

QUESTION 93

The Eternal Law

We next have to consider each type of law individually. We will consider, first, the eternal law (question 93); second, the natural law (question 94); third, human law (questions 95-97); fourth, the Old Law (questions 98-105); and, fifth, the New Law, i.e., the Law of the Gospel (questions 106-108). As for the law of the stimulant to sin (*lex fomitis*), enough was said above during the discussion of Original Sin (questions 81-83).

On the first topic there are six questions: (1) What is the eternal law? (2) Is the eternal law known to everyone? (3) Does every law flow from the eternal law? (4) Are necessary things subject to the eternal law? (5) Are natural contingent things subject to the eternal law? (6) Are all human affairs subject to the eternal law?

Article 1

Is the eternal law the highest conception or plan existing in God?

It seems that the eternal law is not the highest conception or plan (*ratio summa*) existing in God:

Objection 1: The eternal law is a single law only. But there are many conceptions (*rationes*) in God's mind, since in *83 Quaestiones* Augustine says, "God made individual things by means of conceptions that are proper to each of them." Therefore, the eternal law does not seem to be the same as a conception existing in God's mind.

Objection 2: As was explained above (q. 90, a. 4), it is part of the nature of law that it be promulgated by a spoken word (*verbum*). But as was established in the first part (*ST* 1, q. 34, a. 1), 'Word' (*verbum*) is predicated of a person in God, whereas 'conception' (*ratio*) is predicated of the divine essence. Therefore, the eternal law is not the same as God's conception.

Objection 3: In *De Vera Religione* Augustine says, "It is clear that above our mind there is a law, which is called truth." But the law that exists above our mind is the eternal law. Therefore, the eternal law is truth. But the nature of truth is not the same as the nature of a conception. Therefore, the eternal law is not the same as the highest conception.

But contrary to this: In *De Libero Arbitrio* 1 Augustine says, "The eternal law is the highest conception, which must always be conformed to."

I respond: Just as a conception (*ratio*) of the things made through his craft exists beforehand in a craftsman's mind, so too in anyone who governs there must exist beforehand a conception of the ordering of the things to be done by those who are subject to the governor's rule. And just as the conception of the things to be made through a craft is called an *artistic conception* (*ars*) or *exemplar* (*exemplar*) of the artifacts, so too the conception had by one who governs the acts of his subjects takes on the character of *law*, given the presence of all the other elements we described above as belonging to the nature of law (q. 90).

Now as was established in the first part (*ST* 1, q. 14, a. 8), it is through His wisdom that God is the *creator* of the totality of things, and He is related to those things in the way a craftsman is related to his artifacts. As was likewise established in the first part (*ST* 1, q. 22, a. 2 and q. 103, a. 5), God is also the *governor* of all the acts and motions found in each creature. Hence, just as the divine wisdom's conception has the character of an *artistic conception* or *exemplar* because all things are created through it, so too the divine wisdom's conception has the character of *law* insofar as it moves all things to their appropriate ends. Accordingly, the eternal law is nothing other than the divine wisdom's conception insofar as it directs all acts and movements.

Reply to objection 1: Augustine is speaking here about the ideal conceptions (*rationes ideales*) that relate to the proper natures of singular things, and so, as was established in the first part (*ST* 1, q. 15, a. 2), among these conceptions there is distinction and plurality corresponding to their diverse relations to the things.

However, as was explained above (q. 90, a. 2), law directs acts in relation to the common good. But things that are diverse in themselves are counted as one insofar as that they are ordered to something common. And this is why there is a single eternal law, which is the conception of this ordering.

Reply to objection 2: There are two things that can be considered with respect to any word, viz., (a) the word itself and (b) what is expressed by the word. For a spoken word is a certain sound emanating from a man's mouth, and this word expresses the things that are signified by human words. The same holds for a man's mental word (*de verbo hominis mentali*), which is none other than something which is conceived by the mind and by which a man mentally expresses the things he is thinking about.

In God, then, the Word, which is the conception of the Father's intellect, is predicated of a person, but, as is clear from Augustine in *De Trinitate* 15, this Word expresses each thing that is contained in the Father's knowledge—regardless of whether it has to do with the divine persons, the divine essence, or even the works of God. And among the other things expressed by this Word, the eternal law itself is also expressed by this Word. Nor does it follow from this that 'eternal law' is predicated of a person in God. However, it is appropriated to the Son because of the consonance between a conception and a word (see *ST* 1, q. 39, a. 7-8).

Reply to objection 3: God's intellectual conception is related to things in a way different from the way in which the human intellect's conception is.

For human understanding *is measured by* the things, so that a man's conception is not true by virtue of itself, but is instead called 'true' by virtue of the fact that it fits (*consonat*) the things. For a belief (*opinio*) is true or false by virtue of the fact that the thing is or is not such-and-such.

By contrast, God's understanding *is the measure of* the things, since, as was explained in the first part (*ST* 1, q. 16, a. 1), each thing is true insofar as it is like (*imitatur*) God's understanding of it. And so God's understanding is true by virtue of itself, and thus His conception is truth itself.

Article 2

Is the eternal law known to everyone?

It seems that the eternal law is not known to everyone:

Objection 1: As the Apostle says in 1 Corinthians 2:11, "So the things also that are of God, no man knows, but the Spirit of God." But the eternal law is a certain conception existing in God's mind. Therefore, it is not known to anyone except God alone.

Objection 2: In *De Libero Arbitrio* Augustine says, "The eternal law is that by which it is fitting for all things to be very well ordered." But not everyone knows the way in which all things are very well ordered. Therefore, not everyone knows the eternal law.

Objection 3: In *De Vera Religione* Augustine says, "The eternal law is something upon which men cannot pass judgment." But as *Ethics* 1 says, "Each one judges best the things that he knows." Therefore, the eternal law is not known to us.

But contrary to this: In *De Libero Arbitrio* Augustine says, "Knowledge of the eternal law has been imprinted upon us."

I respond: There are two ways in which a thing can be known. First, it can be known in itself.

Second, it can be known in its effect, where some likeness of the thing is found; for instance, someone who does not see the sun in its substance knows it in what radiates from it (*in irradiatione*).

So, then, no one except the blessed in heaven, who see God through His essence, can know the eternal law as it is in itself. However, every rational creature knows the eternal law with respect to more or less of what radiates from it. For any cognition of the truth is a sort of radiation from and participation in the eternal law, which is unchangeable truth, as Augustine says in *De Vera Religione*. But everyone knows the truth in some sense, at least with respect to the common principles of the natural law. As for other matters, some participate to a greater degree and some to a lesser degree in the cognition of the truth and, accordingly, they know more or less of the eternal law.

Reply to objection 1: The “things that are of God” cannot be known by us in themselves, but they are nonetheless made manifest to us in their effects—this according to Romans 1:20 (“The invisible things of God are clearly seen, being understood through the things that are made.”)

Reply to objection 2: Even if everyone knew the eternal law to the limit of his capacity in the way explained above, no one would be able to comprehend it, since it cannot be made totally manifest through its effects. And so one who knows the eternal law in the way explained above need not know the entire order by which all things are very well ordered.

Reply to objection 3: There are two possible ways to understand what it is to pass judgment upon something.

In the first way, a cognitive power makes a judgment about its own proper object—this in accord with Job 12:11 (“Does not the ear judge words, and the palate of him who eats, the taste?”). And it is about this mode of judgment that the Philosopher says, “Each one judges best the things he knows,” viz., by judging whether what is proposed to him is true.

In the second way, through a certain kind of practical judgment someone higher judges, with respect to something lower, whether or not it ought to be such-and-such. This is the sense in which no one can pass judgment upon the eternal law.

Article 3

Does every law flow from the eternal law?

It seems that not every law flows from (*derivatur*) the eternal law:

Objection 1: As was explained above (q. 91, a. 6), there is a certain law of the stimulant to sin (*lex fomitis*). But this law does not flow from God’s law, i.e., the eternal law, since it involves the “prudence of the flesh,” about which the Apostle says in Romans 8:7 that “it is not subject to the law of God.” Therefore, not every law flows from the eternal law.

Objection 2: Nothing wicked can proceed from the eternal law, since, as has been explained (a. 2), “the eternal law is that by which it is fitting for all things to be very well ordered.” But some laws are wicked—this according to Isaiah 10:1 (“Woe to those who make wicked laws”). Therefore, not every law proceeds (*procedit*) from the eternal law.

Objection 3: In *De Libero Arbitrio* 1 Augustine says, “Law written in order to rule the people correctly permits many things that are avenged through God’s providence.” But as has been explained (a. 1), the plan (*ratio*) of divine providence is the eternal law. Therefore, not even all the upright laws proceed from the eternal law.

But contrary to this: In Proverbs 8:15 God’s wisdom says, “By me kings reign, and lawgivers decree just things.” But as has been explained (a. 1), the plan of God’s wisdom is the eternal law.

Therefore, all laws proceed from the eternal law.

I respond: As was explained above (q. 90, a. 1-2), ‘law’ implies a certain plan that directs acts to their end. Now in every case involving ordered movers, the power of a secondary mover flows from the power of the first mover, since a secondary mover moves only insofar as it is moved by the first mover. Hence, we see the same thing in the case of all those who govern as well, viz., that the plan of governance flows from the first governor to the secondary governors. For instance, the plan of things to be done in a city flows by way of command (*per praeceptum*) from the king to the lower administrators. In the case of artifacts, too, the plan for the acts involved in making the artifacts flows from the architect to the lower craftsmen who work by hand.

Therefore, since the eternal law is the plan of governance that exists in the highest governor, all the plans of governance found in the lower governors must flow from the eternal law. Now these plans of the lower governors consist in all the kinds of law besides eternal law. Hence, all laws flow from the eternal law to the extent that they participate in right reason. This is why Augustine says in *De Libero Arbitrio* 1, “There is nothing just or legitimate in temporal law except what men have drawn from the eternal law.”

Reply to objection 1: The stimulant to sin (*fomes*) has the character of law in man to the extent that it is a punishment that follows upon God’s justice, and on this score it clearly flows from the eternal law. However, as is clear from what was said above (q. 91, a. 6), to the extent that the stimulant inclines one toward sin, it is contrary to God’s law and does not have the character of law.

Reply to objection 2: Human law has the character of law to the extent that it is in accord with right reason and, so understood, it clearly flows from the eternal law.

However, to the extent that human law departs from reason, it is called ‘unjust law’ (*lex iniqua*) and has the character not of law but of a certain sort of violence. Yet to the extent that some likeness to law is preserved in this unjust law because it is ordained by the power of a lawmaker, in this respect it, too, flows from the eternal law. For as Romans 13:1 says, “All power is from the Lord God.”

Reply to objection 3: Human law is said to permit certain things not in the sense that it approves of them, but rather in the sense that it is incapable of directing them. However, there are many things directed by God’s law that cannot be directed by human law, since there are more things subject to a higher cause than to a lower cause. Hence, the very fact that human law does not intrude into matters that it cannot direct flows from the order of the eternal law. (It would be different if human law were to approve of things that the eternal law condemns.) Thus, it does not follow from this that human law does not flow from the eternal law; rather, all that follows is that human law does not perfectly measure up to the eternal law.

Article 4

Are necessary and eternal things subject to the eternal law?

It seems that necessary and eternal things are subject to the eternal law:

Objection 1: Everything reasonable (*rationabile*) is subject to a plan (*subditur ratione*). But God’s will is reasonable, since it is just. Therefore, it is subject to a plan. But the eternal law is God’s plan. Therefore, God’s will is subject to the eternal law. But God’s will is something eternal. Therefore, even eternal and necessary things are subject to the eternal law.

Objection 2: Whatever is subject to the king is subject to the king’s law. But as 1 Corinthians 15:24 and 28 says, “the Son will be subject to God and the Father when He has handed over the

kingdom to Him.” Therefore, the Son, who is eternal, is subject to the eternal law.

Objection 3: The eternal law is the plan of divine providence. But many necessary things, e.g., the permanence of incorporeal substances and of the celestial bodies, are subject to divine providence. Therefore, even necessary things are subject to the eternal law.

But contrary to this: Things that are necessary are such that it is impossible for them to be otherwise, and so they do not need to be restrained. By contrast, as is clear from what was said above (q. 92, a. 2), law is imposed on men in order to restrain them from evil. Therefore, necessary things are not subject to law.

I respond: As was explained above (a. 1), the eternal law is the plan of divine governance. Therefore, whatever is subject to divine governance is likewise subject to the eternal law, and whatever is not subject to eternal governance is likewise not subject to the eternal law.

Now the distinction between these two sorts of things can be understood on the basis of what we are familiar with. For things that *can be done by men* are subject to human governance, whereas things that *belong to man’s nature*—e.g., that a man has a soul or hands or feet—are not subject to human governance. So, then, whatever exists in the things created by God—whether it be contingent or necessary—is subject to the eternal law, whereas whatever pertains to God’s own nature or essence is not subject to the eternal law, but is in reality the eternal law itself.

Reply to objection 1: We can speak of God’s will in two ways.

First, we can speak of the *will itself*, and if we are speaking in this way, then since God’s will is His very essence, it is not subject either to divine governance or to the eternal law; instead, it is just the same as the eternal law.

Second, we can speak of the divine will *in relation to what God wills concerning creatures*. The things He wills concerning creatures are subject to the eternal law insofar as a plan for them exists in God’s wisdom. It is in relation to these things that God’s will is called reasonable. On the other hand, in virtue of its very self, God’s will should instead be called the plan itself.

Reply to objection 2: The Son of God is not made by God, but is instead naturally generated by Him. And so He is not subject to divine providence or to the eternal law, but, as is clear from *De Vera Religione*, is rather Himself the eternal law through a certain appropriation (cf. *ST* 1, q. 39, a. 7-8). However, He is said to be subject to the Father by reason of His human nature, in accord with which the Father is also said to be greater than He is.

Reply to objection 3: We concede the third objection, since it has do with necessary things that are created.

Reply to argument for the contrary: As the Philosopher says in *Metaphysics* 5, certain necessary things have a cause of their necessity, and so they depend on another for the very fact that it is impossible for them to be otherwise. And this in itself is a certain kind of efficacious restraint. For things that are restrained are said to be restrained to the extent that they are unable to act differently from the way in which they are determined to act (*aliter facere quam de eis disponatur*).

Article 5

Are natural contingent things subject to the eternal law?

It seems that natural contingent things are not subject to the eternal law:

Objection 1: As was explained above (q. 90, a. 4), promulgation is part of the nature of law. But promulgation can be made only to rational creatures, to whom a pronouncement can be made. Therefore,

only rational creatures are subject to the eternal law. Therefore, natural contingent things are not subject to it.

Objection 2: As *Ethics* 1 says, “Things that obey reason somehow participate in reason.” But as was explained above (a. 1), the eternal law is the highest conception or plan. Therefore, since natural contingent things do not in any way participate in reason but are instead completely non-rational (*penitus irrationabilia*), it seems that they are not subject to the eternal law.

Objection 3: The eternal law is absolutely efficacious. But defects occur among natural contingent things. Therefore, they are not subject to the eternal law.

But contrary to this: Proverbs 8:29 says, “When He set the border around the sea and gave a law to the waters, lest they pass their limits

I respond: What we say about the eternal law, i.e., the law of God, has to differ from what we say about the law of man. For the law of man reaches only the rational creatures who are subject to man. The reason for this is that law directs the acts of those who are subject to someone’s governance, and so no one, properly speaking, imposes a law on his own acts. Now whatever is done by way of using the non-rational things that are subject to man is done through the act of man himself moving things of this sort; for as was explained above (q. 1, a. 2), these non-rational creatures do not move themselves (*non agunt seipsas*) but are instead acted upon by others. And so man cannot impose law on non-rational creatures, no matter how much they are subject to him. By contrast, he can impose law on the rational beings who are subject to him, because by his command or by some other pronouncement he imprints upon their mind a rule that serves as a principle of acting.

Now just as, by means of a pronouncement, one man imprints (*imprimit*) an interior principle of acting on another man who is subject to him, so God imprints on the whole of nature principles with respect to their proper acts. It is in this sense that God is said to command the whole of nature, according to Psalm 148:6 (“He has commanded and His command will not pass away”). And this is also the sense in which all the movements and acts of the whole of nature are subject to the eternal law.

Hence, non-rational creatures are subject to the eternal law in a way different from rational creatures, viz., insofar as they are moved by divine providence, and not, as with rational creatures, through an understanding of God’s precept.

Reply to objection 1: The imprinting of an active intrinsic principle plays the same role with respect to natural things that the promulgation of the law plays with respect to men. For as has been explained, a principle that directs human acts is imprinted on men through the promulgation of law.

Reply to objection 2: Non-rational creatures do not participate in or obey *human* reason, but they do participate in *divine* reason in the mode of obedience. For the power of God’s plan extends to more things than does the power of human reason. And just as the members of the human body are moved at the command of reason and yet do not participate in reason (for they do not have any apprehension related to reason), so also non-rational creatures are moved by God and yet are not thereby rational.

Reply to objection 3: Even though the defects that occur in natural things lie outside the order of particular causes, they do not lie outside the order of universal causes or, especially, outside the order of the first cause, viz., God, whose providence nothing can undermine. This was explained in the first part (ST 1, q. 22, a. 2). And since, as has been explained (a. 1), the eternal law is the plan of divine providence, it follows that the defects in natural things are subject to the eternal law.

Article 6

Are all human affairs subject to the eternal law?

It seems that not all human affairs are subject to the eternal law:

Objection 1: In Galatians 5:18 the Apostle says, “If you are led by the Spirit, you are not under the law.” But according to Romans 8:14 (“Those who are acted on by the Spirit of God are the sons of God”), the just, who are sons of God by adoption, are acted on by the Spirit of God. Therefore, not all men are under the eternal law.

Objection 2: In Romans 8:7 the Apostle says, “Prudence of the flesh is the enemy of God, since it is not subject to the law of God.” But there are many men in whom prudence of the flesh is dominant. Therefore, not all men are subject to the eternal law.

Objection 3: In *De Libero Arbitrio* 1 Augustine says, “It is the eternal law by which the wicked merit unhappiness and the good merit the life of beatitude.” But men who are either already beatified or already damned are not in a position to merit. Therefore, they are not subject to the eternal law.

But contrary to this: In *De Civitate Dei* 19 Augustine says, “Nothing in any way evades the laws of the most high creator and governor by whom the peace of the universe is administered.”

I respond: As is clear from what was said above (a. 5), there are two ways for a thing to be subject to the eternal law: first, insofar as eternal law is participated in through the mode of cognition; and second, through the mode of acting and being acted upon, insofar as eternal law is participated in as a moving principle. As has been explained (a. 5), it is in this second way that non-rational creatures are subject to the eternal law.

However, since rational nature, in addition to what it shares in common with all creatures, has something proper to itself because it is rational, it is subject to the eternal law in both ways. For as was explained above (a. 2), in one way or another a rational nature has knowledge of the eternal law and, in addition, each rational creature has within itself a natural inclination toward what is consonant with the eternal law. For as *Ethics* 2 says, “We are naturally prone toward having the virtues.”

Yet both these modes are imperfect and in some sense corrupted in bad people, in whom (a) the natural inclination toward virtue is perverted by vice (*per habitum vitiosum*) and (b) the natural cognition of the good is darkened by passions and sinful habits. By contrast, in good people both of the modes are more perfect, since (a) in addition to the natural cognition of the good, they also have the cognition provided by faith and wisdom, and (b) in addition to the natural inclination toward the good, they also have the interior movement of grace and virtue.

So, then, good people are perfectly subject to the eternal law to the extent that they always act in accord with it. By contrast, bad people are, though subject to the eternal law, imperfectly subject to it in their actions, since they have imperfect knowledge and are imperfectly inclined toward the good; however, what is lacking in their actions is compensated for by how they are acted upon. For they suffer what the eternal law dictates for them to the degree that they fail to do what is consonant with the eternal law. Hence in *De Libero Arbitrio* 1 Augustine says, “I believe that the just act under the eternal law.” And in *De Catechizandis Rudibus* he says, “By means of His most fitting laws, God knew how to adorn the lower regions of His creation with the merited unhappiness of the souls who would desert Him.”

Reply to objection 1: There are two possible ways to interpret this passage from the Apostle.

On the first interpretation, by ‘is under the law’ he means someone who unwillingly submits to the obligation imposed by the law as if it were a burden. Hence, a Gloss on the same passage says, “Someone who is ‘under the law’ abstains from evil deeds not because of his love for justice, but rather because of his fear of the punishment that the law threatens.” Spiritual men are not under the law in this

sense, since through their charity, which the Holy Spirit infuses into their hearts, they willingly fulfill the demands of the law.

On the other interpretation, the works of a man who is acted upon by the Holy Spirit are said to be the works of the Holy Spirit more than the works of the man himself. Hence, since, as was said above (a. 5), neither the Holy Spirit nor the Son is under the law, it follows that works of this sort, insofar as they belong to the Holy Spirit, are not under the law. And this is supported by what the Apostle says at 2 Corinthians 3:17 (“Where the Spirit of the Lord is, there is freedom”).

Reply to objection 2: Prudence of the flesh cannot be subject to God’s law as far as *acting* is concerned, since it inclines one to actions that are contrary to God’s law. However, it is subject to God’s law as far as *being acted upon* is concerned, since it merits the suffering of punishment in accord with the law of divine justice. Still, there is no man in whom prudence of the flesh dominates to such an extent that the whole good of his nature is corrupted. And so there remains in such a man an inclination to fulfill the demands of the eternal law. For it was established above (q. 85, a. 2) that sin does not destroy the whole good of nature.

Reply to objection 3: An entity is preserved in its end through the same thing through which it is moved toward its end. For instance, a heavy body is at rest in a lower place through its heaviness (*gravitas*), which is also that through which it is moved to that very place.

Accordingly, one should say that just as it is in accord with the eternal law that some men merit beatitude and some merit unhappiness, so it is through that same law that they are preserved in beatitude or in unhappiness. And in this sense both the blessed and the damned are subject to the eternal law.