requires some agreement between the extremes in entity, even if that agreement is minimal.

20 [19]. To the fifth objection, it is responded that matter is a substance, as Aristotle explicitly teaches in *Metaphysics* VIII from the beginning, and in many other places. Hence, matter is not in *potentia* for the whole breadth of substance but for form and for the being of the composite. But it is not in *potentia* for the substantial entity of matter, but actually is such entity. For it is repugnant that there be given a real *potentia* receptive with respect to the entire genus and breadth of substance so that it includes complete and incomplete substance. For substance is prior to accident. And for this reason such a *potentia*, since it is the first subject, cannot be an accident but must be a substance. Nor can it be in *potentia* to itself. Therefore, it cannot be in *potentia* to the entire breadth of substance. In this there is a great difference between substantial form and accidental form. For an accidental form presupposes a being of a more noble genus, namely, substance. For this reason it can happen that a subject or *potentia* for an accident not be an accident in any way, that is neither complete nor incomplete. But a substantial form does not presuppose a being of a more noble genus. For this reason a *potentia* for such a form cannot be anything other than some substance, at least incomplete.