

## **A Reexamination of Harry V. Jaffa's *Thomism and Aristotelianism***

**L**eo Strauss observed in his "Jerusalem and Athens" reflection that Hermann Cohen "understood Plato in the light of the opposition between Plato and Aristotle-an opposition that he understood in turn in the light of the opposition between Kant and Hegel. " Strauss goes on to comment that in contrast to Cohen he was more impressed "by the kinship between Plato and Aristotle on the one hand and the kinship between Kant and Hegel on the other. " Summing up, in a point of striking importance, Strauss writes, "the quarrel between the ancients and the moderns seems . . . to be more fundamental than either the quarrel between Plato and Aristotle or that between Kant and Hegel. "

Whatever the details of Cohen's original distinction between Plato and Aristotle and between Kant and Hegel, the opposition between the ancient and the modern is accepted by advocates of the respective eras. Cassirer, for example, a protege of Cohen's and a distinctively brilliant advocate of modern thought, draws sharply the opposition between ancient and modern thought and applauds the entrance to the modern world which begins, in his view, with Machiavelli. Strauss, a student of Cassirer's, takes an opposite stance and becomes the proponent of ancient thought. In the words of Dinesh D'Souza (36), Strauss stands in "vehement opposition to much of the accepted wisdom of our day. " Professor Harry Jaffa cites (1975, 3) Willmoore Kendall's approbation of Strauss as the greatest teacher of politics since Machiavelli. While demurring, without entirely disagreeing with Kendall, Jaffa relates how Strauss "laid bare the Machiavellian roots of modernity.... " According to Joseph Cropsey "antiquity and modernity" are the theme of the

1. Some of the heirs of the Strauss legacy in political philosophy give the appearance, at least to the outside audience, of having forgotten Strauss's point. The heirs are so at battle with one another about points in which they have fundamental disagreement with the "moderns" that they lose sight of their own kinship and common opposition. See Dinesh D'Souza, "The Legacy of Leo Strauss," *Policy Review*, Spring 1987, 36-43; also "Correspondence," *This World*, Spring/Summer 1984, 3-8; and the exchange between Thomas L. Pangle and Harry V. Jaffa in *The Claremont Review of Books*, Fall 1984, 14-23, and Spring 1985, 18-24.

2. Ernst Cassirer, *The Myth of the State*. See especially the chapters on Machiavelli. See also his *An Essay on Man*.

lifework of Strauss and "classical or ancient thought might be imagined to be the chief beneficiary . . ." (1964, vii).

The voluminous writings of Professor Jaffa catalogue his admiration of and agreement with Strauss about the preference for the ancients. Even though much of Jaffa's writings have been about public figures in the modern era, the American founders and Lincoln as well as Churchill, they are "modern" in time though ancient of value according to Jaffa. They are ancient in what they hoped to accomplish and how they went about it.<sup>3</sup> The magnanimous man of Aristotelian thought is what Jaffa has in mind for these public figures (cf. Kesler 851). Jaffa joins a small part of modern experience to ancient thought. Charles Kesler's encomium finds Jaffa to be a similar modern of ancient value. Kesler explains Jaffa's "deliberately polemical" style as similar to Thomas Aquinas's form of the *disputatio* where both sides are brought into an argument. Jaffa, it is said, like Thomas Aquinas and Thomas Jefferson, believes that reason can guide life more so, for example, than "the last ten presidents of the American Political Science Association" (ibid., and cf. Jaffa 1975, 185-86).

### Description of Jaffa's *Thomism and Aristotelianism*

The drawing together of Aquinas and Jaffa is ironic. Jaffa's first major writing was his *Thomism and Aristotelianism: A Study of the Commentary by Thomas Aquinas on the Nicomachean Ethics*. In this work Jaffa linked the relationship of Aristotelian and Thomistic ethics to the problem of present-day social science. He explains the need for a "truly practical political or social science" which has a basis that is both "scientific and secular" (1952, 1). The justification for such a study is explained by the variety of value systems and the realization that there is "no demonstrable or 'scientific' basis for preferring one to another" (1952, 2). There is no way, consequently, to deny or sustain the equal validity of the Nazis or the way the Nazis treat their enemies. Jaffa delves into Aristotelian and Thomistic ethics because of their reputed linkage in holding fast against the outlook which claims the "'equal rights' of all systems of values" (1952, 2) and because it is in revolt from this ancient system that modern social science had its origin (1952, 4, 23).

*Thomism and Aristotelianism* is divided into eight chapters plus a postscript. The introductory chapter states the problem of modern social science and the relativism of values, pointing to Aristotle and

3. Jaffa, *Crisis of the House Divided* (1959). See also Jaffa, *How to Think about the American Revolution* (1978). See also Charles Kesler, "A Special Meaning of the Declaration of Independence: A Tribute to Harry V. Jaffa," *National Review*, July 6, 1979, 850-59.

Aquinas as the source of a solution. The second chapter relates the modern problem to the question of science and ethics and the search for a basis for values judgments that is not arbitrary. Chapter three considers pagan versus Christian ethics which Jaffa sees as the fundamental distinction between Aristotle and Aquinas. Chapters four through eight consider, respectively, the order of the virtues in the *Ethics* as commented on by Aquinas, heroic virtue and courage, magnanimity and the limits of morality, human happiness, and natural law versus natural right. The postscript reiterates Jaffa's conclusion at the end of the chapter on natural law that Thomas imputes non-Aristotelian principles to Aristotle as if they were Aristotelian. As it is, Jaffa ends (1952, 193), social science must, as Aristotle did, "face the mysteries of human destiny alone."

Jaffa's burden was to see if there is "some standard of moral and political judgement that is not merely arbitrary or dogmatic" (1952, 6). Thomism or Neo-Thomism, based on Aristotle, is, according to him, the "best known" and "most significant" attempt at a solidly based social science. What must be discerned, in his view, is a Thomas based on the Aristotle of natural reason and not based on an Aristotle influenced by Thomas's theological doctrines. An immediate problem is cited (1952, 10) in Thomas's explanation, in the *Summa Theologica*, of the magnanimous or great-souled man which differs, according to Jaffa, from Aristotle's account of him in the *Ethics*. In Jaffa's view Thomas in the *Summa* gives a different account because he is influenced by higher principle (1952, 11). Although allowing that this higher explanation "in no way contradicts" (1952, 10) the original Aristotelian view, Jaffa proposes to examine Thomas for a view of Aristotle that is not based on revelation but on natural reason alone. He finds that this view is possible in Thomas's *Commentary on the Nicomachean Ethics* (1952, 18).

Here too one of the large questions central to the relationship of Aristotelian and Thomistic ethics is that of the magnanimous man. This issue, for Jaffa, brings to the fore the "difference between pagan and Christian virtue." Are the so-called virtues of the pagans really vices as Augustine saw them or can they be true virtues as Thomas is seen to find in Aristotle? Thomas's view is contingent on a reading of a number of components of Aristotle's ethics. Jaffa proposes that an examination of those components will help answer the search for a scientific and secular basis for social science. What Jaffa apparently wants to show is that a non-Thomistic but Aristotelian magnanimous man can be truly virtuous and not vicious in the sense of Augustine. A critique of some of Jaffa's examination will in turn help discern the soundness of Jaffa's conclusion.

It should be noted that Harry Jaffa's magnanimous Lincoln as well as his commentaries on the earlier Jefferson and Madison are not by him

linked to the earlier study of Aristotelian and Thomistic ethics. Jaffa's views of the character of Lincoln and the founding fathers stand alone on their interpretative merits. Interpretation of Lincoln's political thinking or Madison's and Jefferson's views of political life can be judged according to the evidence available. That they were great-souled is attested to by history. Whether they properly and formally reflect the ancient appreciation of the magnanimous man would depend in the first place on how that quality is understood. Professor Jaffa's earlier search for a basis of ethics that is scientific and secular would show the theoretical grounding for a magnanimous man that is neither arbitrary nor dogmatic. The differences discerned by Jaffa between Aristotelian and Thomistic ethics should reveal what he saw as a possible basis for magnanimity. Only in a remote theoretical way will any conclusions of this study affect the more recent writings. Nonetheless, an understanding of the issues raised is important in itself and gives grounds, albeit preliminary, for further reflection on the modern applications.

As incentive for his earlier examination, Jaffa reports that "liberal democracy . . . has no moral imperative of its own, and thus is at an extreme disadvantage in competition with creeds which bind their followers to them with elaborate arguments, however spurious" (1952, 3). This pragmatic disadvantage follows the logical paradox resulting from the position that all opinions are equally right. In the logical context one must either deny equal rights to those of an absolute doctrine or, by granting them, deny any rights to others. The pragmatic, liberal democratic doctrine can have no standing or sound basis, for by its own admission it denies the possibility of any scientific basis for preferences. This pragmatic method, Jaffa observes, is "the central reason for the low estate of the social sciences in the Western world, and explains why the opinions of the various social scientists are of only the most subordinate and contingent interest to those who must (or should) act responsibly within the moral and political sphere" (1952, 4). The reliability and continued applicability of this observation almost four decades later would hinge on the soundness of the original analysis.

Jaffa turns to Thomas's thought because it is the basis for Catholic Natural Law which he regards as the only system, except for Marxism, that still asserts an absolute doctrine to counterpose to the ineffective social sciences (1952, 1-3). Aristotle is said to be the base of Thomistic Catholic Natural Law. Jaffa proposes that through an examination of Thomas's thought, an examination of it as philosophical and not theological, and an examination of Aristotle's original positions, the soundness of Thomas's and Aristotle's positions can be ascertained and the basis for an ethical system which is "true" in itself and not dependent on authority, human or divine, can be discerned. A scientific and secular, non-arbi-

trary and pagan, virtuous magnanimous man would then be possible.

To start his investigation, Thomas is cited as unexcelled in his grasp of Aristotle. "No one since Thomas ... has possessed his mastery of the Aristotelian corpus, and his marvelous capacity for relating each point in that massive edifice to every other point." It is maintained that "it is not unreasonable to assume that the Aristotelian teaching is more accessible in the pages of Thomas than in the original" (1952, 6). As to why we should not then simply accept Thomas as interpreter and guide for our understanding of Aristotle and the possible remedy to the present state of the social sciences, Professor Jaffa hesitates, not unreasonably, saying "the fate of such a possible remedy should not be ventured uncritically" (1952, 7). If the investigation of Thomas's reading of Aristotle brings us closer to Aristotle, all the better. If it is discovered that there are differences, it is "necessary to try to discover the principles underlying these divergencies" (1952, 8).

From the point of this necessity of discovering principles underlying the divergencies Thomas's fate is sealed. Divergencies become the primary focus of the investigation. Even though Thomas's *Aristotelian Commentaries* and not his theological works are used, Jaffa continually finds Thomas wanting in his presentation of Aristotle. Through a string of chapters concerning "the order of the virtues," "heroic virtue," "magnanimity and the limits of morality," "the ambiguity of man" and the limits of human happiness, "natural right and natural law," Jaffa finds deficiencies which render Thomas beholden to revelation. His thought is therefore judged insufficiently scientific and secular, while Aristotle's thought comes through the analysis as based on unaided reason, appropriately non-dogmatic and non-arbitrary. Jaffa concludes his study by listing Thomas's "imputation to Aristotle of such non-Aristotelian principles as the following: 1. Belief in divine particular providence. 2. Belief that perfect happiness is impossible in this life. 3. Belief in the necessity of personal immortality to complete the happiness intended, evidently, by nature. 4. Belief in personal immortality. 5. Belief in the special creation of individual souls. 6. Belief in a divinely implanted natural habit of the moral principles."

Thomas's misreading of Aristotle occurs, according to Jaffa, quite unwittingly: "Although Thomas never appeals to any non-Aristotelian principles to interpret Aristotle's words, he nonetheless imputes non-Aristotelian principles to Aristotle, although treating them as if they were Aristotelian" (1952, 186-87). In other words, Thomas, according to Jaffa, reads his own thought into Aristotle. This makes it possible to conclude, happily for Jaffa's purpose, that Thomas did not succeed in harmonizing Christian and pagan thought. He did not successfully merge revealed theology and philosophy. The dissimilarity between the two realms, as

judged by the "final authority" (1952, 22) of common opinion is not discredited. The study can end with the fully satisfactory report that "the facts of observation," which according to him Aristotle explicitly made the supreme criterion of his doctrine, "do not bear witness against him" (1952, 187). Aristotle stands firmly for unaided reason against the unwitting intrusion of revelation.

Unfortunately, and unnoticed, this success is a Pyrrhic victory. The conclusion, far from freeing Aristotle to be a basis for a secular and scientific social science, in fact results in the same difficulty which had been so capably analyzed in Jaffa's introduction. Instead of finding in Aristotle a basis for a social science which is non-arbitrary, Aristotle is made arbitrary. This untoward result occurs because Jaffa's conclusions concerning human and natural law as understood by Aristotle and Thomas arise from a serious misunderstanding of both Aristotle and Thomas. If Jaffa's intention was to discern "whether, in the Aristotelian system, there is a basis for such [value] judgments that is not arbitrary" (1952, 12) and Thomas's *Commentaries* were to be a guide for understanding Aristotle, then Jaffa's task would simply have been to see whether Thomas's philosophical arguments are consistent with those of Aristotle and whether what Aristotle writes is properly susceptible, in the light of natural intelligence, to Thomas's interpretation of Aristotle's meaning. What is done by Jaffa actually contradicts his prior expressed method of approach. Jaffa introduces considerations that do not belong and which Thomas did not make. He introduces into the reading of Thomas theological interpretations as crucial for and determining of the meaning of Aristotle's text.

Imputed to Thomas's interpretation of Aristotle are certain principles of revealed theology which are said to be non-Aristotelian and derived from revealed theology. Examining some of these principles, which are central to the list of discrepancies, should demonstrate the misunderstanding which brings them about and restore the original position affirming the "greatness" of Thomas as an interpreter of Aristotle. What will be seen on occasion are fallacies of logic and on others errors in interpretation. This investigation can be undertaken in consonance with the original question of fundamental concern and in recognition of the "prepossessions of our contemporaries" which prevent Thomas's "pages from being . . . tirelessly searched for *the Truth*" (1952, 6). The errors discovered are pointed out for the purpose of making possible the achievement of Jaffa's originally stated and quite sound objective.

### **Importance of the Jaffa Study**

The examination in some detail of Jaffa's study of Aristotelian and Thomistic ethics is important not only for the reasons set forth by Jaffa

but also by reason of the attention the study has received. Larry Arnhart, for example, in his discussion of "Statesmanship as Magnanimity" attends to Jaffa's *Thomism and Aristotelianism* position that "magnanimity embraces moral but not intellectual virtue" (266). Arnhart notes that "although Thomas seems in the *Summa Theologica* to adopt Aristotle's account of magnanimity, he hedges his acceptance so as to make it compatible with Christian ethics" (273). Here it is said that while Thomas's doctrine of natural law can be interpreted as showing an Aristotelian respect for nature as a guide for political life, this notion of nature makes it dependent on God for its existence, thus rendering its effects minimal and implying that the moral perfection of the magnanimous man must transcend it. In an important footnote Arnhart adds that "it should be noted that the centrality of natural law for Thomas's political thought has been thrown into doubt by E. A. Goerner, 'On Thomistic Natural Law: The Bad Man's View of Thomistic Natural Right'" (ibid).

Goerner cites Strauss's *Natural Right and History* and Jaffa's *Thomism and Aristotelianism* for his interpretation of Thomas on Aristotle (102). The point is whether there is an unchanging character to natural law, or whether, as Arnhart says, the magnanimous man must transcend it. David Lewis Schaefer, in an attempt to show political philosophy as an alternative approach to "Rawls's Moral Theory," turns to Aristotle's thought (192-219). Unfortunately for the proposed alternative Schaefer depends on the same source, Jaffa, and accepts his assertion that "Aristotle denies the existence of any wholly invariable rules of justice" (200). Even Schaefer's understanding of "Aquinas's doctrine of *synderesis*" as "dependent on a teaching of divine grace or revelation" (201) derives from Jaffa's study. A similar counterposing of Rawls and Aristotle by Steven B. Smith (5-26) finds Jaffa's view of the magnanimous man slightly troubling and leads Smith to "wonder whether there is not something beyond the political horizon to which even the magnanimous man must submit." For Smith, contrary to the view that "the great souled man . . . cannot be a philosopher because political activity is both 'unleisurely' and aims at despotic power and honors," the "something" beyond is the development of man's highest and most distinctive faculty, not action but "*logos*" (25). *Logos* suggests a nature beyond action.

Goerner argues that Thomas's natural law is only a second-best, imperfect standard in contrast to the primary and perfect standard of virtue (101). Virtue's merit, however, need not be established at natural law's expense. Delba Winthrop seems to suggest this (1214-15). For Winthrop, with respect to "Aristotle and theories of justice," concentration on justice or natural law may distort Aristotle's larger doctrine. It is unfortunate that the larger context must be established at the expense of a distorted version of justice or natural law.

This unfortunate position need not always occur, as Joseph Goldberg's consideration of classical natural right makes clear. Goldberg asserts the political primacy of virtue: "political life for the ancients was understood to exist not for the sake of mere life, but was directed toward human perfection or virtue" (227). Nonetheless, Goldberg acknowledges that "universal law is divined by all men. Natural law for Aristotle owes its strength, unlike positive law, to the fact that it is not of human creation" (226). Goldberg's source for this strong view of natural law is the same that all other commentators cite, *Nicomachean Ethics* 1134b20. Somewhat surprisingly Goldberg also cites Strauss as well as Jaffa's *Thomism and Aristotelianism* as corroborative of his position (227). An explanation for these latter references may exist in that Goldberg cites passages in Strauss and Jaffa which occur before their critical analysis. It seems evident from all those who cite his study as the premise for their own investigations, that Jaffa's analysis, which is the more detailed than that of Strauss, should be reexamined.

#### Analysis: Personal **Immortality and Perfect Happiness**

At the conclusion of Jaffa's introductory chapter there is a discussion of the difference in the explanation in Thomas's *Summa* and in his *Commentary on the Ethics* as to why, in Aristotle's account of him, the magnanimous man appears chargeable with the vice of ingratitude. Holding that the difference in explanation follows from the different "frame of reference" used, theological and philosophical respectively, Jaffa maintains that for this reason "Thomas's appreciation of Aristotle's moral and political teaching ought not to rely solely on the *Summa Theologica*, and should be supplemented by careful examination of the commentaries on the *Nicomachean Ethics* and the *Politics*" (1952, 11). Later, in referring to the magnanimous man, Jaffa charges Thomas with un-Aristotelian "reservations in favor of personal immortality."

Thomas' insistent reservation in favor of the magnanimous man's "inner" life does not imply the same reservation that Aristotle may be said to have in favor of the contemplative life. It implies rather a reservation in favor of a conception of personal immortality, for which there is no apparent basis in the *Nicomachean Ethics*. Yet Thomas interprets the moral phenomena described by Aristotle on the basis of such a conception, and virtually imputes the doctrine to Aristotle himself. (1952, 146)

Jaffa wants to show that Thomas is "at pains ... to counteract [the] manifest impression that Aristotle does not consider personal immortality seriously" (1952, 147). But the opposite seems to be the case. The appar-



ent and prima facie sense of Aristotle's text—which Thomas does not take—is precisely that the dead do have some sort of existence in themselves for Aristotle says "the good and bad fortunes of friends, then, seem to have some effects on the dead ..." (*Ethics* 1101b4). This would give the impression that Aristotle does consider the dead to have some life in themselves and not merely in the memory of their descendants. Thomas does not adopt this sense, and Jaffa unwittingly adopts Thomas's interpretation although purporting to reveal its error:

When Aristotle speaks of the dead not being affected in their happiness or unhappiness, Thomas says, it is to be understood that he refers to the dead "not as they are in themselves," but "according as they live in the memories of men." Thomas thus admits that Aristotle does not speak of the dead as if they were still living, in another existence, by saying that he does not refer to them "as they are in themselves." The emphasis of the passage according to Thomas, is the fragility of the felicity which depends on human opinion. (1952, 146)

Jaffa readily adopts this emphasis. In explaining Aristotle's statement that "the good or bad fortunes of friends ... have some effects on the dead, but effects of such a kind and degree as neither to make the happy unhappy nor to produce any other change of this kind" (*Ethics* 1101b4), Jaffa explains, "in other words, even though we may *know that* the dead are beyond fortune and misfortune, a decent man cannot fail to honor the memory of the worthy departed" (1952, 145). In reading the passage Jaffa here seems only to find "emphasis [on] . . . the fragility of that felicity which depends on human opinion."

In clarification it should be noted, however, that Thomas points out that Aristotle is not considering personal immortality in this text simply because the *Ethics* is a treatise on the behavior of the living. Hence when Aristotle, in this treatise, speaks of the condition of the dead he is talking, so Thomas argues, of the dead "according as they live in the memories of men." The situation is just opposite from what Jaffa suggests. It is Aristotle's text that would by a superficial reading seem to touch on personal immortality while Thomas's interpretation of that text discounts this reading, as does Jaffa while thinking he is disagreeing with Thomas.

It must be noted, however, that from the fact that Aristotle is treating of this life and not of the next in the *Ethics* it does not follow that what happens after this life has no effect on the present life. Fear and knowledge of death are precisely obstacles to perfect happiness in this life, something both Aristotle and Thomas recognize. Accordingly, it is not an assumption of Thomas, as Jaffa says, that "what happens to the soul in another life is irrelevant from the point of view of action in this life"

(1952, 147). It still remains that the *Ethics* simply is not a treatise on the life after death. Hence Jaffa's statement that "for Aristotle to pass over a discussion of life after death, because it is irrelevant for the point of view of ethics, as St. Thomas says he does, is intelligible *only* on the assumption that he does not believe in personal immortality" (1952, 147) has no sense whatever. Aristotle's passing over a discussion of life after death is intelligible simply because Aristotle, in this treatise, is considering *this life*.<sup>4</sup> Aristotle does not know about the condition of an afterlife, but he does know that anxiety about it can cause one to be unhappy in this life.

An equally unintelligible statement in light of the reference to Aristotle's text by Jaffa immediately follows the above:

But further, in view of Aristotle's procedure of discussing all relevant opinions, even though they are in the main discarded, we must say that the notion of personal immortality is one to which he did not even give serious consideration. (1952, 147)

Jaffa refers to the *Ethics* 1095a14-29 where Aristotle speaks of various opinions concerning happiness held by mankind, "like pleasure, wealth, or honor.... Aristotle continues, "to examine all the opinions that have been held were perhaps somewhat fruitless; enough to examine those that are most prevalent or that seem to be arguable." From Jaffa's view, it appears, this portion of Aristotle demonstrates his disregard for "personal immortality" for it is not even mentioned as what "the general run of men" or "people of superior-refinement" consider happiness to be. The same comment as was made above can be made to this criticism: Aristotle's passing over a discussion of life after death is intelligible simply because Aristotle, in this treatise, is considering this life. It is not the case that to pass over a discussion of life after death is intelligible *only* on the assumption that he did not believe in personal immortality. To pass over a discussion of life after death is intelligible because in the *Ethics* Aristotle is considering this life. He is considering various opinions concerning happiness in this life, "like pleasure, wealth, or honor...."

Another example of Thomas's "pains" to counteract "the manifest impression that Aristotle did not consider personal immortality seriously"

4. E. B. F. Midgley makes the same point about Aristotle when he states, "whatever hesitations Aristotle may have had about the possibility or the nature of some kind of immortality, the idea of some kind of immortality is not wholly absent from his thought. This does not mean, of course, that Aristotle has a definite notion of human immortality which has a fundamental, definitive role in his philosophy. On the contrary, when Aristotle discusses happiness he generally has in mind what St. Thomas more correctly describes as the imperfect happiness attainable in this life." *The Natural Law Tradition and the Theory of International Relations* (London/New York, 1975, 37).

is also not to the point. Jaffa writes: "In Book III Aristotle remarks that there may be a wish even for impossibles, e.g. immortality. 'Thomas, in his comments, promptly adds 'according to the state of this corruptible life' (1952, 147). Jaffa's reader is to understand that Thomas adds the qualifier in order to salvage Aristotle from denying the possibility of immortality. What should be understood, however, is that to be immortal and at the same time to have the corruptible nature that is ours is indeed impossible, and yet people could wish for the impossible, to be immortal according to the state of this corruptible life. This is precisely and only what Aristotle could be talking about, he is talking about "impossibles." The possible separability of the human soul, a possibility which Jaffa does not allude to, Aristotle already speaks of in Book II of the *Physics*:

Again, matter is a relative term: to each form there corresponds a special matter. How far then must the physicist know the form or essence? Up to a point, perhaps, as the doctor must know sinew or the smith bronze (i.e. until he understands the purpose of each): and the physicist is concerned only with things *whose forms are separable indeed, but do not exist apart from matter*. Man is begotten by man and by the sun as well. The mode of existence and essence *of the separable* it is the business of the primary type of philosophy to define. (*Physics* 194b10-15, emphasis added.)

The strict reading of Aristotle which Thomas gives does not warrant the impression which Jaffa conveys. Thomas, as Jaffa acknowledged in his beginning, had a marvelous capacity for relating points from far reaches of the Aristotelian edifice. More use of this capacity could have avoided some of the difficulties encountered.

Two additional illustrations in the study are, unfortunately, equally misconceived: "When in Book I, Aristotle says that it is quite absurd to speak of a dead man as happy . . . Thomas again insists that Aristotle does not *here* speak of the felicity of a future life, but only of the present life, whether it can be attributed to a man while he is living or only when he is dead" (1952, 148). Having misunderstood the final phrase in his sentence—which refers to the possibility of saying a man is happy only after he had lived *a complete* life—Jaffa fails to see the simple statement of Aristotle that it is absurd to call a dead man happy—for Aristotle is not speaking of "impossibles," e.g., *a living dead man*. He is speaking of dead men, who like the man who is asleep—as he also says—no one could call happy "unless he were maintaining a thesis at any cost" (i.e., by equivocation a dead man might be said to be happy, if, for example, his life had been utterly wretched.)

From Thomas's statement that Aristotle does not speak "here" and "in the present work" of the state of the other life, it by no means follows, as

Jaffa's reading would lead us to think, as "an evident inference" that Thomas meant that Aristotle speaks of it elsewhere. Jaffa elaborates:

... when in Book III Aristotle speaks of death being particularly painful for the virtuous man, who is "knowingly losing the greatest goods," Thomas repeats his insistence that Aristotle does not speak of what pertains to the state of the other life *in the present* work. This repeated insistence that Aristotle does not speak "here" and "in the present work," with its evident inference that Aristotle does, would, or could speak of it elsewhere, is accompanied in another passage by a curious complication. In an early passage of Book I, where Aristotle is discussing in a general way the criterion of self-sufficiency as applicable to happiness, Thomas again remarks that in this book the Philosopher is speaking only of the happiness which is possible in this life, but he then adds that the felicity of the other life "exceeds all investigation of reason." Thus, on the one hand Thomas insists tirelessly that Aristotle omits discussing the life after death because it would take him beyond the confines of ethics proper, but then says that such an inquiry exceeds the power of reason. (1952, 148)

The fact is a simple one: "in the present work" -which is *Ethics*-Aristotle treats of human actions in this life; the science of *Ethics* is not concerned with the next life. Hence indeed, it does simply follow that when Aristotle says, for example, that death is particularly painful to the virtuous man because he is "knowingly losing the greatest goods," Aristotle is stating a simple fact. It would be absurd, indeed, as Thomas says, it would pass all investigation of reason, to affirm anything about the felicity of the next life in this treatise. The "curious complication" attributed to Thomas, namely, that in one place he implies that Aristotle treats elsewhere of the next life, and in another place that such discussions exceed all investigation of reason, is a complication arising out of the misunderstanding of the texts. Clarification flows not from making it so complicated, as Jaffa does, but rather from making it simple, as Thomas does: death, considered from the perspective of this life alone, does make men unhappy as they knowingly lose the greatest goods.

All Thomas is insisting on in his commentary is that Aristotle's statements *do not preclude the possibility* of perfect happiness in a life after this. In the *Summa Contra Gentiles* (arguing from philosophy and not from revealed theology, as Jaffa indeed prefers him to do) Thomas demonstrates first that perfect happiness cannot be had in this life. In his chapter titled "That Man's Happiness Is Not In This Life," Thomas concludes that "it is *impossible* for man's happiness to be in this life" (III, 48, emphasis added). Arguing from satisfaction desired in knowledge, motion towards an end, duration for an attained difficult goal, happiness

being *a perfect* good, the inevitability of death, the impossibility in this life to perform continuous action, and sorrows naturally connected with happiness in this life, Thomas continually concludes that man's ultimate happiness cannot be in this life. Thomas shows that man only participates in happiness in its imperfect form in this life because man does not possess perfection of the intellect—where happiness is a good of the intellect—as the separate substances possess the perfection. Thomas holds that this is the same opinion of Aristotle who concludes in Book I, Chapter 10 of the *Ethics* that those who in this life attain to perfection (which seems especially to consist in deeds of virtue, which seem to be most stable in this life) are happy as *men*, as attaining happiness not simply, but in *a human way*.

Thomas goes on, in the *Contra Gentiles*, to point out that it is necessary to show that this latter explanation does not avoid his earlier arguments. For, as irrational creatures, which man is above, attain their last end so perfectly that they seek nothing further, so man who is above them seeks his in a more perfect way. But in this life man's natural desire cannot be at rest. Therefore here man cannot obtain happiness considered as his proper end. Therefore it must be after this life. From the text (*ibid.*) of Aquinas:

The natural desire cannot be void; since *nature does nothing in vain* (2 *De Coelo* xi). But nature's desire would be void if it could never be fulfilled. Therefore man's natural desire can be fulfilled. But not in this life, as we have shown. Therefore it must be fulfilled after this life. Therefore man's ultimate happiness is after this life.

Continuing, Thomas says that man's mind is always in motion seeking more knowledge. Therefore if man's ultimate happiness consists in speculation as Aristotle states (10 *Ethics* vii) he cannot attain his final end in this life. Thus Aquinas states that man's knowledge is never fully actual, it is always potential to something more. Finally, he argues, Aristotle held that man attains to happiness, not perfect, but proportionate to his capacity, for man obtains knowledge through the speculative sciences and not from conjunction with a separate substance in this life as held by Alexander and Averroes.

Only after all of these philosophical considerations does Thomas draw upon theological science. Thus he ends the discussion by stating that "we ... will avoid these straits if we suppose, in accordance with foregoing arguments that man is able to attain perfect happiness after this life, since man has an immortal soul, and in that state his soul will understand in the same way as separate substances understand.... Therefore man's ultimate happiness will consist in that knowledge of God which he pos-

sesses after this life; a knowledge similar to that by which separate substances know him." For Thomas reason does not preclude or contradict what faith perfects and makes available to all with ease.

Jaffa, having failed to consider the reasoning found in the *Contra Gentiles* continues his argument against Aquinas in the following manner:

But we must see a more serious aspect of Thomas' reservation to Aristotle. In Book I Aristotle concludes his discussion of the question as to whether it is possible to call a man happy when he is still alive, and hence possibly destined to the misfortunes of Priam, by saying that he is to be called happy "who is active in accordance with complete virtue and is sufficiently equipped with external goods, not for some chance period but throughout a complete life." And, Aristotle concludes, "we shall call happy those among living men in whom these conditions are, and are to be fulfilled-but happy men." (1952, 148-49)

The main argument in this concluding part of Jaffa's treatment on human happiness is that since there is a sense in which it is true that the divine thing in man, the rational principle, is man,<sup>5</sup> and since the activity of reason is perfect happiness (*Ethics* 1177a17ff.)<sup>6</sup> it follows, Jaffa argues, that Aristotle's qualification of human happiness ("that we shall call happy those among living men ... etc.") does not apply to the contemplative life; and therefore, he argues, Aristotle allowed that man can attain perfect happiness in this life.

Jaffa maintains that he has already shown that

... Thomas quotes an apparent qualification by Aristotle, but that this qualification is drawn from a passage in Book I, but applied by Thomas to the happiness described in Book X. But what is the context of the passage in Book I? The theme is whether a man can be called happy before he is dead, and beyond the caprice of fortune's wheel. But it is plain that Aristotle is speaking there primarily of the moral life, because he has not at this point even considered the contemplative life. When in Book I he takes up the various types of life which might be identified with happiness, he says that he will consider the contempla-

5. Quoting Aristotle, Jaffa says, "Yet when Aristotle speaks of 'man as man' he does not simply oppose man as moral being to man as divine being. For the divine thing in man is 'man himself, since it is the authoritative and better part of him'" (1952, 150).

6. In this point in Book X, chap. 7 Aristotle writes: "If happiness is activity in accordance with virtue, it is reasonable that it should be in accordance with the highest virtue; and this will be that of the best thing in us. Whether it be reason or something else that is this element which is thought to be our natural ruler and guide and to take thought of things noble and divine whether it be itself also divine or only the most divine element in us, the activity of this in accordance with its proper virtue will be perfect happiness."

tive life at a later place, and in fact does not consider it explicitly until the middle of Book X. (1952, 159)

Jaffa charges: "Thomas pronounces, in Aristotle's name, the dictum that perfect happiness is not to be had in this life." And he remarks, "But we have already shown that Aristotle does say, that the virtuous activity of the best thing in us 'will be perfect happiness'" (1952, 158). However, in this regard it must be noted that Aristotle's statement on perfect happiness and the activity of reason has to be read in the light of his having already said, "Certainly the future is obscure to us, while happiness we claim is *an end and something in every way final*" (*Ethics* 1101a18, emphasis added). Furthermore, Aristotle notes (*Ethics* 1177a23-24) in the present life the operation of the speculative intellect is neither continuous nor one, but discontinuous and multiplied. This is a definite qualification of happiness-it must be final. Jaffa would apply finality only to the moral virtues; but obviously, if contemplation is "perfect happiness" and knowledge of its coming to an end at death (and the obscurity of the future which might bring any number of disasters impeding contemplation) means that this "perfect happiness" is not "in every way final," and therefore these men too-who lead the contemplative life-may be called happy, but "happy as men"-not absolutely, as Jaffa would have it.

To the point of the wise man's attachment to something that cannot pass away, Jaffa maintains that "as the objects of his . . . attachment are beyond the reach of fortune, so is he, in this most important sense, beyond its reach" (1952, 160). But this contention, it must respectfully be pointed out in disagreement with Professor Jaffa, is unreasonable. The point is that he, the wise man, can pass away, and it is the knowledge of this that disrupts his happiness. In this same regard Jaffa says, "There is no hint even that Aristotle regarded the virtuous activity of what was best in us as inadequate ..." (1952, 152). But we have just seen that Aristotle spoke of this inadequacy in saying that this activity in man is discontinuous and multiplied. And, immediately after speaking of perfect happiness as being contemplative activity, Aristotle says: "But such a life would be too high for man ..." (*Ethics* 1177b26). This is more than a hint that man is inadequate for this life, the contemplative life. It is enlightening to carry this statement of Aristotle's further:

But such a life would be too high for man; for it is not in so far as he is man that he will live so, but in so far as something divine is present in him; and by so much as this is superior to our composite nature is its activity superior to that which is the exercise of the other kind of virtue. If reason is divine, then, in comparison with man, the life according to it is divine in comparison with human life. (1177b 26-30)

We see therefore that Aristotle's qualification concerning the happiness possible for man applies to the contemplative life. Concerning this all that Thomas wishes to establish is that *Aristotle's arguments do not preclude* the possibility of perfect happiness in a life after this. Thomas is *not* attempting to establish that Aristotle himself argued in behalf of perfect happiness in a life after this. That Aristotle's position does not preclude the possibility of perfect happiness in another life can be approached from a number of considerations, as shown in the earlier references to the *Summa Contra Gentiles*. Among these considerations are that nature does nothing in vain and that man seeks and does not attain fullness of knowledge in this life. Another approach, likewise earlier referred to, is that the soul, while substantially united to the body, is nonetheless "separable indeed" (*Physics* 194b13).

Jaffa misunderstands the force of the argument based on the principle that "nature does nothing in vain." He writes:

It is true that Aristotle maintains that no natural desire is vain. But it does not follow that a desire for what is beyond man's nature would be admitted by him to be a natural desire. A man may desire many things that are beyond his natural capacities, as Aristotle says in Book III, mentioning immortality in particular. He may desire to fly like a bird, or run like a deer. And anyone who became obsessed by any such desire would as surely be frustrated as someone who became possessed of a desire to see God in his essence, if such a desire exceeded the natural capacity of man. To wish for what is beyond our capacity is, from the point of view of natural reason, as represented by Aristotle, to wish for what is impossible, to wish that reality be different from what it is. (1952, 152-53)

What is supposed is that the principle that "nature does nothing in vain" means that man has a desire for a perfect kind of knowledge according to the condition of his present nature and that he desires immortality according to the present condition of his natural corruptibility. These things would be irrational to desire, like wanting to fly, etc. But, it should be noted, and this is what is missed, it is not irrational to desire perfect happiness after the present life.

Concluding this section it should be clear that the arguments against Thomas's position regarding Aristotle arise from Jaffa's, not Thomas's, misunderstanding of the Aristotelian texts. The original charge that Thomas's teaching (that perfect happiness is impossible in this life) is non-Aristotelian cannot be proved. Rather, the contrary is true. From the texts of Aquinas one can see, in the *Commentaries* for example, that Aristotle's statements do not preclude the possibility of perfect happiness in a life after this, and, in the *Summa Contra Gentiles* for example,



arguing from Aristotelian principles, that perfect happiness is in knowledge of God after this life.

### Analysis: The Natural Habit of Moral Principles

Two additional allegedly non-Aristotelian principles which Jaffa claims Thomas imputes to Aristotle are belief in a divinely implanted "natural" habit of the moral principles and belief in unchangeable principles of natural law. Jaffa prefaces his discussion of the possibility of a natural habit of moral principles with a review of the natural law concept of Aquinas as contained in, be it noted, the *Summa Theologica*. Concerning natural law, Jaffa observes, "An ordinance is imposed, says Thomas, 'on others,' which would imply providence. Without particular divine providence there can be no doctrine of natural law in the Thomistic sense" (1952, 169). Jaffa posits that "the legal character of the natural law is most immanifest to the unassisted natural reason" because Aristotle denies "the crucial premise of the natural law ... in denying particular divine providence." The observation that particular divine providence is included in the Thomistic doctrine of natural law is true. Particular divine providence is natural law insofar as natural law is an order "imprinted on things," that is "inclinations to proper acts and ends" (*Summa Theologica*, I-II, 91, 2c).<sup>7</sup> But Jaffa is mistaken in supposing that the doctrine of a natural habit of first principles is dependent on particular divine providence. In the second book of the *Physics* Aristotle defines nature as "the principle and cause of rest and motion in that in which it resides primarily and *per se* and not *per accidens*," and in the course of this book he demonstrates that nature acts for an end. He also points out that the consideration of the physicist extends to those forms "separable of themselves" although not existing apart from matter. Now the forms that are "separable in themselves" are rational souls substantially united to matter. They are distinguished from all forms concentered in matter by reason of the fact that *apprehension* of the end or goal is bestowed on them by nature. What is not realized is that the doctrine of natural law is to be found in the second book of the *Physics*. Also Jaffa does not realize that Aristotle speaks of natural law in non-rational creatures by way of similitude to rational creatures. Particular divine providence may be found in Thomas's writing on natural law. The effects of particular divine providence are to be found in Aristotle's *Physics*, even though, of course, Aristotle does not refer to it as particular divine providence.

Proceeding on the discussion of the natural habit of the moral princi-

7. In *Summa Theologica*, I, 22, 2c, Thomas states that providence is "the order of things towards an end."

pies, Jaffa agrees that there are first principles of the speculative intellect, but he does not think there are first principles of the practical intellect:

"All men," Aristotle says at the beginning of the *Metaphysics*, "by nature desire to know" and all men desire by nature to be healthy, for the same reason that they desire to live. But *do all men by nature desire to be morally good?* (1952, 170, emphasis added)

This question is wrongly stated, because "morally good" means a good that is *freely* chosen. The good to which the will *naturally*, not freely, tends is simply the good *in general*. The phrasing of this question shows a weakness in the reading of Aristotle. It shows a failure to see that there exist first principles of the practical intellect which Aristotle himself has demonstrated in the opening sentences of the *Ethics* and *Politics*, treatises in practical science:

Every act and every inquiry, and similarly every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim. (*Ethics* 1094a)

And:

Every state is a community of some kind, and every community is established with a view to some good; for mankind always act in order to obtain that which they think good. (*Politics* 1252a)

All men desire the good in general. Given this principle, ethical considerations must follow.

Jaffa's principal concern is a denial that the principles of the practical reason are known intuitively like those of the speculative intellect, a concept which, he says, is a mere creation of the mind of Thomas in its theological frame of reference. In this view Jaffa continues, "One thing is .. clear, namely: that there is no mention of synderesis (or of any possible equivalent) by Aristotle" (1952, 173). But the equivalent is indeed given by Aristotle when he says that ". . . virtue and vice . . . preserve and destroy the first principles . . ." (*Ethics* 1151a15). The final cause or first principle *is* the same thing that Aquinas refers to:

[I]n the practical reason, certain things preexist, as naturally known principles, and such are the ends of the moral virtues, since the end is in practical matters what principles are in speculative matters. . . . (*Summa Theologica* II-II, 47, 6)

The final cause or first principle is precisely what is appointed by "natural reason" under the name of synderesis. Aristotle clearly wants virtue to preserve first principles and opposes their destruction. Jaffa also, it should be clear, prefers virtue's preservation over vice. His insistent pursuit of a difference between Aquinas and Aristotle distracts him from Aristotelian principles which Aquinas grasped and which establish a rational foundation for virtue. A factor contributing to the misunderstanding of this matter is the failure to notice that Thomas makes a distinction between the habit of speculative principles and the habit of practical principles, namely, that in the case of the practical intellect "no habit is natural in its beginning, on the part of the soul itself, *as to the substance of the habit*." And that is why, precisely, Aristotle says that the first practical principles are not learned by argument but by "virtue either natural or produced by habituation" (*Ethics* 1151a18). The conclusion, that Thomas borrows the idea of a natural habit of the principles relative to the end from Aristotle's treatment of speculative knowledge and then merely "says" that it is true with regard to moral actions without evidence or reason (1952, 173), just cannot be substantiated.

### Analysis: Natural Law

Turning from the consideration of synderesis and first practical principles, the last consideration by Jaffa is of "Thomas' identification of natural right and natural law." This treatment leads into the most challenging and most consequential part of the entire work. Jaffa accepts as his "final task" to show that "Thomas imputes his own opinion to Aristotle in regard to this key feature [Thomas's "identification of natural right and natural law"] of his natural law doctrine" and that "this imputation is incompatible with the teaching of the *Nicomachean Ethics* as a whole ..." (1952, 174). Jaffa proceeds in the following manner:

Aristotle begins: "Of political justice ∴ part is natural, part legal." Thomas, in his comment, says: the citizens do justly what nature imprints on the human mind, and what is laid down by law. *But Aristotle has not said anything about nature imprinting or bestowing anything.* (1952, 174, emphasis added)

On the contrary, it is quite evident that Aristotle *has* said something about this. How can the text of Aristotle be read in any other sense? Aristotle at this point is contrasting the changeability of positive law with natural justice "which everywhere has the same force and does not exist by people's thinking this or that" (*Ethics* 1134b18). Jaffa acknowledges this point but he reads it differently:

Then Aristotle continues, "natural, that which has everywhere the same force and does not exist by people's thinking this or that." And Thomas "'Justum naturale' is what has everywhere the same power and virtue *for leading towards the good and turning away from the evil.*" (Emphasis extant) Again, *Thomas imputes an active agency to natural right, where Aristotle speaks only of its intrinsic rightness.* (Emphasis added) (1952, 174)

In response to Jaffa's comment it must be asked, however, what does the phrase of Aristotle, "*have the same force,*" express but "active agency"? Aristotle compares it in the same sentence to fire's burning: "that which is by nature is unchangeable and has everywhere the same force (as fire burns both here and in Persia)." Fire burning has active agency, as does natural justice.

Continuing along the line that Thomas imputes a non-Aristotelian notion of agency to Aristotle, Jaffa says, ". . . Thomas apparently takes Aristotle's statement, to the effect that what is naturally right or just does not depend on opinion, as an outright endorsement of his own doctrine that there is a natural habit of the understanding, by which *we know* what is, in principle, right and wrong according to nature" (1952, 175). Jaffa points out that in the passage referred to on first principles Thomas speaks of indemonstrable principles in speculative matters and quasi-indemonstrable principles in matters of action. Jaffa claims that Thomas speaks of "quasi-indemonstrable" principles in matters of action because he is "sensible of the defect in the analogy" which he draws between the habit of the practical principles "which are of primary precepts or commands, and not truths," and that of the *intellectus* (1952, 175-76). (As was pointed out in the previous section, what is overlooked is Thomas's teaching that no habit of the practical intellect is natural, on the part of the soul, as *to the substance of the habit*, and that is why in this instance the habits of the practical intellect are said to be "quasi-indemonstrable.") In so speaking, Jaffa holds that "Thomas appears in this context to regard the natural law as a kind of geometrical system" (1952, 176). Jaffa points out that such a system would have a rigorous order of theorems, conclusions, and corollaries but that this is "not altogether like" the nature of the practical reason. This understanding of the rigorous order which would follow is correct in this regard, but what is in error is the premise from which the proposition starts, that Thomas, presumably differing from Aristotle here too, "appears to regard the natural law as a kind of geometrical system." It is only in the likeness of the first practical principles to mathematical axioms that such a comparison is made. And, the comparison is made explicitly by Aristotle himself in the following lines:

... in actions the final cause is the first principle, as the hypotheses are in mathematics; neither in that case is it argument that teaches the first principles, nor is it so here-virtue either natural or produced by habituation is what teaches right opinion about the first principles. (*Ethics* 1151a15ff.)

Persisting on the point, Jaffa states: "More important, however, is Thomas' insistence that natural right forms the framework for the legal code of all communities everywhere," and adding, "This, it must be noted, is a very rigid conception" (1952, 179). But, there is no "rigid conception" to be found here. Absent from consideration is that part of Thomas' treatise on law, in the *Summa Theologica*, which Jaffa has no aversion to using here, where Thomas states:

In matters of action, truth or practical rectitude is not the same for all as to matters of detail, but only as to the common principles; and where there is the same rectitude in relation to particulars, it is not equally known to all. (*Summa Theologica*, I-II, 94, 4c)

Thus, contrary to the impression taken, the legal code is not the same in Thomas' view of Aristotle for all communities everywhere.

From Aristotle's statement that the mass of mankind does not pursue true virtue (1952, 177), Jaffa attempts to argue that there are no first principles of the practical intellect. But the conclusion does not follow from Aristotle's statement. The argument is based on the false supposition that the mass of mankind does follow the first *speculative* principles to the perfection of the sciences. In fact, even the very first principles of the speculative intellect are often denied, notably by Hegel. So the argument from Aristotle's observation about the mass of mankind's pursuit proves nothing at all. What is massive, unrelenting, and unsuccessful, is the effort to separate Aristotle and Aquinas.

More important, but no more convincing than the immediate preceding considerations, is the argument over the mutability of natural right. Jaffa commences his argument with the following passage from the *Nicomachean Ethics* (1134b29):

... with us there is something that is just even by nature, yet all of it is changeable; but still some is by nature, some not by nature. It is evident which sort of thing, among things capable of being otherwise, is by nature and which is not but is legal and conventional, assuming that both are equally changeable. (1952, 179)

From Thomas he quotes:

It is to be noted that the natures (rationes) of changeable things are unchangeable, thus anything natural to us as pertaining to the very nature of man, in no way may be changed. But what follows (*consequenter*) our nature, as dispositions, actions, motions, are changed in a few cases . . . [and] in the minor part. (1952, 180)

Jaffa then states,

The point is that Aristotle makes no distinction between the changeability of natural and legal right. Thomas, however, emphasizes that natural right changes only "*in paucioribus*" and "*in the minori parte*."

Thomas's point, given in the quoted material but not understood, is fully based on Aristotle's *Physics*, particularly Book II. There, speaking of nature as a principle that operates *always or for the most part* in the same way, he says, by way of example:

For teeth and all other natural things either *invariably or normally* come about in a given way. (198b17-199a9, emphasis added)

This means that in a few cases because of some defect on the part of matter such natural things do not develop as they normally would; it means that the *rationes* of these changeable things are themselves unchangeable. "Invariably or normally," "always or for the most part," is Aristotle's definition of natural. He has to allow for exceptions, aberrations, otherwise there would be a rigidity, an absoluteness, which would make suspect his understanding of nature. Swallows build their nests always or for the most part in the same way even though an occasional swallow may, by defect, not build its nest in that way. What Aristotle makes clear and Thomas calls attention to, but what is missed here, is that nature is unchanging even though there are occasional changes.

To make the point more clearly it is useful to quote more fully from the pertinent passage in the *Ethics* earlier referred to:

Of political justice part is natural, part legal,-natural, that which everywhere has the same force and does not exist by people's thinking this or that; legal, that which is originally indifferent, but when it has been laid down is not indifferent.... Now some think that all justice is of this sort because that which is by nature is unchangeable and has everywhere the same force (as *fire burns both here and in Persia*), while they see change in the things recognized as just. This, however, is not true in this unqualified way, but is true in a sense; or rather, with the *gods* it is perhaps not true at all, while with us there is something that is just even by nature, yet all of it is changeable; but still some is by nature, and some not by nature. (*Ethics* 1134b17-30)

The emphases in the quoted material are added advisedly. The point here is, as Thomas in the *Commentary* says is obvious, that the burning of fire is an unchangeable thing, for when there is fire, if it be fire, it will burn, for this is the nature of fire. But fire need not be. With the "gods," on the other hand, we have a nature that is wholly incorruptible. Aristotle makes the distinction between a nature which is unchangeable and immutable in all its aspects, and a nature as "with us" which is always and everywhere immutable as far as its first principles (rational animality) are concerned, but which is mutable insofar as it is corruptible—we all shall die.

Further elaborating the point on mutability Jaffa writes:

Aristotle says that there is but one political order that is by nature best, and the best is best everywhere and always. But it does not follow that the best order of society is realizable everywhere and at all times. It is a standard for all moral and political judgements everywhere and at all times, but not in the way that Thomistic natural right or law is. *The latter is everywhere immediately applicable*, as a standard of right and wrong, for the guidance of all legislators, as a test for all positive law, and *even as a measure for all private morality*. (1952, 183)

This statement is a misunderstanding. Aquinas's position is precisely that of Aristotle on this matter, as may be seen by comparing Thomas's treatment of the man who sins through passion and the man who sins through malice (*Summa Theologica* I-II, 78, 4c), with Aristotle's treatment of the incontinent man and the one who is self-indulgent (*Ethics* 1151a12). Equivocation on this matter puts the argument into a position of defending a thesis at any cost: the argument is logically forced into the position of supposing that vice can be simply speaking *naturally right* because there are, indeed, men to whom vicious acts are co-natural. It is wrong to argue, as Jaffa does, that "there is no rule or precept or natural right, according to Aristotle, which may not change with circumstances" (1952, 184). Aristotle makes it quite clear that vice cannot be naturally right. Jaffa, of course, does not want vice to be right, but his misreading of Aquinas and Aristotle would lead to such a position. The misreading, the attribution of non-Aristotelian principles to Aristotle, is done unwittingly so that repeatedly Jaffa questions Thomas and substitutes his own misreading as authentic.

In his attempt to demonstrate his contention on "the lack of connection of Aristotle's doctrine of natural right, with the Catholic Natural

8. For a much later acknowledgement by Jaffa of this point that the bad can be seen as good according to the disposition of some men, see him making the same point in his argument against Pangle in *The Claremont Review of Books* (1984,19).

Law, as expressed by Thomas, " Jaffa treats of the political community as the most perfect kind of human community wherein the state has complete control of the education of the youth. He also treats of Aristotle's advocacy of abortion. The education of the youth shall be dealt with in the next section. On abortion, the argument is that if Aristotle advocated abortion, he would logically sanction more modern methods of "keeping the population within limits" (1952, 184). Jaffa elaborates, "These instances ... do not mean that the practices Aristotle considered fitting for the best polity would be universally applicable; certainly birth control would be forbidden where population was a radical necessity" (1952, 184). Again this is offered to support the conclusion that Aristotle's natural right is changeable and Thomas's natural law is, in this regard, illogically immutable. The pertinence of this discussion and the prescience of Jaffa's considerations for politics, philosophy, religion, and even the Catholic community, should be even more obvious today than when they were originally written. But, it should be carefully noted, although Aristotle does advise abortion, he adds "... procured *before* life and sense have begun"; and he says, "*what may or may not be lawfully done in these cases depends on the question of life and sensation*" (*Politics* 1333b22). Aristotle is here clearly speaking of a natural law that *is prior* to any "legal justice." When life and sensation are clear so also would be justice. Since therefore the position on abortion is not as definite as Jaffa presents it, the extrapolation to other methods of population limitation also does not follow. Again, what is imputed to Aristotle in the *effort* to show his separateness from Aquinas is erroneous and leads to an erroneous proposed contemporary application.

### Conclusion

Jaffa commenced his work seeking to find a foundation for social science which was both "scientific and secular." He hoped to find, or demonstrate, a basis for value judgments which was non-arbitrary. He found two systems of values to which he could turn. One, the Marxian, was totally unacceptable. A second was the Thomistic Natural Law doctrines founded on Aristotle. Jaffa thereby worked his way back to the ethical system of Aristotle. From this consideration the question was whether in the Aristotelian system there was a basis for judgments which was not arbitrary. Prior to this Jaffa had already posited that "Aristotle's *Ethics* might be *the true Ethics*" (1952, 5). With these two questions in mind, Jaffa proceeded immediately to argue that Thomas, the most able student of Aristotle, and Aristotle are in fact radically divergent. Jaffa then proceeded to reveal the principles which he claimed underlie the alleged divergencies of Aristotle and Aquinas. He *offers* what he regards



as proof that Aristotle and Thomas differ and concludes that Thomas's Aristotelianism is actually non-Aristotelian.

Jaffa purports a "suspicion" against Aristotle today that the "harmonization" of his philosophy with Christian revelation by Aquinas undermines in it any real inner core capable of providing independent practical guidance. There is further against Aristotle the suspicion raised by Hobbes that Aristotle had made his philosophy consonant with pagan religion in order to avoid "the fate of Socrates" (1952, 20).<sup>9</sup> The case against Aristotle is fortified on the one hand by Hobbes's suspicion and on the other by Aquinas's harmonization. This development which in effect harmonizes pagan and Christian ethics is at odds with the "radically empirical" standard which attests to the "dissimilarity of pagan and Christian ethics" (1952, 22). By separating Aristotle from Aquinas Jaffa can overcome both suspicions. According to Jaffa, "the facts of observation . . . do not bear witness against him" (1952, 187). Apparently Aristotle can in this way stand on scientific and secular grounds as the non-arbitrary standard for ethics. Unfortunately because of the misreadings of both Aristotle and Aquinas what remains of Aristotle takes on the character of what Jaffa had in the beginning pointed out as defects of contemporary social science, namely, unscientific, arbitrary, and unethical.

When Jaffa, in his consideration of Aristotle's best political order, came upon foundations which were said to be "best," he understands it to mean that "what is *just* . . . is what is fitting here and now" (1952, 183, emphasis added). Jaffa simply substitutes the variable "best" of conventional justice for what is naturally best. This position inevitably leads to the absurdity of accepting vice as naturally best because it is indeed conatural to certain temperaments. Since for Jaffa there is no unchangeable principle, there is no foundation by which to measure the right, other than what he refers to as the "*direction* of all sound policy" (1952, 183). What he means by the "direction" is the "naturally best" or "absolutely best." It is the approach to an ideal, which ideal is distinct from the particular. Aristotle is understood in a way which makes him a variant of Plato.

Jaffa began by asserting that Thomas had a "better understanding" of Aristotle than anyone before or since and yet Jaffa immediately proceeded to assert wide divergence, in fact and in principle, between the two. The present study points out that the divergence between Thomas and Aristotle was not successfully demonstrated. On the contrary, because the arguments allegedly establishing their divergence depend on reading non-Aristotelian concepts into Aristotle, the originally cited

9. Neither Hobbes nor Jaffa mention that Aristotle in fact left Athens in order to avoid the "fate of Socrates" which would undermine Hobbes's suspicion against his philosophy.

consistency of these two classical authors has been reaffirmed with respect to the pertinent areas analyzed: human happiness, happiness after this life, the natural habit of the moral principles, and immutable principles of natural law.

Jaffa's conclusion regarding the natural law is the most consequential of those considered, although this is not to minimize the import of the others. It is precisely the matter of the changeability of natural law which places the conclusion that Jaffa arrived at in the exact school of thought which he set out to refute with the desired non-arbitrary ethical system. Jaffa's criticism of modern thought is that it has no sound basis. What is needed, he sees, is a system with fixed principles. In Jaffa's words modern social sciences "deny the possibility for any scientific basis for preferences." The "pragmatic, liberal-democratic doctrine" is the source of the "low estate of the social sciences in the Western world" because it provides no basis for making judgments between values. What Jaffa offers, most unwittingly to be sure, is a system that makes it possible in fact to choose what is bad as best since he interprets Aristotle as saying that the very *rationes* of natural things are changeable. If this system is not at the same "disadvantage in competition with [other] creeds" as the pragmatic ideologies he spoke of earlier, it has the worse disadvantage of offering *a scientific* basis for choosing evil over good.

The consequences of misreading Aristotle and Thomas can be illustrated in the handling of the aforementioned topic of education. This effects a misunderstanding of the critical relationship of the individual and the common good. For one last time it is necessary to quote Jaffa at length:

In the best polity described in books seven and eight of the *Politics* it is explicitly stated that it is the function of the legislator, to "direct his attention above all to the education of the youth; for the neglect of education does harm to the constitution. The citizen should be moulded to suit the form of government under which he lives." As, according to Aristotle, the political community is the most perfect kind of human community, the art of "politike" is supreme over "oekonomike," and the statesman to the head of the household. The family is prior to the state in order of generation, but not in order of perfection. It is with a view to the perfection of the latter that the life of the former must be regulated, and the notion that the head of the family has an independent natural right to educate his children, because the family is "prior" to the state, is entirely alien to Aristotle's thought. (1952, 184)

The conflict, according to Jaffa, is with Catholic Natural Law and "some of the precepts which supply [its] ... content" today. Apparently the lat-

ter holds that "the head of the family" is supposed to have "an independent natural right to educate his children."

Two comments must be made, one with respect to Catholic thought on education, the other with respect to Aristotle's position. According to the 1929 papal encyclical on the "Christian Education of Youth," the most authoritative statement available at the time of Jaffa's study, the Catholic position is one not solely based on the family, but on church, family, and state "in due proportion ... of their respective ends." In this papal letter it is pointed out that according to Catholic thought the head of the family, *along with* the state, has a natural right to the education of youth, but what the church objects to is the claim by some "that the State has an *absolute right* over their [the children's] education" (emphasis added).<sup>10</sup> The Catholic position is respectful of the claims of family and state as well as church. The position is not as Jaffa represents it to be.

Furthermore on this point of education, it is to be noted that Aristotle also does not hold for the absolute right of the state over the individual. In the chapter quoted by Jaffa on education (*Politics* 1337a10) it must be noted that Aristotle is speaking of the individual as "citizen" and in this regard he is speaking of youth as concerns their education as members of the state and of a state with a particular form of government, as Jaffa himself unwittingly points out. Aristotle qualifies his statement on public education, however, with the comment that "the training in things which are of common interest should be the same for all" (*Politics* 1337a25). Coupling these two thoughts, citizens and things of common interest, it can be seen that Aristotle is not speaking of an "absolute" right of education by the state. Furthermore, Aristotle engages in a lively discussion of the content of education, including gymnastic exercises, music, and "useful things." He questions the utility of some forms of gymnastic exercises while he points to the utility of music, which is in preparation for leisure. As he says, "the first principle of all action is leisure" (*Politics* 1338a33). The state has an interest in education but there is also the interest in the individual pursuits, like leisure, which are distinct from those of the state. Accordingly, the relation of the individual to the state in Aristotle is not the hierarchic one maintained by Jaffa.

Jaffa's position is based on a misinterpretation of Aristotle's understanding of the common good and the order of groups with the whole of society. Jaffa appears to hold that for Aristotle the relation of individuals and groups to society is one of subordination. "... [T]he art of politike'

10. It should be of more than a little interest that this papal reference and denial of the "absolute" claim of the state was at the time of the recently established absolute state in Russia and Italy, and its disorganized early rumblings in Germany. The Encyclical on "Christian Education of Youth" was issued on December 31, 1929, by Pope Pius XI.

is supreme over 'oekonomike,' and the statesman to the head of the household.... The family is prior to the state in the order of generation, but not in order of perfection. It is with a view to the perfection of the latter that the life of the former must be regulated" (1952, 184). This is a relationship reminiscent of Plato's *Republic* which Aristotle made great efforts to counter. "In his *Commentary on the Ethics*, Thomas points out that Aristotle's *Ethics* and *Politics* show society has a mere "unity of order," not the unity of simple composition or continuity. Aristotle's community did not have the simple unity of Plato's ideal.<sup>12</sup> Unity of order means that the domestic and civil societies are such that their parts have functions that are not principally those of the whole, for example, a soldier in an army has an operation which is not that of the whole army. Accordingly, man, in society, has an operation which is not that of the whole of society. In this manner he has not only a good that perfects him as a private individual, but he has a good that perfects him as a member, as a part of society, whether domestic or civil. The common good, therefore, is a good of the individual, for Aristotle, for the state is not something apart from the individuals who compose it.<sup>13</sup> Individuals have goods of a private nature, things that are uniquely and incommunicably one's own, and they have goods as members of domestic communities, the family for example, and the civil community, the state. Those goods of the individual as a member of communities are indeed the individual's own good, but they are products of sharing and communicating. Aristotle's views on education must be read in this context of his whole thought on the community and the notion of the common good.

It is on this principle of the common good that Aristotle differed so sharply with Plato who advocated, after the model of the Lacedaemonians, common tables, common property, common wives, and common families. This is a portion of that quarrel which Leo Strauss alludes to, as mentioned in the opening of this paper. It is a quarrel which Strauss rightly cautions too much may be made of, but it is also a quarrel which too little can be made of.<sup>14</sup> There is much that Plato and Aristotle have in

11. Cf. Aristotle's *Politics*, Books I and II. Cf. also Charles N. R. McCoy, *The Structure of Political Thought: A Study in the History of Political Ideas* (New York: McGraw Hill, 1963), chap. 1, 2.

12. It might be useful in this regard to consider the societal orders attended to by Lycurgus and Pericles, respectively, for the light they shed on Plato's and Aristotle's reflections.

13. Cf. McCoy, *ibid.* and cf. John J. Schrems, *Principles of Politics* (Englewood Cliffs, N.J.: Prentice Hall, 1986), 133-39.

14. James V. Schall in his studies of Leo Strauss suggests that Strauss ends with what he criticized in Thomas. There is the distinct possibility that a similar analysis could be done of Jaffa. See Schall, "Revelation, Reason and Politics," *Gregorianum*, vol. 62: nos. 1, 2. See also his most recently published *Reason, Revelation, and the Foundations of Political Philosophy* (Baton Rouge: Louisiana State University Press, 1987). See Harry V. Jaffa, "The Legacy of Leo Strauss' Defended" *Claremont Review of Books*, Spring 1985, 20-24.

common in contradistinction to the moderns, to which Strauss and Jaffa attest, but if the distinctions between Plato and Aristotle are minimized then, ironically, the counterdistinction with the moderns becomes obscured. Indeed, as Aristotle's notion of education, for example, becomes like Plato's then it takes on an absolute character like some of the contemporary ideologies which Jaffa so positively rejects.

In his postscript Jaffa reiterates his concern for the fundamental problem of present-day social science. The problem's urgency stems, in his view, from the global nature of present-day political problems. Clearly the positivism and relativism of present-day social science, the view "that any opinion as to what is good is equally good . . . cannot supply a frame of reference within which differences can be reasonably composed" (1952, 193). To provide such a frame of reference, to point to a base for resolving political problems, social science should be able in his view to communicate with unbelievers, Christians, Jews, Moslems, Buddhists, Hindus.

The problem that Jaffa claims to have found with the Thomistic understanding of Aristotle is, as he says with respect to the critical issue of natural law, that "it is difficult to avoid the conclusion that the entire notion of natural law, in the Thomistic sense, is-in fact if not in intention-a dictate of reason 'informed by faith'" (1952, 192, emphasis added). If, apparently, in the reasoning pursued, the taint of religion can be removed from Aristotle's natural law then there will be discovered a base for reasonable men to come together to resolve the pressing political problems of the day. As was said, "philosophic or scientific knowledge is knowledge which is intrinsically capable of communication to all men everywhere" (1952, 191). Jaffa argues, "If unassisted natural reason could have arrived at the conception of a personal Deity, consciously governing the world, why should Thomas have thought that reason would stand in need of faith in order to recognize the obligations of divine worship?" (1952, 192)

What is overlooked in these considerations is that unassisted natural reason, in Aristotle for example, struggled with the issues of happiness, immortality, virtue, practical principles, and natural law. Unassisted reason arrived at explanations which reasonable persons still struggle for common agreement on more than two thousand years later. What Thomas offered was an understanding that faith did not contradict reason, and further, that reason, in Aristotle for example, did not preclude matters known easily and without struggle through faith. Essentially, reason could be known through faith and still be reason. Believers of all faiths could come to see the same insight of Thomas, if it was important for them, as it apparently was for Aquinas, to come to that understanding. The only ones left out in this reformulation are unbelievers

who are left to struggle, as in the final word of Jaffa's book, "alone." But that struggle is as they want it.

The philosophic struggle in ancient times or modern never pretended to be for all men. However, to reject all religion as the taint of revelation, despite all its variety and division, in order to possibly bring humankind together on the basis of scientific and secular truth both flies in the face of all the evidence of history and requires of religion a test which is as unfair as it is unprovable. Truths of faith are rejected in favor of unproven, solitary, possible, and not necessarily less-controversial truths. Philosophy is set up as the criterion by which everything else, and especially in this concern religion, is measured. Such a criterion may give comfort to the philosopher. It exacts a price, however, which Plato might pay but about which Aristotle was adamant in showing its limitations.

### Postscript

Harry Jaffa has a reputation for excellent and prodigious scholarship. He is probably the most noted political philosopher of enduring scholarship today. He has a reputation as a polemicist, of which he is proud. He also has a reputation of responding somewhat vehemently to criticism. It is not the intent of the present critique to bring out that vehemence. The criticisms of the discrepancies alleged by Jaffa between Aristotle and Aquinas are offered in the same spirit and with the same objective as Jaffa himself had. If a system of principles capable of filling the gap left by the lack of principles in present-day social science can be properly articulated Professor Jaffa, as may be gathered from his introduction, would be quite happy. The burden of this critique has been to say that such a system has been available right along, and that it consists in the Thomistic appreciation of Aristotle, as Jaffa had suggested in the beginning.

The role of faith may well be, in just one respect among many, that of the empirical standard of common opinion that Jaffa cited (1952, 22 and 187) as Aristotle's final authority. Faith shared by a very large community of humans may be a caution to reason that reason alone does not entirely satisfy the facts of observation. That Thomas is correct and that Aristotle does not preclude those items which Jaffa erroneously claims he does will thus strengthen rather than weaken reason in Aristotle. Thomas, arguing from reason, as has been seen in the *Contra Gentiles*, holds that reason itself is unsatisfied without some good beyond this life. It is as if human beings were cheated if all this reason and struggle were in vain or were at most meaningful only to a few who are supreme in reason or virtue in this life, and even then difficult and terminated by

death. Thomas *reasons* that reason is not in vain and he *reasons* that faith attests to this conclusion.

While Aristotle certainly has been read, as Jaffa reads him, as not speaking of personal immortality, synderesis, unchanging natural law, he can more reasonably be read as not precluding these. From Pericles, who spoke of those dying for Athens sustaining their own good, to Lincoln, who on similar grounds honored those who died, the common good has involved the good of individuals who made the supreme sacrifice. Aristotle said their sacrifice was not in vain and had a principled argument as to why this was so. Aquinas agreed and had a dimension in faith which made that Aristotelian truth available to all without difficulty or uncertainty. All religion can do the same. Consequently religion would not separate reasonable men and men of good will. It would join them. The only ones standing outside of the orbit of a principled frame of reference would be those who, in Jaffa's words "view that any opinion as to what is good is equally good, the characteristic tenet of present-day positivism and relativism" (1952, 193). Religions have more in common with one another than with present-day positivism and relativism. It is a commonness such as Strauss spoke of between Plato and Aristotle as opposed to the quarrel between the ancients and the moderns.

Aristotle, like Pericles, seemed to grasp that those who made the supreme sacrifice for their country sustained their own good. Religion attests to this common good. Few persons are capable of arriving at an understanding of the common good through unaided reason, but that does not make the conclusions of aided reason any less reasonable if they in fact are reasonable. Aquinas's effort was to discern what was reasonable. His conclusions, while in agreement with authority, are not dependent on authority. They are non-arbitrary, scientific, and secular. That they are also in agreement with faith should hardly be regarded as a handicap, for that agreement is a circumstance of which their philosophical merits are wholly independent. A corrected Thomism and Aristotelianism should make quite clear the agreement between faith and reason as opposed to their disagreement. In this way the social sciences, looking for a sound basis of morality because of the manifest inadequacy of present-day positivism and relativism, will not have to face the mysteries of human destiny alone.

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