



# THE AQUINAS REVIEW

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IS PRIME MATTER ENERGY?  
A REPLY TO DAVID ODERBERG  
*Thomas McLaughlin*

ON THE DEFINITION OF PERSON  
*Patrick M. Gardner*

BOETHIUS, AQUINAS, AND THE ART OF  
COMMENTARY  
*Anthony Andres*

THE FALLACY OF EQUIVOCATION  
*John M. McCarthy*

HAS MONEY BECOME FECUND?  
*Yvan Pelletier*

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## Reviews

David Hunt, *Something for Nothing?*  
*An Explanation and Defence of the Scholastic  
Position on Usury*

reviewed by Marie George

THOMAS AQUINAS COLLEGE



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### REVIEWS

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*Abbreviations of commonly cited works by  
St. Thomas Aquinas:*

- Comp. theol.* = *Compendium theologiae*  
*De ente* = *De ente et essentia*  
*De malo* = *Quaestiones disputatae de malo*  
*De pot.* = *Quaestiones disputatae de potentia*  
*De ver.* = *Quaestiones disputatae de veritate*  
*In De anima* = *Sententia libri De anima*  
*In De causis* = *Super Liber De causis*  
*In De div. nom.* = *In librum B. Dionysii De divinis nominibus  
expositio*  
*In De Trin.* = *Super Boetium De Trinitate*  
*In Ethic.* = *Sententia libri Ethicorum*  
*In Metaphys.* = *Sententia libri Metaphysicae*  
*In Peri herm.* = *Expositio libri Peri hermeneias* or *De inter-  
pretatione*  
*In Phys.* = *In octo libros Physicorum Aristotelis expositio*  
*In Post. an.* = *Expositio libri Posteriorum analyticorum*  
*In Sent.* = *Scriptum super libros Sententiarum*  
*Q. D. de an.* = *Quaestio disputata de anima*  
*Quodl.* = *Quaestiones quodlibetales*  
*SCG* = *Summa contra Gentiles*  
*ST* = *Summa theologiae*

**IS PRIME MATTER ENERGY?  
A REPLY TO DAVID ODERBERG**

*Thomas McLaughlin*

*St. John Vianney Theological Seminary, Colorado*

Within the natural sciences, energy is a central physical notion for the understanding of nature, and the Law of the Conservation of Energy is one of the most important physical laws. Werner Heisenberg famously called upon Aristotle's notion of prime matter as an explanation for the transformation of elementary particles. He then claimed that all elementary particles are made of energy and that energy is the prime matter of Aristotle. David Oderberg is one of many philosophers who have been sympathetic to Heisenberg's claim.<sup>1</sup> In a recent article titled "Is Prime Matter Energy?" Oderberg "tests the hypothesis that the prime matter of classical Aristotelian-Scholastic metaphysics is numerically identical to energy."<sup>2</sup> He asks, "is the classical, Aristotelian, metaphysical concept of prime matter no more, and no less, than what scientists—physicists, for the most part—understand to be energy? In short, is  $P=E$ ?"<sup>3</sup> Oderberg maintains that the question currently cannot be answered with a simple Yes or No. More work is required. Nevertheless, he argues that the prime matter is energy hypothesis "is at worst *prima facie* plausible, at best quite strong."<sup>4</sup> Oderberg ends by saying, "So my answer to the question, Is prime matter the same as energy?, is not 'yes' or 'no,' but: 'why not?'"<sup>5</sup>

I grant the basic intuition that the science of energy instantiates Aristotelian/Thomistic principles. Although Aristotelian/

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1 David S. Oderberg, "Is Prime Matter Energy?," *Australasian Journal of Philosophy* 101, 3 (2023): 534–50.

2 Oderberg, "Is Prime Matter Energy?," 534.

3 Oderberg, "Is Prime Matter Energy?," 535.

4 Oderberg, "Is Prime Matter Energy?," 548, Oderberg's italics.

5 Oderberg, "Is Prime Matter Energy?," 549.

Thomistic philosophers are only in the early dialectical stages of investigating the science of energy, we are indebted to Heisenberg for his reemphasis on a principle of potency in physics and his appeal to prime matter as an explanatory principle for particle physics. Oderberg's paper is an important contribution to the consideration of Heisenberg's thesis. Nevertheless, while affirming a principle of potency in energy physics, I shall argue that the energy is prime matter hypothesis is implausible, weakly supported, and unnecessary. I argue that the forms of energy are accidents and, therefore, disproportionate to prime matter. Thus, the hypothesis involves a category mistake. However, more fundamentally, the hypothesis that energy is prime matter mistakes a very general abstract term signifying what is common to the different forms and instances of energy for an underlying physical principle that persists throughout energy transformations. I conclude by offering the view of Julius Mayer, a co-discoverer of the Law of the Conservation of Energy, as an alternative to Heisenberg's and Oderberg's views of energy transformations.

Oderberg's overall approach focuses on energy conservation and substantial change. After some important introductory remarks, he outlines what prime matter means in classical Aristotelian-Scholastic metaphysics and then gives the strongest argument for it, the argument from substantial change, for prime matter is necessary for explaining substantial change and even for the real possibility of such changes.<sup>6</sup> He then describes the scientific notion of energy, explaining in general what it is and what it is not, what its role is, especially in energy conservation, and identifies its application in some key fields.<sup>7</sup> Oderberg then tests the hypothesis that prime matter is energy by making a profile comparison, a method which compares the ontological profile of that to which one concept refers with that to which

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6 Oderberg, "Is Prime Matter Energy?," 536–38, 544.

7 Oderberg, "Is Prime Matter Energy?," 535.

the other refers to see how well they match. He then considers arguments for and against a match between energy and prime matter. Matches on key features provide “a strong reason for regarding the two concepts as referring to one and the same being or entity.”<sup>8</sup>

### *Oderberg on Prime Matter*

Oderberg quotes three equivalent descriptions of prime matter from Bernard Wuellner’s *Dictionary of Scholastic Philosophy* and then provides his own summary description. Wuellner describes prime matter as “pure passive potency of substance, without any form, species, or privation, and receptive of any forms or subsequent privations.” It is the “completely undifferentiated or indeterminate basic material of the physical universe, subject to all changes, informations, and privations,” and “the first intrinsic and potential principle of a corporeal essence.”<sup>9</sup> According to Oderberg,

[P]rime matter is the formless and featureless underlying material substratum of *all* substantial change without exception: that is, all change from one material substance to another, whether living to non-living (or vice versa), or from one species of particle to another, one species of living thing to another, one chemical compound to another, or molecule, or mixture, liquid, crystal—anything and everything that is a substance.<sup>10</sup>

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8 Oderberg, “Is Prime Matter Energy?,” 540.

9 Bernard J. Wuellner, “Prime Matter,” in *Dictionary of Scholastic Philosophy* (The Bruce Publishing Company, 1956), 74, as quoted in Oderberg, “Is Prime Matter Energy?,” 536.

10 Oderberg, “Is Prime Matter Energy?,” 536, Oderberg’s italics.

Oderberg usefully contrasts prime matter with David Lewis's notion of "gunk" and with Ned Markosian's notion of "stuff." Prime matter is not "gunk" because "gunk" is "an individual whose parts all have further proper parts"<sup>11</sup> whereas prime matter "is not an individual and it has no parts."<sup>12</sup> Similarly, prime matter is not Markosian's "stuff," which is

like what an Aristotelian would call "undifferentiated secondary matter"—the propertied observable matter that takes on the features of whatever it constitutes: the stuff of chocolate is sweet and sticky, that of water is wet and transparent, and so on.<sup>13</sup>

Prime matter, by contrast, is featureless and unobservable. It is "the closest thing that there is to nothingness without being nothingness."<sup>14</sup> It does not actually exist of itself and exists only as a principle of a substance and as actuated by a substantial form.

I basically agree with Oderberg's account of prime matter and his arguments for it based on substantial change. For my argument, the important distinction is between prime matter and what is sometimes called secondary matter and between substantial changes and accidental changes. Prime matter is an explanatory principle for substantial changes but not for accidental changes, except in an indirect, mediated, and remote sense in which prime matter is part of a substance. As Oderberg notes, "Conversion from one form to the other is precisely that for which prime matter is the substratum, at least when the

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11 David K. Lewis, *Parts of Classes* (Basil Blackwell, 1991), 20, as quoted in Oderberg, "Is Prime Matter Energy?," 536.

12 Oderberg, "Is Prime Matter Energy?," 536.

13 Oderberg, "Is Prime Matter Energy?," 536. Oderberg cites Ned Markosian, "The Right Stuff," *Australasian Journal of Philosophy* 93/4 (2015): 665–87.

14 Oderberg, "Is Prime Matter Energy?," 538.

forms are substantial and not merely accidental.”<sup>15</sup> An example illustrates an accidental change: “When my dog is groomed, the hairy creature that goes into the process is numerically identical to the neatly trimmed one that comes out of it. The Aristotelian calls this an ‘accidental’ change.”<sup>16</sup> Not all accidents are as superficial as a dog’s grooming. For a dog, the capacity to bark is a less superficial accident and is arguably a proper or essential accident.<sup>17</sup> Proper or essential accidents belong to a substance in virtue of what the substance is, and they originate and flow from the substance’s essence and substantial form, unlike a dog’s grooming or a rock’s kinetic energy, which are incidental or extrinsic in origin. Assuming that photons and electrons are substances, a photon’s radiant energy would be a proper accident as would an electron’s rest mass, especially since all electrons have the same very precisely determined rest mass ( $9.109 \times 10^{-31}$  kg), which indicates the category of quantity or, perhaps, a virtual quantity of a quality.<sup>18</sup> Although a substance, in virtue of its essence, must tend to cause its proper accidents, not all proper accidents are necessary, since a given proper accident may not flow from its substance because it is prevented from doing so. For example, a dog may not possess the capacity to bark, because it has been genetically altered or because its relevant organs were destroyed.

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15 Oderberg, “Is Prime Matter Energy?,” 538.

16 Oderberg, “Is Prime Matter Energy?,” 536–37.

17 Except for the examples, I am drawing upon David S. Oderberg, “Essence and Properties,” *Erkenntnis* 75 (2011): 86–111, and Daniel Shields, “Formal and Proper: Substantial Form and Essential Accidents in Thomas Aquinas,” *American Catholic Philosophical Quarterly* 99 (2025): 1–18.

18 “[T]he photon is the particle of the electromagnetic field. It does possess the *attribute* of energy. The electron and positron possess the property of rest mass (as well as energy), but they are not ‘mass’ (in the sense of ‘*being inertia*’).” Ralph Baierlein, “Does nature convert mass into energy?” *American Journal of Physics* 75 (April 2007): 323, Baierlein’s italics. In addition, the positron, the anti-matter counterpart of the electron, has the same mass as the electron. Mass does not distinguish electrons and positrons.

In such cases, the substance is rendered unable to effect its proper accident. All accidents, proper or otherwise, presuppose a substance in which they exist and upon which they depend.

The term “matter” can be used broadly in referring both to that which is in potency to substance, namely, prime matter, and to that which is in potency to having an accident, what is sometimes called “second matter.” Secondary matter is a material potency that exists in and depends upon a substance and is distinct from or secondary to the substance’s primary potency, its prime matter. A dog is an example of secondary matter insofar as it is a complete and actual substance already constituted by prime matter and substantial form, and it is in potency to an accident and therefore subject to accidental changes. As Oderberg observes, “Secondary matter, of its very nature, is informed: that is why it is called ‘secondary.’”<sup>19</sup> However, properly speaking, that which is in potency to being a substance is called “matter,” while what is in potency to having an accident is called a “subject,” since accidents exist in a subject whereas substantial forms do not; the substantial form gives being to the substance, makes it actual and constitutes it in a species. Of itself prime matter is only potency to substantial corporeal being and is that from which and out of which a substance is made. An accident, however, is not made from a subject but is received in the subject and makes the subject be in a certain way, as having such a quality, quantity, or relation.<sup>20</sup>

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19 Oderberg, “Is Prime Matter Energy?,” 541.

20 See Thomas Aquinas, *On the Principles of Nature*, ch.1, in *Medieval Philosophy: Essential Readings with Commentary*, trans. Gyula Klima, ed. Gyula Klima, Fritz Allhoff, and Anand J. Vaidya (Blackwell Publishing, 2007), 157–59.

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Oderberg on Energy

Oderberg then takes up the question, what is energy? Etymologically, “energy” comes from Aristotle’s term *energeia*. However,

[W]hereas Aristotle means *actuality* in his technical sense, our modern *energy* seems to denote the *opposite* half into which he thought all of reality was exhaustively divided—the correlative phenomenon of *potentiality* (*dunamis*).<sup>21</sup>

The Law of the Conservation of Energy is the key to Oderberg’s conception of energy as potentiality and to his hypothesis that energy is prime matter. After briefly reviewing the historical discovery of energy conservation and of the many forms of energy, Oderberg maintains the following:

Yet although the various forms of energy belong to material substances—and derivatively to *systems* of material substances—they are all forms of a single underlying *quantity* of something or other—strictly indefinable, yet with a clear role in physical systems. It was the development and exploration of manifold new mechanisms for the transfer or transmission of heat, light, motion, force, and so on that required scientists to postulate an underlying transformable quantity enabling the different

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21 Oderberg, “Is Prime Matter Energy?,” 538, Oderberg’s italics. Elsewhere I have argued that the science of energy instantiates the principles of both act and potency, though its primary meaning is act or activity. Usually, the qualifier “potential” is added to indicate energy as an Aristotelian passive potency, though potential energy can also mean a stored, rest energy. See Thomas McLaughlin, “Act, Potency, and Energy,” *The Thomist* 75 (2011): 207–43.

mechanisms to perform work (or to be worked upon, manifest various qualities, grow, shrink, and so on).<sup>22</sup>

Oderberg conceives of energy as a single, indefinable, underlying transformable quantity of something that can gain and lose forms of energy, which is how he thinks scientists conceive of energy. This conception of energy has two important features, preservation and conservation.<sup>23</sup> First, energy is an underlying ontological principle that persists or is preserved through energy transformations. Second, in a closed system, the quantity of preserved energy remains the same.

We may wonder how energy can be quantified and yet be prime matter since prime matter considered in itself is not quantified. In the profile comparison, Oderberg answers this question by maintaining that energy *as such*, like prime matter *as such*, has no actual quantity or measure.<sup>24</sup> Energy has quantity and is measurable only insofar as it has a specific form of energy, and energy is always formed and never exists simply as energy:

Joules embody a method of conversion, with a conventional definition in terms of force and distance; they do not measure pure energy, since there is no such thing existing *apart* from the objects, processes, systems, and so on in which energy is found. When energy is measured, it is *always* in the context of the specific capacities for work of the objects involved.<sup>25</sup>

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22 Oderberg, "Is Prime Matter Energy?," 539, Oderberg's italics. "Again, if the mechanical energy of a turbine can be converted into electrical energy by a generator, there must be an underlying quantity in virtue of which such conversion is possible." Oderberg, "Is Prime Matter Energy?," 539.

23 "With that said, profile comparison supports more than preservation through transformation—namely, *conservation*." Oderberg, "Is Prime Matter Energy?," 540, Oderberg's italics.

24 "For energy *as such* has no measure, any more than does prime matter *as such*." Oderberg, "Is Prime Matter Energy?," 544, Oderberg's italics.

25 Oderberg, "Is Prime Matter Energy?," 545, Oderberg's italics.

Energy is like prime matter, which also is measurable and has actual quantity only insofar as it has form.<sup>26</sup>

Oderberg's fundamental distinction between prime matter considered in itself and prime matter as it exists in things and so as actuated by form is part of the Aristotelian/Thomistic tradition.<sup>27</sup> Nevertheless, the application of this distinction to energy seems problematic, for scientists regard energy as such as quantified. An indication of this is the common analogy scientists make of energy to money.<sup>28</sup> However, a proponent of the prime matter is energy hypothesis might respond that the money analogy considers not energy as such but energy as it is found in things and actuated by form. Therefore, it might be argued, the application of the distinction to energy and quantity would hold.

Oderberg notes several other similarities between energy and prime matter. A contemporary physics text tells us, "Energy is a quantity that can be converted from one form to another but cannot be created or destroyed."<sup>29</sup> Similarly, prime matter

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26 "Just as the measurability of energy can only obtain within the objects, systems, processes, and so on, in which specific kinds of energy exist, so the measurability of prime matter can obtain only within the substances (the constituents of various objects, systems, processes . . . ) in which specific kinds of informed matter exist—signate matter, that is, secondary matter considered dimensionally." Oderberg, "Is Prime Matter Energy?," 546.

27 See Thomas Aquinas, *Summa theologiae* I, q. 7, a. 2, ad 3; q. 14, a. 2, ad 3; q. 15, a. 3, ad 3; q. 84, a. 3, ad 2; and *Quodl.* III, q. 1, a. 1. I am indebted here to Carl Vater, "St. Thomas Aquinas on Prime Matter" (unpublished manuscript).

28 "A science teacher I know thought up a great analogy: it's [i.e., energy is] like money in bank accounts . . . This is a brilliant explanation because it reflects the way in which physics energy resembles money. It's precisely measurable—we can figure out exactly how much an isolated object or set of objects has and amounts flow from one 'account' to another, though to follow the flow requires close attention." Matt Strassler, *Waves in an Impossible Sea* (Basic Books, 2025), 109–10. Strassler is a particle physicist. See also A. P. French, *Newtonian Mechanics* (W. W. Norton & Co., 1971), 367.

29 Hugh D. Young, Roger A. Freedman, and Albert Lewis Ford, *Sears and Zamansky's University Physics with Modern Physics*, 14<sup>th</sup> ed. (Pearson Education, 2016), 196, quoted by Oderberg, "Is Prime Matter Energy?," 538.

persists throughout substantial changes, undergoes conversion from one form to another, and cannot be generated or corrupted.<sup>30</sup> Further, as noted above, “neither prime matter nor energy exists in a free—that is, formless—state.”<sup>31</sup> Just as prime matter does not exist simply of itself, independently of the things it constitutes, but only actually exists as formed, so too there is no such thing as pure energy that exists by itself and not as a specific form of energy.<sup>32</sup> Finally, in an important sense, we do not know what prime matter is, and, similarly, we do not know what energy is:

[A]lthough we should believe in prime matter, we have no knowledge of what it *is* in the sense that it does not fit into a classic Aristotelian definition by genus and species. It is not part of any taxonomic hierarchy, so in this sense is beyond classification. We can characterise it, of course, just as Feynman is happy and correct to tell us a lot about energy even though we do not know what it *is*, definitionally. That is why I spoke of a “statement” or “formulation” of what prime matter is, not a strict definition.<sup>33</sup>

The reference to Richard Feynman is to a passage previously quoted by Oderberg stating that “It is important to realize that in physics today, we have no knowledge of what energy *is*.”<sup>34</sup> Energy

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30 See Oderberg, “Is Prime Matter Energy?,” 538 and 541.

31 Oderberg, “Is Prime Matter Energy?,” 541.

32 See Oderberg, “Is Prime Matter Energy?,” 540–43.

33 Oderberg, “Is Prime Matter Energy?,” 538, Oderberg’s italics. Although prime matter cannot be defined or known in or of itself, prime matter is a potency in the category of substance not as a species but by reduction and as a principle as the imperfect is reduced to the perfect (see Thomas Aquinas, *In I Phys.*, lec. 15, n. 131; *In III Phys.*, lec. 1, n. 281; and *ST I*, q. 54, a. 3, ad 3). Prime matter is also known by analogy (see Aristotle, *Physics* 1.7, 191a8) and by its relation to form and act (Thomas Aquinas, *In IX Metaphys.*, lec. 7, n. 1846).

34 Richard P. Feynman, Robert B. Leighton, and Matthew Sands, *The Feynman Lectures on Physics* (Addison-Wesley Publishing Company, 1963), vol. 1, ch. 4, p. 2, quoted by Oderberg, “Is Prime Matter Energy?,” 538, Feynman’s italics.

is often defined as a capacity for work. However, not only is that not a strict definition, but also the term “capacity” is “music to the ears of an Aristotelian-Scholastic philosopher,” since “prime matter is indeed a capacity—it is pure undetermined capacity.”<sup>35</sup>

One further step is needed before Oderberg’s hypothesis can be formulated. Since in a closed system, the quantity of energy remains the same in energy transformations and in energy increases and decreases, we might expect energy to be a special kind of underlying substance or thing. We also use analogies, such as when energy is likened to currency or to a fluid, which easily mislead us into thinking that some thing or formed stuff called “energy” is conserved. However, Oderberg draws upon discussions by scientists to maintain that energy is not a thing or substance. The issue merits considerable attention. However, my treatment shall be brief since I agree with Oderberg on this issue. Feynman famously made the point that energy is not a thing.<sup>36</sup> Oderberg briefly refers to Feynman, though for the most part, he follows the arguments of the chemist, historian, and philosopher of science D.W. Theobald and then describes gravitational and elastic energy. According to Theobald, “[E]nergy is a way of describing the condition of any mechanical system.... But it is not a simple substantive concept.”<sup>37</sup> He observes that “Energy cannot be identified, or reiden-

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Feynman’s statement and its context indicate that he did not mean that energy, like prime matter, is *per se* unintelligible. Feynman seems to mean that scientists in their current state of knowledge do not know what energy is, though he may have been open to the possibility that energy may remain unknowable to us. I have discussed Feynman’s statement elsewhere. See Thomas McLaughlin, “Energy and Form,” *The Thomist* 86 (2022): 1–51.

35 Oderberg, “Is Prime Matter Energy?,” 538.

36 See Feynman, *Feynman Lectures on Physics*, vol. 1, ch. 4, p. 2. See also Richard, P. Feynman, *The Character of Physical Law* (MIT Press, 1965), 69–70.

37 David W. Theobald, *The Concept of Energy* (E. & F. N. Spon Ltd., 1966), 41, as quoted in Oderberg, “Is Prime Matter Energy?,” 539. We should note

tified like things.”<sup>38</sup> Theobald seems to mean that energy is not a kind of particle, thing, or formed material that can be followed throughout energy transformations from beginning to end. No identifiable energy substance or formed matter is transmitted from a water reservoir’s gravitational potential energy through the kinetic energy of the water falling to a powerplant where the water turns a turbine that generates electricity that is transmitted to a home where energy lights a lamp that gives off light, which has radiant energy.

Oderberg offers a helpful example in which compressing a spring increases its elastic potential energy, but does not do so by adding even minute things to the spring:

What I have *not* lost, and the spring has *not* gained, is *secondary* matter. No atoms or sub-atomic particles have been added to the spring (leaving aside bits of skin and grease from my sweaty palms)... [E]nergy in the form of moving particles—does not get into the spring through being compressed. The change made to the spring is in the *binding* energy (a form of chemical energy) of the existing particles due to their rearrangement by compression. That extra energy is *stored* in the spring, to be sure, but not in the form of extra secondary matter.<sup>39</sup>

The spring’s increase in energy (and mass) is not due to the transfer of formed matter, which indicates that energy is not formed matter or a special kind of substance or particle. Finally, according to Oderberg,

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that Theobald describes energy as a “condition of” a system and not as an underlying transformable principle.

38 Theobald, *Concept of Energy*, 42, as quoted in Oderberg, “Is Prime Matter Energy?” 539.

39 Oderberg, “Is Prime Matter Energy?” 547, Oderberg’s italics.

Thomas McLaughlin

Gravitational energy is not itself a substance, energy, possessed of a gravitational property.... Rather, it is the potential energy possessed *by* a massive object in relation to another massive object due to gravity. Nor do we need to know what gravity *itself* is—say, a property of space-time as per general relativity—in order to understand gravitational energy in the way just stated.<sup>40</sup>

He then concludes, “The same applies to all of the other kinds of energy: they *belong* to material substances; they are not themselves either many substances or identical to a single substance.”<sup>41</sup> I agree. Energy is not a thing, a substance, or some underlying formed matter.

Oderberg, however, would go further and maintain that energy is also a single undefinable, underlying transformable quantity of something that is preserved and conserved through energy interactions and transformations. This is what Oderberg takes the scientific use of “energy” to mean. Then, having accepted the view of Feynman and other scientists that energy is not a thing or secondary matter, he hypothesizes that energy is prime matter. He then tests this hypothesis by a profile comparison. Granted this conception of energy, the comparison can look rather strong, and the hypothesis may seem somewhat plausible.

However, the conception of energy *as such* as an underlying transformable principle is mistaken. This initial mistake vitiates the profile comparison. Thus, my overall argument is not primarily against the points of the profile comparison but against the mistaken conception of energy that generates it and against the initial line up of the comparison as between an underlying transformable principle and prime matter.

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40 Oderberg, “Is Prime Matter Energy?,” 539, Oderberg’s italics.

41 Oderberg, “Is Prime Matter Energy?,” 539, Oderberg’s italics.

*The Forms of Energy are Accidents*

Oderberg's discussions of gravitational energy and a spring's elastic energy raise a problem for hypothesizing that energy is prime matter. Oderberg maintains that "If  $P=E$ , then *all* kinds of energy, potential included, are cases of pure potentiality *actualized* in objects and systems."<sup>42</sup> However, given current knowledge about energy, this claim implies, by *modus tollens*, that the hypothesis is actually false, since all the different kinds of energy are accidents. They are cases of secondary matter actualized. Therefore, the different kinds of energy are not cases of pure potentiality actualized in objects and systems.

There are two broad classes among the kinds of energy, kinetic and potential.<sup>43</sup> Kinetic energy is the energy of motion. Thermal energy and radiant energy are kinds of kinetic energy since heat is a kind of motion and photons (i.e., light) have energy in virtue of their motion. Potential energy is the energy of position relative to another position and to a force. Electromagnetic potential energy exists between charged particles with respect to the electromagnetic force, and nuclear potential energy exists between subatomic particles with respect to the strong and weak nuclear forces. Mass energy might be treated as a third class. "Mass" is a measure of several closely related powers. These include: inertia, a power of resisting acceleration; gravity (both active and passive), a power related to weight and to gravitational attraction or spacetime curvature; and, energy or energy content, a capacity for doing work. A body's powers are

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42 Oderberg, "Is Prime Matter Energy?," 546, Oderberg's italics.

43 "When we peer down to the most fundamental level, all the energy we know of is either *kinetic* energy, associated with the motion of objects, or *potential* energy, associated with the mass of the constituent objects and the configuration of force fields." Bruce A. Schumm, *Deep Down Things: The Breathtaking Beauty of Particle Physics* (John Hopkins University Press, 2004), 279, Schumm's italics.

not part of its essence, though they may flow from and depend upon its essence.<sup>44</sup> Therefore, “mass,” used as a measure for these powers or capacities, would be in the categories of quality and quantity. Thus, all forms of energy depend either on motion or on relative position or on mass. However, motion, position, and mass do not exist on their own, like substances, but inhere in and depend upon a substance or a system that is moving, or is in a position, or has a quality and quantity. In some cases, especially of mass or in the relations between particles and forces in atoms and chemical compounds, these forms of energy may be proper accidents. Sometimes, we use or substitute a proper accident for the difference in the definitions of things, but that does not make it part of the essence or a primary constituent of the substance. Therefore, all known forms of energy are accidents, either proper or incidental. Since the forms of energy are accidents, they do not actuate prime matter to be a substance but instead presuppose a substance or system that they further actuate. Substantial, not accidental, forms actuate prime matter and constitute substances. Therefore, no instance of the forms of energy currently known to the natural sciences is an instance of pure potentiality actualized. Consequently, the known forms of energy are not cases of pure potentiality actualized.

The same point can be made in another way. The relevant change through which prime matter persists is a substantial change, but many changes in energy do not lead to substantial changes, such as a spring’s change in elastic energy or a falling apple’s changes in gravitational potential and kinetic energy. The apple and the Earth persist through the fall, and energy is

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44 For a history of efforts by physicists to find the origin of mass, see Max Jammer, *Concepts of Mass in Classical and Modern Physics* (Dover Publ., 1997), 136–224. More recently, the Higgs field is thought to generate the electron’s mass as well as that of other massive elementary particles. See Strassler, *Waves in an Impossible Sea*, 255–78.

conserved. At this level of explanation, there is no need to invoke prime matter as the conserved energy. The same holds for compressing a spring and thereby changing the spring's elastic potential energy. Oderberg would explain an increase in a spring's potential energy as an increase in prime matter, but there is no reason to appeal to prime matter except in the remote, mediate, and consequent sense that prime matter underlies *every* accidental change of a natural body.<sup>45</sup> The change in the spring's potential energy is due to compressing it and thereby changing the spatial relations between some of its constituent parts (i.e., its atoms and molecules) and the forces that bind them together. Energy does not literally move from an agent into the spring when work is done on it, and the spring and its constituent particles do not undergo a substantial change. In these instances, the changes are accidental. The matter proper to such changes is not prime matter but matter in potency to an accident, which is properly called a subject.

Nevertheless, someone considering the hypothesis that energy is prime matter might point out that some energy transformations involve substantial changes and might then say, as Oderberg himself does, that "Still, as long as *some* transformations can occur at the elementary level, we know that energy functions as the underlying substratum."<sup>46</sup> In response, we should note the Aristotelian principle that alteration is the way to generation and corruption.<sup>47</sup> Substantial changes are pre-

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45 "Energy literally *moves* into the spring (to return to our example) under one or more of these forms, but never in a pure or free state devoid of form. If  $P=E$ , then we have to say that prime matter—not mass and not secondary matter—moves from me to the spring under the forms in which the correlative forms of energy are manifested. These are the forms of substances...." Oderberg, "Is Prime Matter Energy?," 547, Oderberg's italics.

46 Oderberg, "Is Prime Matter Energy?," 540, Oderberg's italics.

47 "[E]very substantial form requires a proper disposition in matter, without which it cannot exist. Hence alteration is the way to generation and corruption." Thomas Aquinas, *On the Mixture of the Elements in Medieval Philosophy*,

ceded by accidental changes that lead to them. For example, human beings can live only within a narrow temperature range that varies somewhat with different individuals. If a person's temperature increases too much as happens sometimes during heat waves, then the person dies, and the same happens if a person becomes too cold, as we see during cold spells. Heating up and cooling down are accidental changes, but they can lead to death should they heat or cool a person beyond a certain range.

Alteration is a qualitative change, an accidental change that presupposes an actual substance or substances on which the quality depends, and which undergoes the change of quality.<sup>48</sup> Generation is the coming to be of an individual physical being that exists in and of itself, and corruption is the passing away of such an individual being. In such changes, the underlying prime matter loses the substantial form that makes the substance be what it is and acquires a new substantial form by which a new substance exists. In an alteration, we speak of the subject in which the new quality comes to be, whereas in a substantial change we speak of the prime matter as that out of or from which the new substance is generated.

A substantial form requires a proper disposition or range of dispositions in its matter. Without such a disposition, a substantial form cannot be received in or continue to form its matter. Thus, a natural thing cannot exist if its matter has been altered outside the range of dispositions suitable to its substantial form. The principle that alteration is the way to generation and corruption explains how some energy transformations involve substantial changes even though the forms of energy are accidents and changes in the quantity and form of energy are accidental changes. Such accidental changes may lead to substantial

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169. See also Thomas Aquinas, *In V Metaphys.*, lec. 2, n. 767, and *In II Phys.*, lec. 5, n. 180.

48 See Aristotle, *On Generation and Corruption* 1.4, 319b6–320a10.

changes, and while the substantial change requires prime matter, the change in the form and quantity of energy does not, for the change in energy, as such, requires only a subject.<sup>49</sup>

For example, many chemical compounds are generated or corrupted by heating them. These chemical compounds can exist only within certain temperature ranges and amounts of heat. Heating adds thermal energy to a compound that increases the kinetic energy of the electrons in the bonds by which the constituent atoms are united. Eventually, increasing the electron's kinetic energy overcomes the electromagnetic forces of the chemical bonds, and the bonds are broken, which breaks apart the atomic constituents of the compound and so alters the compound's matter that a substantial change results. Any excess energy is then given off as heat and other forms of energy as the constituents stabilize into the corrupted compound's products, the resulting chemical substances. Heating changes the electron's kinetic energy so that it exceeds the potential or binding energy of the chemical bonds, what chemists call a "bond-dissociation energy." The changes in energy lead to the compound's corruption, but the compound's changing energy is not the subject of the substantial change. The kinetic energy depends upon the electron's motion and mass, which depend upon the electron. The potential or binding energy depends upon the particles' charges, the spatial distances between them, and the electromagnetic forces acting upon them. The changes in the kinetic and potential energy are alterations and local motions that lead to

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49 "An alteration terminates at the necessary disposition in the same instant as the generation terminates at the [substantial] form. And, nevertheless, according to the order of nature each is prior to the other in some way. For the necessary disposition precedes the form according to the order of material causality. But the form is prior according to the order of formal causality." Thomas Aquinas, *In IV Sent.*, d. 17, q. 1, a. 4, qc. 2, c. (Moos ed., vol. IV, p. 847) as translated by and quoted in Shields, "Formal and Proper: Substantial Form and Essential Accidents in Thomas Aquinas," 9–10.

the compound's corruption, but they are not the actual corruption of the compound and the generation of new compounds out of its constituents. We are not at the level of a substantial form by which the chemical compound is formed, though changes in the positions, forces, and kinetic and potential energy of the constituent atoms leads to a substantial change of the compound.

Prime matter is indeed required to explain a substantial change, but it is not required to explain the alteration leading up to it. Failing to distinguish between alteration and substantial change can mistakenly lead to thinking that a substantial change involving energy is a substantial change in energy. Thus, the principle that alteration is the way to generation and corruption enables us to explain how some changes in energy lead to substantial changes in a manner that is consistent with the scientific use of the term "energy" as an accident.

### *Heisenberg and Elementary Particle Transformations*

Oderberg claims that energy conservation in elementary particle transformations especially supports the prime matter is energy hypothesis. He quotes Heisenberg in this regard. According to Heisenberg, comparing the results of particle physics experiments to Aristotle's notions of matter and form enables us to say that energy is prime matter:

[T]he experiments have shown the complete mutability of matter. All the elementary particles can . . . be transmuted into other particles. . . . All the elementary particles are made of the same substance, which we may call energy or universal matter; they are just different forms in which matter can appear.

If we compare this situation with the Aristotelian concepts of matter and form, we can say that the matter of Aristotle, which is mere “potentia,” should be compared to our concept of energy, which gets into “actuality” by means of the form, when the elementary particle is created.<sup>50</sup>

Based on experiments, Heisenberg maintains that all elementary particles can be transmuted into some other particles. Electrons, quarks, and photons are examples of such particles since they can be transformed into other particles, yet they themselves are not composed of further particles.<sup>51</sup> They also cannot be physically divided.<sup>52</sup> As far as we know, they are elementary. Since elementary particles can be transmuted into other particles, they not only are generable and corruptible but also must have some kind of composition, but not a composition out of other particles or formed matter. Thus, Heisenberg quite reasonably holds that they are composed of matter and form as understood by Aristotle. Assuming that elementary particles are both elementary and substances, the transmutation of such elementary particles does indeed strongly suggest that an Aristotelian-Scholastic

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50 Werner Heisenberg, *Physics and Philosophy: The Revolution in Modern Science* (George Allen & Unwin, 1959), 134, as quoted in Oderberg, “Is Prime Matter Energy?,” 535–36.

51 Aquinas, following Aristotle, describes an element as “that out of which a thing is primarily composed, which is immanent in the thing, and which is indivisible according to form.” Thomas Aquinas, *On the Principles of Nature*, ch. 19, in Joseph Bobik, *Aquinas on Matter and Form and the Elements: A Translation and Interpretation of the “De Principiis Naturae” and the “De Mixtione Elementorum” of St. Thomas Aquinas* (University of Notre Dame Press, 1998), 47–48. “Primary,” with respect to an element, does not mean prime matter. It means that the elements are natural bodies that are not composed out of any other natural bodies. They themselves are the bodily materials out of which non-elemental bodies are composed. In this respect, they are first.

52 “An elementary particle cannot divide.” Alain Aspect, *Einstein and the Quantum Revolutions*, trans. Teresa Lavender Fagan (University of Chicago Press, 2024), 20.

can argue that prime matter is a fundamental explanatory principle for elementary particle physics.<sup>53</sup>

However, supposing that prime matter is an explanatory principle for elementary particle transformations, what is the basis for the further step of hypothesizing that energy is the prime matter of elementary particle transformations? This step is not obvious. What justification or rationale can be given for this further claim? The energy is prime matter hypothesis is tempting because energy is fundamental in our understanding of nature, and it applies to a great breadth of phenomena and comes in many interconvertible forms. In addition, Oderberg's rationale involves two key premises. First, Oderberg and Heisenberg interpret energy conservation to include the preservation of energy through energy transformations.<sup>54</sup> Second, elementary particles do not have secondary matter in the sense of being composed of formed constituents in the way that minerals are made of elements or atoms are made out of protons, neutrons, and electrons. As Oderberg says, "Prime matter *would* still be needed for those substantial changes—quark transformations, say, or other microphysical or chemical processes—where there was no available secondary matter."<sup>55</sup> This is supported by the more general claim by scientists that energy is not a thing or some secondary formed stuff. Consequently, assuming that an elementary particle is a substance, elementary

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53 Patrick Suppes, "Aristotle's Concept of Matter and its Relation to Modern Concepts of Matter," *Synthese* 28 (1974): 27–50, as cited by Oderberg, "Is Prime Matter Energy?" 536. Heisenberg's argument for prime matter and for the general Aristotelian principles of act, potency, matter, and form as explanatory principles for elementary particle physics is summarized in Carol A. Day, "What Goes Around Comes Around: Elements and Elementary Particles," *The Aquinas Review* 13 (2006): 53–79. Day disagrees with Heisenberg's further claim that energy is prime matter.

54 "[W]e have already noted that both prime matter and energy are preserved through substantial transformations." Oderberg, "Is Prime Matter Energy?," 540.

55 Oderberg, "Is Prime Matter Energy?," 537–38, Oderberg's italics.

particle transformations are substantial changes through which no constituting secondary matter persists. This implies that the conserved energy, which is supposedly preserved through an elementary particle transformation, cannot be secondary matter. Therefore, on the interpretation of energy conservation as preservation, energy must be prime matter.<sup>56</sup>

However, an equivocation is at work here. The conservation of measured quantities should be distinguished from the persistence of beings. Conservation and preservation must be distinguished because what is *conserved* with respect to the conservation of energy need not be *preserved* through a change. Momentum, for example, is conserved even in substantial changes, but in many interactions, momentum is not preserved but is lost by one object and gained by another in equal amounts. We see this in the device known as a Newton's cradle or in the games of croquet or pool, as when the cue ball upon striking an eight ball comes nearly to rest while the eight ball takes off from rest with a momentum nearly equal to the cue ball's original momentum. We do not think of the conservation of momentum as implying that momentum is an underlying something that persists through all changes in momentum. Likewise, in a closed system, the energy gained through some process must equal the energy lost in that process, but this need not mean that energy is an identical underlying principle that persists throughout the change.<sup>57</sup> On the view that energy is an accident and an

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56 Heisenberg is primarily concerned with energy as the matter out of which all material things are ultimately composed, and he regards the generation of new elementary particles "out of" kinetic energy as the strongest argument for calling energy prime matter. He is less concerned with prime matter as the substratum for substantial change. I am not addressing Heisenberg's arguments for energy as the prime matter out of which elementary particles are composed because doing so would require at least another paper and because Oderberg does not make these arguments.

57 "The physicist uses ordinary words in a peculiar manner. To him a conservation law means that there is a number which you can calculate at one

act, we need not assume that energy conservation means that energy is an underlying persisting principle preserved throughout an energy transformation. Of course, for an Aristotelian or a Thomist, changes in the forms of energy would imply a principle of potency. However, this might be a potency to energy in which energy is understood as act or activity, and the proportionate potency is not prime matter but a specific, qualified, and limited potency of an already formed substance or system.

In addition, we should not confidently hold that the sciences show us that energy is a single indefinable, underlying transformable quantity that is preserved throughout all energy interactions and transformations. Feynman did not think so, which was one main reason he held that we do not know what energy *is*. Feynman famously illustrated the meaning of the Law of Conservation of Energy by an analogy in which he compares a child's blocks to energy. Unlike a child's blocks, however, these blocks are "absolutely indestructible and cannot be divided into pieces." They are also all the same. The idea is that the number of the child's blocks remains constant throughout the child's play wherever the blocks go or however messy and rough the child's play may be. After describing the analogy, Feynman applies it to energy and, with some drama and astonishment, makes the following points:

What is the analogy of this to the conservation of energy?

The most remarkable aspect that must be abstracted from this picture is that *there are no blocks*. . . . It is important to realize that in physics today, we have no knowledge of what energy *is*.

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moment, then as nature undergoes its multitude of changes, if you calculate this quantity again at a later time it will be the same as it was before, the number does not change. An example is the conservation of energy." Feynman, *Character of Physical Law*, 59.

We do not have a picture that energy comes in little blobs of a definite amount. It is not that way. . . . It is an abstract thing in that it does not tell us the mechanism or the *reasons* for the various formulas.<sup>58</sup>

The blocks in the analogy are an underlying transformable quantity that gains and loses forms of energy. Feynman is *not* saying that there is an underlying transformable quantity, and physics does not know what it is. He is saying something more radical, that physics does not even know that energy is an underlying transformable quantity that can be reconfigured. We do not know that the mechanics of energy transformation involve an underlying transformable quantity, a mere underlying block. That is something we need to remove from our picture of energy. That is why Feynman says the Law of the Conservation of Energy is an abstract thing. The blocks do not exist.

The point I want to make here is not that Feynman is rejecting the view that energy is prime matter. Though with Feynman it's difficult to be sure, he likely knew of no such thing as prime matter, and it arguably falls outside his analogy. I am also not saying that Feynman is correct that physics does not show that energy is an underlying transformable quantity. Perhaps he was wrong about the physics. My point in appealing to Feynman as an authority is that we should doubt that physics shows us that energy conservation is preservation. Since the notion of energy as an underlying transformable quantity that is preserved and reconfigured in energy transformations is an important premise for the hypothesis that  $P=E$ , doubting its notion of how energy is understood in the sciences renders that hypothesis correspondingly weaker and less plausible.

The other premise important to the  $P=E$  hypothesis, that elementary particles do not have secondary matter, requires

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58 Feynman, *Feynman Lectures on Physics*, vol. 1, ch. 4, p. 2, Feynman's italics.

some clarification. Elementary particles do not have secondary matter in the sense of constituents of formed matter out of which they are made, as, for example, a mineral is made out of elements. However, elementary particles do have accidents by which they can act and be acted upon. For example, quarks have a property called “flavor,” which is how they are acted upon and transformed by the weak nuclear force, and electrons have momentum, kinetic energy, mass, charge, and spin. These accidents, if they are potencies, are second potencies, and if they are acts, are second acts. In this usage, “second” merely means dependent upon a substance and, thus, distinct from and secondary to the elementary particle’s first potency (prime matter) or its first act (substantial form). A second potency depends upon the act of a prior potency and is in potency to some further act, a second act, the accident. Therefore, an elementary particle can have a form of energy as a second act or be in potency to a form of energy as a second potency like an Aristotelian element had heat as a second act and a second potency even though such elements were not made of secondary matter. By virtue of these second acts and second potencies, elementary particles can undergo accidental changes, including those that lead to substantial changes.

An example involving elementary particles may help, although not only do physicists approach them in a highly mathematical way but also elementary particles are so insubstantial and far removed from our experience that they are difficult to understand physically. The subject also involves considerable conceptual and terminological confusion concerning the terms “matter,” “mass,” “energy,” and the equation  $E=mc^2$ , a confusion noted by many physicists.<sup>59</sup> The example requires a brief discussion of rest mass. As a result of the special and general theories of relativity and their related discoveries, physicists now speak

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59 See Strassler, *Waves in an Impossible Sea*, 103–5.

of both intrinsic and relative senses of “mass.” “Rest mass” designates the intrinsic mass of something and is the same for all observers independently of their velocities, locations, and perspectives. For this reason, it is also said to be invariant. It is a body’s mass as determined from an observer or from a reference frame relative to which the body is at rest. In a special sense, such a reference frame is privileged.<sup>60</sup> “Rest mass” incorporates the Newtonian meaning of mass as a body’s inertia, which is a measure of an intrinsic power of a body by which it perseveres either at rest or in uniform rectilinear motion, resists efforts by impressed forces to change its speed or direction, and reacts on other bodies exerting such forces.<sup>61</sup> However, relativity theory also has a relative sense of inertia, which is not the same as a body’s rest mass. It also has a relative sense of energy. Perhaps the most surprising discovery related to special relativity is the relation of mass and energy as commonly expressed in the formula  $E=mc^2$ . This discovery is the key to understanding the inter-convertibility of elementary particles. The physical meaning of  $E=mc^2$  is a difficult and disputed issue about which much has been written.<sup>62</sup> In this equation,  $E$  means energy,  $m$  means mass, and  $c$  means the speed of light or, more properly, the universal speed limit. As understood in  $E=mc^2$ , mass means rest or intrinsic mass, and energy means rest or internal energy. According to Einstein, rest mass is a measure of internal energy.<sup>63</sup> This is easier to see by rearranging the terms of Einstein’s equation to  $m=E/c^2$ .

60 See Strassler, *Waves in an Impossible Sea*, 63–76.

61 See Isaac Newton, *The Principia. Mathematical Principles of Natural Philosophy. A New Translation*, trans. I. Bernard Cohen and Anne Whitman, assisted by Julia Budenz; preceded by *A Guide to Newton’s Principia*, I. Bernard Cohen (Univ. of California Press, 1999), Def. III, 404–5.

62 See, for example, L.B. Okun, “Mass versus relativistic and rest masses,” *American Journal of Physics* 77 (2009): 430–31.

63 “The mass of a body is a measure of its energy-content.” A. Einstein, “Does the Inertia of a Body Depend upon Its Energy-Content?” in *The Principle of Relativity*, trans. W. Perrett and G.B. Jeffery (Dover, 1952), 71.

The example is an interaction between an electron and a positron that simultaneously corrupts them and generates two gamma-ray photons, a process that is sometimes called, however improperly, “particle annihilation.” The reverse process is often called “particle creation.” All the particles are considered elementary. An electron is a negatively charged, sub-atomic particle of very low rest mass. A positron is the anti-matter counterpart of the electron, that is, it has the same rest mass as the electron, but unlike an electron, it has an opposite, positive charge. Gamma-ray photons, sometimes called “light quanta,” are a form of very high energy electromagnetic radiation. Unlike electrons and positrons, photons do not possess rest mass. They do possess radiant or electromagnetic energy, a form of energy not possessed by the electron and positron.<sup>64</sup> According to special relativity, particles with no rest mass, like photons, move at the speed of light whereas particles with rest mass, like electrons and positrons, cannot. The electron and positron interact in virtue of their charges, rest masses, kinetic energy, momentum, and spin, an intrinsic form of angular momentum. They also have a limited receptivity to the opposite charge.<sup>65</sup> In their interaction, the rest masses of the electron and the positron are lost, and the energy of their lost rest masses, by  $E=mc^2$ , equals the amount of electromagnetic energy possessed by the two gamma ray photons generated in the interaction.<sup>66</sup> Energy is conserved, as is charge, although photons, unlike electrons and positrons, do not

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64 Electrons and positrons can, however, absorb and emit electromagnetic radiation, i.e., photons.

65 Electrons and *protons*, which are negatively and positively charged, respectively, are “attracted” to each other and form atoms. Electrons and *positrons* can very briefly form an unstable system called *positronium*.

66 The quantity of the photon’s electromagnetic energy equals not only the energy equivalent of the electron and positron’s rest masses but also the kinetic energies of the particles when they were corrupted. Since kinetic energy is velocity dependent, their kinetic energy is relative to the reference frame from which it is measured. If it exceeds a certain amount, different particles are

possess charge.<sup>67</sup> However, like electrons and positrons, photons do possess spin, which is also conserved in the interaction, as is momentum.

Assuming that electrons, positrons, and photons are substances, their “annihilations” would be substantial changes of the electron and positron into two gamma-ray photons in a manner that is crudely analogous to the change of one Aristotelian element into another, such as air into fire.<sup>68</sup> On Heisenberg’s and Oderberg’s interpretation of energy conservation, energy perseveres through the substantial change but loses and gains forms, thereby pointing to the identity of prime matter and energy. On the hypothesis that energy is prime matter, energy would be the underlying prime matter that persists and gives continuity to the substantial change of the positron and electron into the two photons. The two photons are generated out of and from the energy/prime matter of the corrupted positron and electron. Energy persists through the change but gains and loses substantial forms which, if  $P=E$ , will be forms of energy since, on Oderberg’s account, rest mass and radiant energy are not proper accidents but part of the essence of the electron, positron, and photons, respectively. The persistence of the energy through the substantial change would also, in a way, account for the equality of the electron and positron’s rest mass energy with the photons’ radiant energy. However, since, on Oderberg’s account, energy, like prime matter, is not quantified *as such*, the equality of rest

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generated by the interaction. The speed of photons, however, does not depend upon reference frame.

67 The algebraic sum of the electron and positron charges is  $(-1) + (+1) = 0$  and so the net charge at the beginning and end of the interaction is 0. In this way, even though photons do not have charge, charge is conserved in the interaction.

68 Of course, if electrons, positrons, and photons were not substances, their “annihilation” and “creation” would not be substantial changes and could not be used as an argument for energy as prime matter persisting through a substantial change of substances that do not have secondary matter.

mass and radiant energy would also depend upon energy/prime matter as formed and would be due at least in part to the forms of energy and their relations to each other, as well as to accidents in the category of quantity.<sup>69</sup> To better appreciate what Heisenberg and Oderberg are hypothesizing, we should note that if energy were prime matter, then in this interaction,  $E$  in  $E=mc^2$  would be a measure not only of rest mass, kinetic energy, and radiant energy but also of prime matter. This is analogous to Newton's view that mass was not only a measure of inertia but also of matter.

If we consider this interaction, Heisenberg's identification of energy with prime matter has some of the same problems noted previously in discussing Oderberg's view. Heisenberg, in the passage quoted earlier,<sup>70</sup> draws upon the notion of "form" understood in a somewhat Aristotelian-Scholastic sense, since the different elementary particles are created (i.e., generated) by means of the forms that actualize the "universal matter" or "mere potential" or "energy" out of which the particles are made. For an Aristotelian-Scholastic, "form" is the correlative principle of matter and is what actuates the potency of matter and makes a thing be what it is. Such forms would be substantial forms, assuming that elementary particles are substances, since they make the particles actually be and be what they are. These would be electron, positron, and photon substantial forms. For example, the substance of an electron would be constituted of

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69 The manner in which prime matter/energy would contribute to the preservation and conservation of a *quantity* requires further investigation, as do the roles of forms, substantial and accidental. Designated matter has dimensions, but prime matter does not, except perhaps as a principle of dimensions or in some indirect or derived sense. Whether energy as understood in the sciences is a principle of quantity or has quantity in an indirect or derived sense seems problematic and requires discussion going beyond this paper. See also Oderberg, "Is Prime Matter Energy?" 543-46 and 548.

70 See footnote 50.

energy/prime matter and electron substantial form. If energy were prime matter, these substantial forms would also have to be forms of energy, for potency is understood with respect to act and the kind of potency with respect to the proportionate kind of act. However, the substantial forms that on Heisenberg's account actuate energy to form an elementary particle do not correspond to known forms of energy, and Heisenberg does not say what kinds of energy such forms would be. Thus, the prime matter is energy hypothesis leads to hypothetical and novel forms of energy. In other words, Heisenberg's claim amounts to postulating radically new forms of energy and to a new or extended use of the term "energy" to which he gave the name prime matter. This postulate has not been confirmed or accepted by the scientific community. Perhaps, one day the natural sciences may develop and advance to treat substantial forms and souls as "forms of energy." However, if the postulate were true, then it would seem to make prime matter and substantial form part of the subject of the specific sciences, especially physics, a consequence that Oderberg would view as undesirable and likely mistaken.<sup>71</sup>

However, perhaps Heisenberg was speaking not only as a physicist but also as a philosopher so that the prime matter is energy hypothesis is not a scientific discovery but a philosophical one derived from or suggested by what the specific natural sciences have discovered about energy:

It is, then, more comfortable—and comforting—to regard the case for  $P=E$  as a case for the essential appearance of a metaphysical postulate *within* science. It is not that one

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<sup>71</sup> "I think that we should be scared if the case for  $P=E$  meant we can do metaphysics just by doing science, as though prime matter ended up being an empirical discovery." Oderberg, "Is Prime Matter Energy?", 548.

can do science by doing metaphysics, but that science cannot proceed *without* metaphysics.<sup>72</sup>

Regarding the case for P=E as a case for the essential appearance of a metaphysical postulate *within* science helps us understand some strange claims that Oderberg makes about cows,<sup>73</sup> butterflies, and pencils,<sup>74</sup> for on the hypothesis that energy is prime matter, the informing, proportionate form of energy would be a substantial form, and then there would be bovine and butterfly forms of energy. Although no such substantial forms of energy are known to the specific sciences, that would be because the existence of such forms of energy, though based upon the natural sciences, would not be discoverable by them but by metaphysics.

However, the evidential basis in the sciences for such philosophical discoveries is weak. If we begin by considering the known forms of energy, which are accidents, then prime matter is not the matter proportionate to them. Electrons and positrons have rest mass energy and photons have radiant energy as proper accidents. Consequently, these forms of energy do not actuate prime matter as the formal causes by which electrons, positrons, or photons exist, for accidents cannot actuate prime matter to make substances exist. Based on these known forms of energy, we would not infer that the proportionate matter was prime matter or that energy was prime matter. Likewise, if we begin

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72 Oderberg, "Is Prime Matter Energy?" 549, Oderberg's italics.

73 "If, for instance, the prime matter (energy) is organised or informed as a cow, it (again speaking in a derived or metonymic sense) will have the capacity both to act (walk, chew) and be acted on (rained on, herded)." Oderberg, "Is Prime Matter Energy?" 546.

74 "If prime matter/energy is organised into a butterfly, it cannot (as far as we know!) then be organised into a pencil. As said earlier, not just the actuality of some substantial transformations, but their mere *possibility* according to the laws of physics and metaphysics, requires an underlying substratum. As for prime matter, so for energy." Oderberg, "Is Prime Matter Energy?" 540, Oderberg's italics.

with the assumption that prime matter is energy, we are led to infer substantial forms of energy, forms of energy unknown to the sciences, as proportionate forms of energy by which prime matter is actuated and a substance exists. Consequently, whether we begin with the hypothesis that prime matter is energy, or we begin with the known forms of energy, no currently known form of energy is proportionate to the prime matter of elementary particles, and, therefore, we do not have evidence from the sciences to hypothesize that elementary particles are composed of energy regarded as prime matter. Perhaps prime matter is energy and perhaps there are electron and bovine forms of energy, but such hypotheses are not derived from what the specific sciences have discovered about energy but are speculations that go considerably beyond such evidence.<sup>75</sup> Thus, the prime matter is energy hypothesis is at best weakly supported by what the sciences know about energy.

In addition, supposing that prime matter is energy, the further postulation of substantial forms of energy for electrons, cows, and presumably all other physical substances might lead us to wonder whether the meaning of “energy” and “form of energy” was the same in the sciences and as discoverable by metaphysics. By comparison, if we were to formulate a hypothesis that implied that there were forces peculiar to substantial forms and to different kinds of substantial forms, forces that were forces like those of which physicists speak but not discoverable by the specific sciences, though they were discoverable by the metaphysician, we might doubt the hypothesis or suspect that “force” was being used equivocally, or perhaps analogously.<sup>76</sup> The

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75 It is worth noting that even at the level of accident, no strictly biological forms of energy are currently known to the sciences. The closest candidate would be ATP (adenosine triphosphate), which is regarded as a kind of chemical energy used by living things.

76 For a relevant historical discussion of such non-reductive causal powers that includes such hypothetical forms of energy, see Brian McLaughlin, “The

P=E hypothesis with its implication of forms of energy peculiar to kinds of substantial forms, including those of living things, gives rise to similar doubts, especially given the relation of force and energy. The prime matter is energy hypothesis is not like the inference of prime matter as a principle for explaining substantial changes of elementary particles, in which we are inferring a proportionate principle within such particle transformations or perhaps are claiming an insight into a further level of intelligibility within physical principles known to the sciences. We are not *hypothesizing* that prime matter underlies elementary particle transformations. This makes the hypothesis that energy is prime matter look considerably more speculative and, therefore, weakly supported.

Furthermore, Oderberg's paper posed the question, "is the classical, Aristotelian, metaphysical concept of prime matter no more, and no less, than what scientists—physicists, for the most part—understand to be energy?"<sup>77</sup> The answer, if one admits that the P=E hypothesis leads to forms of energy known to metaphysics but unknown and, apparently, unknowable to the sciences, would be 'No.' Prime matter would go beyond what scientists understand to be energy.

Nevertheless, I am sympathetic. As stated in the introduction, I grant the basic intuition that the science of energy instantiates Aristotelian/Thomistic principles, and that the specific physical sciences draw upon principles of natural philosophy. If we understand energy according to Aristotle's meaning of act and potency, in which energy is act or activity, there may

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Rise and Fall of British Emergentism," in *Emergence or Reduction? Essays on the Prospects of Nonreductive Physicalism*, ed. Ansgar Beckermann, Hnas Flohr, Jaegwon Kim (Walter de Gruyter, 1992), 49–93. See also remarks on this article by John Haldane, "A Return to Form in the Philosophy of Mind," in *Form and Matter: Themes in Contemporary Metaphysics*, ed. David Oderberg (Oxford: Blackwell Publ., 1999), 60–63.

77 Oderberg, "Is Prime Matter Energy?," 535.

even be senses in which we can speak of prime matter as a kind of potential energy, of substantial forms and souls as in some sense forms of energy, and even of God as energy or a form of energy. This, I take it, is the speculative direction of elementary particle, bovine, and butterfly forms of energy and about prime matter as energy. However appealing this may be to Aristotelian-Scholastic philosophers, this also indicates the very speculative character of the prime matter is energy hypothesis and its weak evidential basis in the specific sciences.

The problems posed by the disproportion between prime matter and the known forms of energy can be avoided if we reject the energy is prime matter hypothesis, and we regard energy as an attribute or a proper accident of elementary particles and other bodies. On this account, both the electron and the positron have the proper accident of rest mass energy, and the gamma-ray photons have the proper accident of radiant energy.<sup>78</sup> The particles have energy by having these proper accidents as a wall has color by being blue or red or some other color. When the electron and positron interact and are corrupted, their rest mass energy is lost, as are some of their other properties, such as charge. This is why physicists call the interaction, however

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78 "Since the mass of a photon is zero, its energy is completely kinetic." Eugene Hecht, "Energy Conservation Simplified," *The Physics Teacher* 46 (February 2008): 78. The radiant energy of a photon is due to the photon's motion. Thus, it is an accident, since motion is an accident. Because photons must be in motion, their radiant energy would be a proper and necessary accident. However, since photons do not have rest mass and their radiant energy is their total energy, their momentum and radiant (kinetic) energy are defined differently than in classical (Newtonian) physics. A photon's radiant energy, which is quantized, equals its frequency ( $E=hf$ ) or its wavelength ( $E=hc/\lambda$ ) where  $E$  is the photon's radiant energy,  $f$  is its frequency,  $\lambda$  its wavelength,  $h$  is Planck's constant, and  $c$  is the speed of light. A photon's radiant energy ( $E$ ) also equals its momentum ( $p$ ) multiplied by the speed of light ( $c$ ) or  $E=pc$ . Alternatively, its momentum is  $p=hf/c$ . See L.B. Okun, "The Concept of Mass," *Physics Today* 42 (1989): 31–36.

improperly, particle “annihilation.” Simultaneously, in the generation of the gamma-ray photons, an equal amount of radiant energy is gained as a proper accident. The energy lost and the energy gained are quantitatively equal but not numerically identical. Energy, like other conserved quantities, is conserved but not preserved. On the view that energy is not an underlying persisting quantity, such substantial changes generate new particles from corrupted prior particles with equal amounts of energy gained and lost among the particles as proper accidents. Prime matter persists throughout the change. It is a beautiful symmetry, but it is not a symmetry of prime matter, since prime matter does not of itself include or imply such conservation laws. A sign of this is an important difference that distinguishes prime matter from energy: Whereas energy is conserved in closed systems, prime matter is preserved, even in open systems.<sup>79</sup> The Aristotelian principle that the generation of this is the corruption of that, and vice versa, is consistent with energy conservation and may even be regarded as a specification of it, but it does not necessitate energy conservation. Other specifications were possible. The universe could have been different.

The rest mass energy of the electron and positron is not that out of which the photons are generated. Energy is not a material cause. Rather, like their other accidents, the rest mass energy of the electron and positron is that by which the particles alter and dispose each other's matter in a process leading to substantial change. I suggest that the electron's and positron's rest mass energy, and any kinetic energy they may possess, contributes to that by which the electron and positron do work on each other and thereby help dispose each other's matter, which leads to generating the two gamma-ray photons. Energy is needed to

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<sup>79</sup> This point is made in John Brungardt, *The Cosmos Rediscovered: An Essay to Restore the Thomistic Philosophy of Cosmology*, ch. 4 (unpublished manuscript).

do the work of altering the particles and thereby bringing about their substantial changes. More accurately, rest mass, like potential energy, does not itself do work in the interaction, but would be related to something such as kinetic energy that does do the work.

In denying that energy is prime matter and maintaining that energy is a proper accident in which equal amounts of different forms of energy are gained and lost, there would need to be some kind of potency present in the particles that is correlative to the forms of energy gained and lost, just as there is in Aristotle's elemental transformations for the qualities possessed by the elements, such as hot, cold, wet, dry, heavy and light. The need for a corresponding potency would also be true of other attributes in the particle interaction, such as spin, charge and momentum. Since accidents have an act/potency relation to their substances, all of these accidents would already have a proportionate potency in their respective substances (the electron, the positron, and gamma-ray photons).<sup>80</sup> For energy conservation, this potency would not be energy as such but a potency to energy possessed by the substances. It would be a second potency.

This account avoids the implication that the substantial forms of elementary particles are forms of energy and is also consistent with known science in which the forms of energy are proper or incidental accidents. It is also what many physicists say about energy. For example,

There are many interpretations of  $E=mc^2$  to be found in books and websites, but not all of them are correct. Some

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80 "Every subject of an accident, moreover, is related to it as potency to act, since the accident is a certain form making the subject to be actual according to an accidental being." SCG I, c. 23, n. 4, from Thomas Aquinas, *Summa Contra Gentiles*, book 1, trans. Anton C. Pegis (University of Notre Dame Press, 1991).

describe it as saying that ‘energy can be turned into matter, and vice versa,’ or even that ‘energy and matter are the same thing.’ But these viewpoints are deeply flawed. For one thing, the letter *m* stands for *mass*, not *matter*. For another, such a relation couldn’t possibly make sense. Energy and matter are in different conceptual categories. The former is a property that objects have, while the latter is a substance that some objects are made from, and they could no more be equivalent than height could be equivalent to bread. Furthermore, we’ll see that all matter has energy; it’s neither equal to energy nor in opposition to it.<sup>81</sup>

In short, the forms of energy are in the categories of accidents, as are the potencies proportionate to them, whereas prime matter is in the category of substance. Thus, the energy is prime matter hypothesis involves a category mistake.

The strength and plausibility of the prime matter is energy hypothesis significantly depend upon energy transformations that are themselves substantial changes in which energy is preserved through the substantial change. Examining whether there are such energy transformations has required distinguishing substance from accident and accidental changes from substantial changes. The forms of energy are accidental, in some cases proper accidents. Many changes in energy do not involve substantial changes, but in those that do, we should distinguish energy changes and transformations that merely *lead to* substantial changes from those that *are* substantial changes. This requires the principle that alteration is the way to generation and corruption. The assumption that energy conservation in the sciences is preservation also has been considered. It is a questionable view of energy conservation and requires considerable defense. In sum, I have argued that the specific sciences do not

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81 Strassler, *Waves in an Impossible Sea*, 101–2, Strassler’s italics.

currently know of any energy transformations that are themselves substantial changes. Since we do not know of substantial changes in which energy is an underlying substratum, support for the energy is prime matter hypothesis is significantly weakened, and the hypothesis is not *prima facie* plausible.

However, Oderberg's overall argument for the energy is prime matter hypothesis does not entirely depend upon energy transformations that are themselves substantial changes. For the most part, his argument is generally formulated. For Oderberg, all forms and changes in energy, even accidental forms and accidental changes in energy, are in some way actualizations of prime matter. Oderberg states the following:

Again, prime matter is indeed a capacity—it is *pure* undetermined capacity—and the capacity for doing work (that is, for acting with causal efficacy) is indirectly *one* of prime matter's general sub-capacities, along with the capacity to be worked (acted) *upon*. The exercise of either of these capacities—or potentialities, to use the preferred jargon—requires, for the Aristotelian, the combination of prime matter with forms both substantial and accidental.<sup>82</sup>

In the above passage, Oderberg views prime matter as in some way a universal capacity for all corporeal forms, activities, and passive potentialities. Thus, the capacity for work, the traditional description of energy, is indirectly included in prime matter as

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82 Oderberg, "Is Prime Matter Energy?," 538. Oderberg's italics. The following closely related passage should also be kept in mind: "Whether energy is active or passive, then, depends on its role or function in a given system. Considered in itself, it is the capacity for work. If P=E, the Aristotelian will translate the capacity for work into the pure potentiality to be informed in various ways. Depending on how the energy (prime matter) is organised, it will enable work to be done *to* an object or *by* an object (or system)." Oderberg, "Is Prime Matter Energy?," 546, Oderberg's italics.

one of its general sub-capacities, though this should not be interpreted to mean that prime matter as such has parts.<sup>83</sup> The *exercise* of the capacity for work requires that prime matter is actuated by substantial and accidental forms. Elsewhere, Oderberg speaks of prime matter/energy as informed in a substance and having capacities to act and be acted upon in “derived” and “metonymic” senses.<sup>84</sup> These three terms have overlapping and closely related meanings.

As the above quote indicates, being “indirectly” a sub-capacity means that prime matter/energy has a capacity for work that it can only exercise either actively or passively inasmuch as it is informed by a substantial form and is thereby a principle of a substance that has accidents by which the substance acts and is acted upon in very specific and limited ways. Simply of itself, prime matter/energy cannot exercise this capacity. Its exercise requires other principles and is mediated by them. Likewise, in a “derived” way means that prime matter/energy’s exercise of the capacity for work depends and is consequent upon the informing by substantial and accidental forms. In other words, it is strictly speaking the exercise of the composite. And, of course, no capacity for work actually exists except inasmuch as prime matter exists through substantial form. “Metonymy” is a figure of speech in which a part—here, prime matter/energy—is named and treated as though it were the whole to which it belongs. Prime matter/energy’s capacity for work is exercised only insofar as it is a part of a whole that exercises that capacity. Though we may say that prime matter/energy does work, it is the whole of which prime matter is a part that does the work. Properly speaking, a substance or system exercises the active and passive capacities for work. Prime matter exercises these capacities only in an extended, improper, and figurative sense.

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83 See Oderberg, “Is Prime Matter Energy?,” 542.

84 See Oderberg, “Is Prime Matter Energy?,” 542, 544–46.

Since in indirect, derived, and metonymic senses, prime matter can exercise its capacity for work, then on the prime matter is energy hypothesis even accidental energy changes are actualizations of prime matter/energy in indirect, derived, and metonymic senses. Although prime matter is the proper subject of corporeal substantial changes, we might say that secondary matter or second potency derives its potency from prime matter indirectly and, therefore, that prime matter is present in accidental changes in indirect, derived and metonymic ways. Thus, Oderberg would maintain that all changes in energy, even accidental changes, are in some sense actualizations of pure potentiality.<sup>85</sup>

This account or argument that energy is prime matter has several serious difficulties. First, we should ask whether the capacity for work itself and not merely its exercise is also something prime matter has in indirect, derived, and metonymic senses. Comparing prime matter, “a pure undetermined capacity,” with the traditional description of energy as “the capacity for work” implies that *energy itself is not prime matter except in indirect, derived, and metonymic senses*. If energy were prime matter, then, considered in itself, energy would be a direct capacity for

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85 As Aquinas states: “[I]t is above all ‘hyle,’ or first matter, which is the proper subject of generation and corruption, because, as has been said, it immediately underlies the substantial forms, which come and go by generation and corruption. But in a certain sense, i.e., consequently and mediately, it [prime matter] also underlies all other changes, because all the subjects of the other changes are susceptible of certain contrarieties which are reduced to the first contrariety, which is that of form and privation, whose subject is first matter, as is said in *Physics* I. And therefore all the other subjects partake in some sense of first matter insofar as they are composed of matter and form.” *In I De gen. et corr.*, lec. 10, n. 81. (Thomas Aquinas, *Commentary on Aristotle’s Generation and Corruption*, trans. Pierre Conway and R. F. Larcher [College of St. Mary of the Springs, 1964]). Available at <https://aquinas.cc/la/en/~DeGen>.

corporeal substantial form and not merely a capacity for work, except in these special limited senses. We do not say that prime matter is the pure undetermined capacity for work, for work is too limited, narrow, qualified, and determined to be a pure undetermined capacity. A capacity for work is not “a pure undetermined capacity,” but is one of many capacities of substances and systems of substances possessing the relevant accidents. It is a capacity dependent upon various acts or actualities, and in that sense, it is a determinate capacity. Consequently, if the “capacity for work” is taken as the description of energy in the sciences, then prime matter as such is not energy as the term is used in the sciences except in indirect, derived, and metonymic senses. However, once it is granted that prime matter is energy only in these qualified senses, we cannot plausibly hypothesize that  $P=E$  or “that the prime matter of classical Aristotelian-Scholastic metaphysics is numerically identical to energy.”<sup>86</sup> To say that  $P$  in indirect, derived, and metonymic senses is  $E$  concedes that  $P=E$  is strictly speaking false.

Second, the capacity for work is said to be *one* of prime matter’s general sub-capacities, which implies that prime matter has other sub-capacities that are not the capacity for work. However, if energy is the capacity for work, and if the capacity for work is one among many of prime matter’s sub-capacities, then energy cannot be numerically identical to prime matter. Energy cannot be identical with prime matter because prime matter is a more general capacity than a capacity for work and, therefore, extends to capacities, forms, and activities to which energy does not extend or include.  $P=E$  is false because  $P$  includes more than  $E$ . Further, in identifying a sub-capacity with prime matter, the prime matter is energy hypothesis literally attributes to a whole what belongs merely to a part. For example, mathematics indeterminately includes the ability to solve differential equations as

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86 Oderberg, “Is Prime Matter Energy?,” 534.

one of its sub-capacities. However, we do not say that the ability to solve differential equations is numerically the same as mathematics. That would be a manifest mistake. So too with the claim that prime matter is energy.

In addition, if a capacity for work describes energy, then prime matter as such is not energy except in indirect, derived, and metonymic senses insofar as prime matter is a part of a substance that has a capacity for work. Properly speaking, the capacity for work is a capacity of something already formed. Prime matter would then be energy in the same sense in which it has a capacity for weight, length, relations, motion, and many other such actualities and capacities.<sup>87</sup> Thus, in context, Oderberg's claim is trivial, and it is hardly the strong identity asserted by the P=E hypothesis.

Finally, let us assume that prime matter is energy and that accidental changes in energy are actualizations of prime matter in indirect, derived, and metonymic ways. It would then follow, for example, that the changing kinetic energy of a thrown baseball is an actualizing of energy in an indirect, derived, and metonymic way. That is an odd result when compared to how scientists talk about changes in kinetic energy. An even worse consequence also follows. If prime matter were energy, it would also follow that *all* accidents and *all* accidental changes of a corporeal substance were actualizations of energy in indirect, derived, and

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87 "Every material substance has *weight* . . . and so metonymic talk of prime matter as having weight would be wholly derived from proper talk of *secondary* matter—the matter of a substance such as my dog—having weight. Prime matter, as *matter*, and as *potentiality*, is a capacity for *taking on* spatio-temporal dimensions, as it is a capacity for taking on form. This means that the source of spatio-temporality, metaphysically speaking, lies truly in *matter*, not form. . . . But just as energy has no length—only the object containing a certain amount of a certain kind or kinds of energy—so prime matter has no length—only the substance consisting of secondary matter, that is, consisting of informed prime matter." Oderberg, "Is Prime Matter Energy?" 545, Oderberg's italics. See also Oderberg, "Is Prime Matter Energy?" 548.

metonymic ways. That is false to the science of energy, for, at a minimum, not all accidents are forms of energy. It is difficult to see how Oderberg's view does not amount to something like the following analogy. It is as if to say that because the heart is a vital part of the human body (analogous to prime matter), that the heart has and can exercise all the sensory capacities of the human body (analogous to the forms of energy) in indirect, derived, and metonymic ways, so that we could say that in these ways, the heart sees, hears, and so forth. However, to continue the analogy, on the  $P=E$  hypothesis, the heart would have and could exercise *all* bodily capacities in indirect, derived, and metonymic ways. Such arguments and claims do not correspond to what physicists mean by "energy" or how they use the term.

We might argue that energy and energy transformations imply prime matter, but we cannot plausibly hypothesize that prime matter is the same as energy or that "prime matter is numerically identical to energy." Thus, if the capacity for work means what scientists understand it to mean, the Aristotelian will not translate the capacity for work into the pure potentiality to be informed in various ways. If the capacity for work does not mean what scientists understand it to mean and instead is the essential appearance of the metaphysical principle prime matter within science under the names "capacity for work" and "energy," then the hypothesis that prime matter is energy risks begging the question or equivocating about the meaning of "capacity for work" and "energy." Either way, the two notions, prime matter and capacity for work as used in the sciences, do not coincide.

*Signification of the Term "Energy"*

The more serious difficulty with the prime matter is energy hypothesis is not that the forms of energy are accidents and, therefore, do not imply a proportionate relation to prime matter. The more serious problem is that in regarding energy as an underlying transformable quantity, the hypothesis involves mistaking a general term signifying what is common to the different forms of energy for an underlying fundamental constituent physical principle. This requires explanation.

We speak of animal forms, mineral forms, geometrical forms, life forms, and forms of matter. By such terminology, we tend to mean the different kinds of animals, minerals, geometrical shapes, living things, and material things. Similarly, the expression “forms of energy” tends to mean the different kinds of energy. Oderberg himself uses the expression “forms of energy” in this way.<sup>88</sup> “Forms of energy” is one instance of a general way of speaking about kinds of things. Used in this way, the terms, “animal,” “mineral,” “geometrical,” “life,” and “matter” (in the modern sense) do not signify something underlying and transformable that can gain and lose forms, and so too neither does the term “energy” mean some underlying and transformable quantity that can gain and lose forms. Although living things of one kind can evolve into living things of another kind and the shape of something can be changed back and forth into various geometrical forms, “life” and “shape” are not underlying and transformable principles that can gain or lose different forms of life or of geometry. So too, although things that have one form of energy can change so that they have another form of energy or a different quantity of the same form of energy, “energy” is not an underlying and transformable principle that can gain or lose

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88 “We now have identified gravitational energy, kinetic energy, heat energy, elastic energy, electrical energy, chemical energy, radiant energy, nuclear energy, and mass energy, among others. . . . These forms of energy are not, however, ‘thing-like’ objects.” Oderberg, “Is Prime Matter Energy?,” 539.

different forms of energy. The term “energy,” like the terms “animal,” “mineral,” “geometrical shape,” and “life,” is a general term for what is common to all the different forms of energy. Our use of these relatively easy and more obvious notions helps us appreciate our use of the more difficult and less obvious notion of “energy.”

We speak of different forms of energy, such as kinetic energy, gravitational energy, heat energy, elastic energy, electromagnetic energy, chemical energy, radiant energy, nuclear energy, mass energy, and, most recently, dark energy.<sup>89</sup> All have something in common by which we justifiably say that they are forms of energy, and we signify this commonality by using the term “energy” in a general way as we do in using the term “animal” to mean what is common to the many kinds of animals or “shape” to mean what is common to different kinds of shapes. “Energy,” like these other terms, can signify a commonality that leaves out many specific and individual features without necessarily excluding them and thereby preventing the term “energy” from being applied to specific forms of energy or to instances of energy. That we have such a general notion of energy and that it is not a notion of prime matter is evident from experience. “Energy,” so considered, does not exist as such except in a mind. Thus, we should not be surprised that pure energy does not exist in nature by itself separately from the forms and instances of energy just as we are not surprised that pure animal, pure mineral, and pure shape do not exist in nature separately from different animals and animal forms or separately from different kinds and instances of minerals or shapes. Consequently, the conservation of energy does not imply that energy is an underlying “pure passive potency of substance, without any form, species, or privation, and receptive of any forms or subsequent privations.”

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89 Feynman, *Feynman Lectures on Physics*, vol. 1, ch. 4, p. 2. Dark energy was proposed as a form of energy in 1998, a decade after Feynman's death.

Instead, it signifies a commonality in all the forms and instances of energy that has the same quantitative value throughout all energy changes even though that commonality does not signify an underlying transformable principle that gains and loses forms of energy. Without some knowledge of that commonality, scientists could not make judgments about what was and was not energy in calculating energy conservation.

The traditional description of energy as a capacity for work gives an initial grasp of energy considered as an abstract notion.<sup>90</sup> We begin understanding energy by first understanding what it does, which is “work,” a term more familiar to us than “energy.” Although all the different forms of energy have something in common, each has a distinctive capacity for work that is described by a mathematical formula proper to that form. These formulas can be added, subtracted, set as equal, and otherwise manipulated, each treating something both specific to a form of energy and common to all forms of energy. This is evident inasmuch as the sum of the energy in different forms and instances need not itself be a form of energy. The sum can abstract from all the forms and instances, as when one adds kinetic and gravitational energy to come up with a total energy that is neither gravitational nor kinetic. Thus, the capacities for work are a commonality of secondary capacities, or capacities of already formed substances. Consequently, energy as the capacity for work is a generalization taken from all the different forms of energy, that is, from all the specific capacities for work. Though a generalization taken from the proximate capacities of substances and systems of substances, it is a notion sufficiently broad and complex to include all the manifold and extraordinarily diverse capacities for work known to us in nature. Thus, the capacity for work, as a description of energy, is not the pure undetermined capacity to be informed and thereby be a substance.

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90 See French, *Newtonian Mechanics*, 367.

Saying that energy is like a generic notion or an abstract term, like “life” or “shape,” may sound odd because energy does not behave like an abstraction, and we also think of energy as concrete, particular, and real. Energy does things, and we talk about this energy drink as having so many calories or about this baseball’s kinetic energy. We measure the electricity we use in kilowatt-hours and pay for it accordingly. We speak of the lightning bolt striking this house as having a precisely measurable amount of energy. Energy, of course, is not merely a generic term or an abstraction. Here we can argue by analogy with the notion “animal” to show that we can speak of energy and the forms of energy not only in general but also in specific, particular, and concrete ways.

We use the term “animal” not only as a general term for what is common to all animals but also to speak of a certain kind of animal or of a particular animal. We can talk about the kind of animal we call “dog,” and we can talk about a particular animal, this dog Yuki. We also speak of the different breeds of dogs and how they were bred. Similarly, we use the term “energy” not only as a general term but also to signify a specific form of energy or a particular thing’s energy, such as this stick of dynamite’s chemical energy. We use the term “energy” similarly to the ways we use other such terms. Consequently, although energy as such is an abstract commonality, the term “energy,” like other abstract commonalities, such as act, potency, form and matter, can also be used in specific, particular, and concrete ways to refer to what is real in things, though not as an integral part distinct from the forms of energy.

Heisenberg has perhaps confused the logical distinction between genus, species, and difference with the real distinction between a thing’s composite principles, such as matter and

form.<sup>91</sup> Human beings are composed of matter and form as two constituent principles that make up a third reality, but in “Man is a rational animal,” “rational” and “animal” designate the difference and the genus and are not constituent parts that make up a third reality. The confusion is easily made because the genus, in a way, is taken from matter and the specific difference, in a way, is taken from form. But the genus is not matter and the difference is not form. As Aquinas puts it, the genus “signifies indeterminately everything in the species and not the matter alone. . . . [T]he difference designates the whole and not the form alone.”<sup>92</sup> Heisenberg may have been misled by this similarity and linguistic practice and by the diverse uses of the word “form” into regarding the relationship of “forms of energy” to “energy” as an instance of the relationship of form to matter, whereas the relationship of “forms of energy” to “energy” is more like the relationship of species to genus. I say “more like” because the relationships among the different forms of energy are complex and are not always clearly that of genus, species, and difference. Nevertheless, the point is that the energy is prime matter hypothesis involves conflating something like a generic notion with an underlying fundamental principle constituting physical things.

The prime matter is energy hypothesis treats energy as a part of what the Thomistic tradition calls an integral whole. Since energy, as it is used in the sciences, is quantified and prime matter as such is not, the defense of the prime matter is energy hypothesis requires a distinction between energy as such and energy as it exists in things, which shows that energy is being taken as an integral part. More generally, prime matter

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91 Oderberg discusses these distinctions in Oderberg, “Essence and Properties,” 96.

92 *De Ente*, c. 2 (Thomas Aquinas, *On Being and Essence*, 2<sup>nd</sup> rev. ed., trans. and notes by Armand Maurer C.S.B. [The Pontifical Institute of Medieval Studies, 1968].) See also Thomas Aquinas, *ST I*, q. 50, a. 2 ad 1.

is a co-principle which, with substantial form, constitutes substances. On the prime matter is energy hypothesis, what holds for prime matter holds for energy, and so energy is spoken of as correlative with form, usually forms of energy, but also with substantial forms, such as that of an electron and other substantial forms of energy. Energy, on this hypothesis, combines with a form of energy to constitute a whole. This is inherent in the (mistaken) notion of energy as an underlying principle that can gain and lose forms.

Aquinas's standard example of an integral whole is a house which is constituted of a foundation, walls, and a roof. We might think of a water molecule, which is composed of two hydrogen atoms, one oxygen atom, and, on the Aristotelian/Thomistic account, a substantial form of water. When we speak of such integral wholes, wholes resulting from a combination of parts, we do not predicate a part of the whole (or, for that matter, the whole of the part). We do not say that the house is its foundation, that water is oxygen, that the cow is its prime matter or that the composite is its matter.<sup>93</sup> However, when we speak of the forms of energy, we do say that gravitational energy is energy, kinetic energy is energy, and mass energy is energy. In short, *all* the different forms of energy are energy. We speak of the forms of energy as we speak of the kinds of animals, for we say that a zebra is an animal. Animal is not part of a zebra nor is energy part of electromagnetic energy. The whole of a zebra is an animal, and the whole of any electromagnetic energy is energy, considered, as Aquinas puts it, indeterminately. We are not speaking in loose, figurative, metonymic, indirect, or derived senses. Electromagnetic energy is not a shorthand for an integral whole composed of electromagnetic form plus energy. This manner of

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93 However, in figurative senses, we sometimes speak of a part as its whole. We may call a businessman "a suit," and we do speak of a house as a "roof over one's head."

speech indicates how we understand the meaning of the term “energy.” The energy is prime matter hypothesis treats energy as a constituent part, but we speak of the forms of energy in ways that indicate that energy is not a constituent part.<sup>94</sup> In short, a form of energy is itself energy, which implies that energy is not the matter of a form of energy.

The above example uses humans and animals, though genus, species, and difference can be applied to accidents such as shape. This suggests a further possibility for being misled by our manner of speaking. The forms of energy are accidents and the very nature of an accident is to be in a subject, but when we consider accidents alone and apart from a subject, we have to treat and speak of them as though they were substances.<sup>95</sup> For example, “shape” is an accident in and of a subject, but we sometimes refer to shapes as things, such as squares, cubes, circles, and spheres. We speak of color changing from red to blue or of a sound changing pitch. Similarly, when we speak of energy and the forms of energy, we are often speaking in the abstract, as if energy were a thing that gains and loses forms or as if energy, or even a form of energy, were a subject having a quantity. We are easily misled by the way we speak of accidents in the abstract as things especially because scientists, whose “working language” is mathematics, often speak in a shorthand, as when they speak

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94 Of course in some ways we do speak of a form of energy as an (accidental) integral part, for we speak of a whole system as having so much kinetic energy. It would be a mistake to say that the system is kinetic energy. However, in speaking of kinetic or other forms of energy as a part or parts of a system, we are not denying that kinetic energy is wholly energy. We are not saying that kinetic is a form distinct from energy and which actualizes energy. “Energy” is not being used as an integral part. Instead, a form of energy that is energy is an integral part of a larger system.

95 See Thomas Aquinas, *In VII Metaphys.*, lec. 1, n. 1254. See also Thomas Aquinas, *ST I-II*, q. 53, a. 2, ad 3.

of energy being converted from one form to another, or matter being converted to energy, or speak of “dark energy.”<sup>96</sup>

### *Energy Conservation and Potency*

Someone sympathetic to the energy is prime matter hypothesis might ask, if energy is not prime matter that persists through energy changes and transformations and thereby seemingly accounts for the conservation of energy, then how does one understand energy conservation? What is conserved and how is it conserved?

I shall sketch a brief and admittedly incomplete answer to these difficult questions. First, as noted previously, conservation need not mean preservation of an underlying principle through change. Second, in the *Physics*, Aristotle tells us that some kinds of things can be both potential and actual, though not at the same time or in the same respect. Thus, when one thing acts on another, the other acts on it, since each has a potency for what the other has in act.<sup>97</sup> Aristotle also tells us that the corruption

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96 “Yet another problem is the shorthand often found in scientific dialects. To keep the language from becoming long and tortuous, complicated ideas are often compressed, abbreviated to just one or two words. An example of this is what scientists call ‘dark energy.’ Long ago, the universe expanded rapidly, but the rate of its expansion has slowed over time. Recently, however, the universe’s dark energy has been preventing it from slowing further. But dark energy is not energy! It’s something—perhaps a field similar to the Higg’s field, or perhaps an aspect of empty space itself, or a combination thereof—that *has* energy (along with negative pressure). True though the last sentence may be, it is both vague and long-winded. That’s why everyone uses the two-word label; it’s convenient, brief, evocative, and easy to remember. The fact that it’s not accurate doesn’t bother the experts because they know what’s hidden. The label is less benign when used in conversation with nonexperts.” Strassler, *Waves in an Impossible Sea*, 49, Strassler’s italics.

97 See Aristotle, *Physics* 3.1, 201a19–24, and 3.2, 202a2–12.

of this is the generation of something else and vice versa.<sup>98</sup> Thus, in the mutual interaction of two such bodies, each actualizes a potency in the other that also results in the corruption of something in the other. Julius Mayer, the co-discoverer of the Law of the Conservation of Energy, explained energy conservation by adding the following: “We complete our thesis, which necessarily follows from the fundamental principle: *causa aequat effectum* and which stands in complete accord with all natural phenomena.”<sup>99</sup> Mayer thought that given the proportion of cause and effect in the mutual interactions of a system of bodies, the energy produced in the system’s bodies equals the energy corrupted in the system by their mutual interactions. Thus, “in imparting energy/actuality they lose as much as they impart.”<sup>100</sup> Energy is conserved without requiring that it be an underlying matter that persists through an interaction, though, of course, each body in the interaction must have some potency correlative

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98 See Aristotle, *De Generatione et Corruptione* 1.3, 319a17–21. See also *ST* III, q. 77, a. 5, c.

99 Julius Robert Mayer, “On the Forces of Inorganic Nature,” trans. R. Bruce Lindsay, in *Energy: Historical Development of the Concept*, ed. R. Bruce Lindsay (Dowden, Hutchinson, and Ross, Inc., 1975), 277 and 282. See also idem, “The Motions of Organisms and their relation to Metabolism,” in *ibid.*, 284–307. Richard Connell also explains energy conservation in terms of the principle that every agent must be proportional to its effect: “The first law [of thermodynamics] is only a particular formulation of a general philosophical principle that says *every agent must be proportional to its effect*; or to state the principle in a more traditional way, every agent acts in the measure of its actuality and cannot act beyond that actuality.” Richard J. Connell, *Nature’s Causes* (Peter Lang Publ., 1995), 133. See also, Jennifer Coopersmith, *Energy: The Subtle Concept* (Oxford University Press, 2015), 336, and Daniel Shields, *Nature and Nature’s God* (Catholic University of America Press, 2023), 243–44. For an application of this principle to a different problem in natural philosophy but which also uses energy considerations, see Benedict M. Ashley, O.P., “Causality and Evolution,” *The Thomist* 36 (1972): 199–230.

100 See Shields, *Nature and Nature’s God*, 244.

to an act in another body so that the energy gained equals the energy lost.

An example illustrates the application of these principles.<sup>101</sup> Using classical physics and the conservation of mechanical energy, we may consider the gravitational potential energy of water stored in a water tower. The water's quantity of gravitational potential energy, given the relatively small distance above the Earth's surface, equals the force of gravity on the water multiplied by its height above the ground.<sup>102</sup> But a distinction is needed here. Scientists speak of potential energy, the energy of position, in two seemingly different ways: either as an actuality, as energy stored in a system's actual configuration,<sup>103</sup> or as a passive potency in a system for a configuration that it lacks but could possess and with respect to a force that could move the

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101 See also McLaughlin, "Act, Potency, and Energy," 213–41.

102 Expressed mathematically, the water's gravitational potential energy with respect to the ground equals  $mgh$  (for small displacements near the Earth's surface) where  $m$  is the water's mass,  $g$  is the acceleration produced by gravity near the Earth's surface, and  $h$  is the water's height above the ground. Since  $mg$  equals the force of gravity on the water, the water's potential energy with respect to the ground equals the force of gravity on the water multiplied by its height. The general Newtonian expression for gravitational potential energy is  $-GMm/r$  where  $G$  is the universal constant of gravitation,  $M$  and  $m$  are the masses of the two respective bodies, and  $r$  equals the distance separating them. Potential energy is mutual. It belongs jointly to the water-Earth system. However, the Earth's mass is so much greater than the water's that the Earth may be regarded as at rest and the potential energy as belonging to the water. See Hans C. Ohanian, *Physics*, vol.1 (W.W. Norton & Co., 1985), 164, 317, 321–22.

103 "Every substance has a certain amount of energy stored inside it. The energy stored in the chemical bonds of a substance is called chemical potential energy. The kinds of atoms and the arrangement of the atoms in a substance determine the amount of energy stored in the substance." Antony C. Wilbraham, Dennis D. Staley, Michael S. Matta, and Edward L. Waterman, *Chemistry* (Pearson Education, Inc., 2012), 556. "The potential energy of a system represents a form of stored energy which can be fully recovered and converted into kinetic energy." David Halliday and Robert Resnick, *Fundamentals of Physics* (John Wiley & Sons, 1970), 113.

system to a configuration it does not have.<sup>104</sup> Sometimes a scientist will speak of potential energy in both ways.<sup>105</sup> The two different senses of potential energy are treated the same quantitatively. However, quantitative equality is not necessarily identity in nature, being, and intelligibility. We can consider the same road in two different ways depending upon our direction of travel.

If the water is allowed to fall, the force of gravity does work on it throughout its fall, and the water loses gravitational potential energy and, ignoring the effects of the air, gains an equal amount of kinetic energy. Although the amount of gravitational potential energy and the amount of kinetic energy are continuously changing throughout the water's fall, their sum remains constant. The quantity of potential energy the water loses through its change in position, it gains in kinetic energy through its increasing velocity.

If we consider the water's position in the tower with respect to the ground where it can be but is not and with respect to the force of gravity that can do work upon the water by moving it to the ground, then we can say that potential energy is an Aristotelian passive potentiality because the water's potential energy includes a reference to being located in a position that

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104 "Rankine introduced the term Potential Energy—a very felicitous expression, since it not only signifies the energy which the system has not in actual possession, but only has the power to acquire, but it also indicates its connexion with what has been called (on other grounds) the Potential Function." James Clerk Maxwell, *Matter and Motion* [1877], with notes and appendices by Sir Joseph Larmor (Dover, 1991), 77. "*Potential energy*: energy that has the 'potential' for being converted into kinetic energy." Ralph Baierlein, *Newton to Einstein: The Trail of Light* (Cambridge University Press, 1992), 311, Baierlein's italics.

105 "Stored energy also takes many forms. In some, it is called *potential energy*, an especially problematic false friend: instead of something with the potential to be energy, it refers to energy that, stored for the moment, has the potential to be turned into kinetic energy." Strassler, *Waves in an Impossible Sea*, 345, note 1, Strassler's italics.

is attainable but unattained, which means the water's potential energy includes a position on the ground potentially. A passive potency is a potency to be acted upon, a thing's receptivity to have something done to it or brought about in it. Consequently, if we regard potential energy as an Aristotelian passive potency, we may then think of the work done on the water by the force of gravity as generating the water's kinetic energy and the energy of its new position from its potential energy. The force of gravity continuously actualizes the water's potency for kinetic energy and for a position on the ground and the corresponding quantity of gravitational energy. The water's kinetic energy and new position do not appear out of nothing but come to be *per se* from the water's gravitational potential energy. So considered, the continuous loss of potential energy would be the continuous actualization of a passive capacity. Further, the water having reached the ground has a passive potential energy for being in the water tower. In this case, work must be done against the force of gravity to move the water from the ground into the tower.

We also have here an Aristotelian understanding of local motion as a continuous actualization of a potency, an actualization brought about by the continuous action of an agent, namely, whatever is the source of the force of gravity. The water's motion is a continuously differentiated process such that each part of the process is related to a prior part as act to potency and is related to a posterior part as potency to act. It has a twofold ordination with respect to the same potentiality. One ordination is with respect to a prior place from which the water has moved, and the other ordination of potency is with respect to the posterior place to which the water is moved.

We can also understand the falling water example in an Aristotelian way according to action and passion.<sup>106</sup> The mover

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106 I am indebted to John Brungardt for showing me that the physics of energy also instantiates an Aristotelian way of understanding motion according to

and moved are distinct since the force of gravity's source is distinct from the water, yet the *act* of the mover is *in* the moved, since the continuous operation of the force of gravity is in the water.<sup>107</sup> As Aristotle shows, the act of the mover and of the moved is the same; they are the same motion considered from two different respects.<sup>108</sup> Since the causal relationship of mover to moved defines action and passion, the categorical accident of action belongs to the mover, namely, the agency exerting the force of gravity, and the accident of passion belongs to the moved, namely, the water.<sup>109</sup> Thus, as Aristotle summarizes it, the action is the motion considered as from the mover in the moved, while passion is the motion considered as in the moved from the mover.<sup>110</sup> The water's falling motion is an action of the source of gravity in the water and is a passion considered as received in the water from the source of gravity. The work done by the action of gravity's source brings about the water's kinetic energy and its new position and corresponding new quantity of gravitational potential energy, and these are received in the water insofar as it has potential energy considered as a passive potentiality.

We can also regard potential energy as actual stored energy. We may think of the work done moving the water against the force of gravity from the ground into the tower as actual gravitational energy stored or built into the water's position with respect to the ground and the force of gravity.<sup>111</sup> In

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action and passion. See Brungardt, *Cosmos Rediscovered*, ch. 4 (unpublished manuscript).

107 See Aristotle, *Physics* 3.2, 202a13–21, and Aquinas, *In III Phys.*, lec. 4, nn. 303–7.

108 See Aristotle, *Physics* 3.2, 202a18, and Aquinas, *In III Phys.*, lec. 4, n. 306.

109 See Aristotle, *Physics* 3.2, 202a21–202b29, and Aquinas, *In III Phys.*, lec. 5, nn. 308–325.

110 See Aristotle, *Physics* 3.2, 202a17–21, and Aquinas, *In III Phys.*, lec. 4, nn. 306–7.

111 See French, *Newtonian Mechanics*, 378.

this sense, the water in the tower has a quantity of gravitational potential energy in the position it actually occupies considered with respect to its distance from the ground and with respect to the force of gravity. Here we are considering the water not with respect to where it can be but with respect to where it is relative to some other position.<sup>112</sup> If we think of potential energy as a stored gravitational actuality in the position that the water actually occupies in the tower, then as the water falls and work is done on it, the stored potential energy will be continuously corrupted *per accidens* in an amount equaling the kinetic energy continuously generated throughout the fall. As the water loses positions it has, it loses a proportionate amount of stored potential energy as it gains an equal amount of kinetic energy. The kinetic energy of the falling water comes to be *per accidens* from its stored potential energy. New actual energy is generated *per se* and prior actual energy is corrupted *per accidens* in equal amounts, so that the total amount of energy is constant. This brief account is a specific instance of Aristotle's response in the *Physics* to those ancient philosophers who held that nothing is generated because something cannot come to be either from being or from non-being.<sup>113</sup>

What then is conserved in energy conservation? This question has two answers, depending upon which consideration of potential energy one has in mind. If potential energy is considered as a passive Aristotelian potency, then the conserved energy is the quantitative sum of a gravitational passive potency and the act or activity of kinetic energy, both of which are

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112 We can think of potential energy in this sense as rest energy, since in the relevant respect, the water is at rest and does not have kinetic energy and since potential energy in this stored sense is something actual. To distinguish this sense of rest energy from relativistic senses of rest energy, we might call it "classical rest energy."

113 See Aristotle, *Physics* 1.8, 191a23–b34, and Aquinas, *In I Phys.*, lec. 14, nn. 120–28.

changing throughout the water's fall, though their sum remains constant. The conserved energy is a mix of passive potency and act. However, if potential energy is considered as actual stored energy, then the conserved energy is the quantitative sum of actual stored gravitational energy and the act or activity of kinetic energy, which also are both changing throughout the water's fall. The conserved energy is a quantity of act or activity, though not an identical act or activity. Considered either way, the conserved energy is an accident and not prime matter. Since potency depends upon and is known with respect to act, potential energy considered as an Aristotelian passive potency would depend upon potential energy considered as actual stored energy. Put another way, the potential energy of the water considered with respect to the energy it could have at ground level depends (*per accidens*) upon the energy it does have in the tower. Thus, I would argue that the conservation of activity is the more fundamental of the two interpretations of what is conserved in energy conservation, but both ways of interpreting energy conservation are acceptable.

We can now address the issue of a principle of potency in energy transformations. As noted previously, for an Aristotelian-Scholastic, changes in the amount or forms of energy imply a principle of potency. Since the forms of energy are accidents, the proportionate potency is a second potency to an accident that an already formed substance or system lacks. Potential energy, considered as a proximate passive potency of a substance or system of substances, fills this requirement. In the above example, potential energy is a potency for an accident—kinetic energy of different amounts and for different positions and their corresponding gravitational potential energy—that an already formed substance or system lacks. Gravitational potential energy, understood as a passive Aristotelian potency, is present throughout the fall of the water and provides the necessary

potency and continuity for the changes in energy. Potential energy, so considered, is not energy simply but is a potency for energy in which energy is understood as activity or as an act. So considered, potential energy is potentially energetic but not yet energetic. This, I suggest, is part of the truth in the mistakenly formulated hypothesis that energy is prime matter.

As presented, the example of water falling from a tower is limited to Newtonian gravitation.<sup>114</sup> A change from one form of energy to another might seem to require a deeper passive potency common to all the different forms of energy that can be transformed into each other. However, all four of the fundamental interactions known to physics, gravity, electromagnetism, the strong nuclear and weak nuclear interactions, have a corresponding potential energy.<sup>115</sup> If the respective potential energy of each of these interactions can be considered as actual stored energy and as passive potential energy, then the potential energy corresponding to these other forms of energy may be the needed principles of potency for energy transformation between them. Such changes from one form of energy to another may be approached in two ways.

First, aside from kinetic energy, one form of energy is usually not directly changed into another. Changes from one form of energy to another are usually brought about by motion, that is, through kinetic energy, the energy of motion. For example, a change in the gravitational potential energy of water in a reservoir to electrical energy is brought about by allowing the water to fall and then using the resulting kinetic energy to turn a turbine

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114 General relativity presents problems concerning energy which Oderberg discusses. See Oderberg, "Is Prime Matter Energy?," 543–44. I have little to add except that gravitational waves have and "carry" gravitational energy.

115 "Gravitational potential energy is associated with gravitational interactions. There are corresponding types of potential energy associated with other interactions." Kenneth R. Atkins, *Physics*, 2<sup>nd</sup> ed. (John Wiley & Sons, 1970), 130.

and thereby generate electricity and electrical energy. Kinetic energy is unique in that any force can cause motion and thereby produce kinetic energy.<sup>116</sup> Unlike the other forms of energy, kinetic energy is not distinguished by the force that causes it or with respect to which it is defined. Kinetic energy is the active means of changing from one form of energy to another, and the role played by it fits with Aquinas's claim that something that exists in potency comes to be in act while it is being moved.<sup>117</sup> The energy is prime matter hypothesis is not needed for such changes.

Second, the Standard Model of Particle Physics unites three of the four fundamental interactions, so perhaps it unifies the potential energies of these interactions into one potential energy. However, such a unified potential energy would not be a potential energy underlying the other potential energies, for this unification occurs only at very high energies, energies not usually or not currently encountered in nature. So united, the three different forces and the corresponding forms of energy lose their diversity and act as one interaction. Thus, a more universal potential energy does not underlie electromagnetic and nuclear potential energies, and their unity would still be at the level of accident.

The account given here is a limited and incomplete sketch. It does not include, for example, the mathematical treatment of energy and energy conservation or the important symmetry between energy conservation and time known as Noether's

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116 "Of course, the fact that motion has energy has nothing to do with the fact that we are in a gravitational field. It makes no difference where the motion came from." Feynman, *Feynman Lectures on Physics*, vol.1, ch. 4, p. 6.

117 "That by which something which previously existed in potency comes to be in act is act. But a thing comes to be in act while it is being moved, whereas prior to this, it was existing in potency. Therefore motion is an act." Thomas Aquinas, *In III Phys.*, lec. 2, n. 287. See also, Thomas Aquinas, *SCG III*, c. 84, n. 2.

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theorem, nor does it include the principle of least action and its relation to energy. The subject of energy conservation needs much more investigation. Nevertheless, this account indicates that we need not think of energy as such as an underlying potentiality that persists through changes, and it recognizes the extraordinary order as well as the amazing power of secondary causality that we find in nature. Energy conservation is an amazing principle of unity in the universe, though not because energy is prime matter.

### *Conclusion*

In conclusion, Oderberg considers the hypothesis that prime matter is energy, a hypothesis that he tests by a profile comparison. The hypothesis is fruitfully examined and raises difficult questions about energy conservation. The comparison includes much that remains to be considered, and there is much in Oderberg's treatment of energy with which I agree. It is an important and suggestive Thomistic contribution to the dialectical consideration of energy. Nevertheless, the prime matter is energy hypothesis both involves a significant category mistake and conflates a universal abstract concept with an underlying universal cause (prime matter). These mistakes result from three initial, key and closely related misconceptions about energy: the first is the view that energy as understood in the sciences is an underlying principle that gains and loses forms; the second is the treatment of energy as an integral part distinct from the form of energy; and the third is the conception of energy conservation as preservation. The profile comparison is based on these mistakes and misconceptions, and so the comparison is inherently flawed. Once these mistakes are recognized, an Aristotelian-Scholastic

has no reason to regard a hypothesis as plausible and strong that translates a secondary commonality into a fundamental, purely potential, hylomorphic principle, especially since an alternative Aristotelian/Thomistic view is available, a view developed from the thought of Julius Mayer. If the hypothesis is to develop and advance, these key notions about energy require serious examination and defense as does the belief that there are energy transformations that do not merely *lead* to substantial changes, but which *are* themselves substantial changes. Otherwise, on Aristotelian-Scholastic grounds, the hypothesis, as it currently stands, is implausible, weakly supported, and speculative.<sup>118</sup>

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118 I am grateful to the faculty of St. John Vianney Seminary, the Philosophy faculty and students of the University of St. Thomas in Houston and to the participants of the 2025 *Thomistic Summer Conference* at Thomas Aquinas College, California, to whom I read an earlier version of this paper. I am especially grateful for the help and encouragement of John Keck, Carl Vater, John Brungardt, Daniel Shields, Chris Blum, and Chris Decaen. My special thanks to David Oderberg for reading and commenting extensively on a draft of this paper. It is a better paper for his criticisms and our disagreements.

## ON THE DEFINITION OF PERSON

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Joseph Cardinal Ratzinger, in an article whose English version was published in *Communio* as “Concerning the Notion of Person in Theology,” presents a narrative of the development of that notion in the West which, if it were cut off before the nineteenth century, would be a tragedy.<sup>1</sup> For by this telling, the Latin authors most influential in that prior development—above all Boethius and St. Thomas—critically failed to appreciate the power of the concept of person latent in Christian revelation, especially insofar as that word and concept are applied to both the Holy Trinity and the members of the human race.

Boethius was the author of the most widely accepted theological definition of “person” in the West, “individual substance of a rational nature.”<sup>2</sup> It is this definition which St. Thomas adopts and defends in the course of treating of the central mysteries of the faith, the Trinity and the Incarnation, whose orthodox formulations depend crucially upon the meaning of “person.” And according to Ratzinger,

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1 Joseph Ratzinger, “Concerning the Notion of Person in Theology” [henceforth “Person in Theology”], trans. Michael Waldstein, *Communio* 17:3 (Fall 1990), 439–54; originally published as “Zum Personenverständnis in der Theologie,” in Joseph Ratzinger, *Dogma und Verkündigung* (Erich Wewel Verlag, 1973), 205–23. Ratzinger suggests that the “breakthrough” in Western thought on person, after the narrowing that began with St. Augustine, comes only with Feuerbach (454).

2 In the edited text of Boethius, “naturae rationabilis individua substantia”; St. Thomas’s usual version is “individua substantia rationalis naturae.” Boethius, *Contra Eutychem et Nestorium*, in *The Theological Tractates; The Consolation of Philosophy*, ed. and trans. H.F. Stewart, E.K. Rand, and S.J. Tester, Loeb Classical Library 74 (Harvard University Press, 1973), 84.

<sup>3</sup> Ratzinger, “Person in Theology,” 448.

Boethius's concept of person, which prevailed in Western philosophy, must be criticized as entirely insufficient. . . . This cannot clarify anything about the Trinity or Christology; it is an affirmation that remains on the level of the Greek mind which thinks in substantialist terms.<sup>3</sup>

Opposed to "substantialist" thinking is a way of thinking adequately inspired by Christian revelation of the persons of the Trinity in Scripture as relative, dialogical realities—indeed, as being nothing but relation. This is, per Ratzinger,

the decisive illumination of what person must mean in terms of Scripture: *not* a substance that closes itself in itself, but the phenomenon of complete relativity, which is, of course, realized in its entirety only in the one who is God, but which indicates the direction of all personal being."<sup>3</sup>

To be sure, following Augustine and Boethius, St. Thomas taught that the divine persons are relations; yet he failed to extend that account to human persons, leaving them under the "substantialist" account. As a result, relation remains for St. Thomas "a theological exception, although it is precisely the *meaning* of that new element to call into question the *whole* of human thought and to set it on a new course," a course which leads Ratzinger to affirm that "the human person is the event or being of relativity."<sup>4</sup>

Now this article and a similar account of these matters Ratzinger gives in his *Introduction to Christianity*<sup>5</sup> were originally composed around 1970; and as is well known, by the time of his papacy, then-Benedict XVI seemed to have developed a somewhat different view of "the Greek mind" vis-à-vis

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3 Ratzinger, "Person in Theology," 445.

4 Ratzinger, "Person in Theology," 449, 452.

5 Joseph Ratzinger, *Introduction to Christianity*, rev. ed. (Ignatius Press, 2004), 143–84.

Christianity. I will return to that. Yet his earlier, provocative narrative of this missed opportunity, so to speak, has had lasting influence, especially in the context of the great rise of Catholic personalism in the twentieth century, of which it formed a part. The “early Ratzinger” continues to call forth responses from Catholic philosophers and theologians, some defending Boethius or Thomas’s account of the definition,<sup>6</sup> some taking up the challenge to develop a more relational account.

One of the most prominent of the latter camp was Fr. W. Norris Clarke, S.J., who took this as an occasion for what he described as a “creative completion” of a Thomistic “metaphysics of the person.” He accepted Ratzinger’s account of the lacuna, the failure to extend a relational account of person to all persons, but argued that this was an historical accident; Thomas, he says, was not faced with objections that brought it forth, but

a dynamic, relational notion of the person . . . [was] already implicit, waiting just under the surface to be developed, in Thomas’s own highly dynamic notion of existential being (*esse*) as act and as intrinsically ordered toward self-communication.<sup>7</sup>

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6 This is a vast literature, and I will mention only a few examples I have found instructive. In defense of Boethius’s definition in its own right, see: Peter Simpson, “The Definition of Person: Boethius Revisited,” *The New Scholasticism* 62 (1988): 210–20; Berthold Wald, “Boethius und der Begriff der Person im Mittelalter,” *Archiv für Begriffsgeschichte* 39 (1996): 161–79; and Brandon Spun, “Boethius’s Definition of the Person in Context: Chalcedon, Tradition, and Consolation,” *The Heythrop Journal* (2024): 19–35. In defense of St. Thomas’s use of the Boethian definition, see: Horst Seidl, “The Concept of Person in St. Thomas Aquinas: A Contribution to Recent Discussion,” *The Thomist* 51 (1987): 435–60; and Gilles Emery, O.P., “The Dignity of Being a Substance: Person, Subsistence, and Nature,” *Nova et Vetera*, English Edition, 9:4 (2011): 991–1001. Joseph W. Koterski, S.J., argues that St. Thomas effectively “corrects” Boethius: “Boethius and the Theological Origins of the Concept of Person,” *American Catholic Philosophical Quarterly* 78 (2004): 203–24.

7 W. Norris Clarke, S.J., *Person and Being* (Marquette University Press, 1993), 3. See also Clarke’s “Person, Being, and St. Thomas,” *Communio* 19 (1992): 601–18.

My aim in this paper is to defend St. Thomas's use of Boethius's definition, adding in a small way to the arguments of Fr. Gilles Emery, O.P.<sup>8</sup> In this I will obviously be opposing the early Ratzinger, and also I cannot follow Clarke, who seems to me (with a good will and very movingly) to be completing Etienne Gilson at the expense of St. Thomas. But I want in so doing to recognize the merits of the challenge that Ratzinger posed and Clarke took up, namely, that revelation of the Trinity and Incarnation should better inform what we take "person" to mean *in humanis*. I will try to manifest how, spurred by these objections, we can see Thomas's Boethian account already pointing us to the relationality proper to human persons, ordered to participation in the life of the persons who are relations.

I will first contextualize and present St. Thomas's account of the Boethian definition, primarily in Question 29 of the *Prima pars*, as he applies it analogically to persons human and divine, and then reply to Ratzinger and Clarke on that basis. For convenience, I will reduce their critiques to three objections. First, revealed knowledge that divine persons are relations entails that all persons are essentially relational; this is missed by the Boethian definition, too beholden to Greek philosophy. Second, apart from Revelation, there is abundant testimony from experience and the opinions of the learned that our personal existence is fundamentally interpersonal and relational. The definition of person should capture and illuminate this; Boethius's definition seems opposed to it. Third, St. Thomas failed to see that his own "metaphysics of *esse*" implies such an account of human persons.

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8 See Emery, "The Dignity of Being a Substance."

Patrick M. Gardner

Part I: St. Thomas's Account

A. Approaching a Definition

In preparation for St. Thomas's account, it will help to consider briefly the Boethian source. In his treatise *Against Eutyches and Nestorius*, Boethius takes up certain Christological errors lingering after the Councils of Ephesus and Chalcedon, which turn especially on the meanings of two terms, "nature" and "person." The former term is better known, and philosophers have already distinguished and defined various senses of "nature," so that in this case, Boethius can simply pick out among these senses the one he judges to be in play in these Christological disputes: "nature is the specific difference informing any given thing."<sup>9</sup> "Person," however, proves more difficult. Though Tertullian introduced *persona* centuries before into Latin Trinitarian theology, and the councils just named used it in their formulations of orthodox Christological confession, it had not been clearly defined: "the proper definition of person is a matter of very great perplexity."<sup>10</sup> This is the lacuna that Boethius must fill in order

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9 Boethius, *Contra Eutychen et Nestorium*, 80-81 ("natura est unam quamque rem informans specifica differentia"). Boethius first gives three interrelated meanings of "nature" from most to least general: 1) what "belongs to all things which, since they exist, can in some way be apprehended by the intellect;" 2) "that which can act or that which can be acted upon;" or 3) "the principle of movement, *per se* and not accidental" (the last of these agreeing with Aristotle's definition of *phusis* at the beginning of *Physics* 2.1). But he then turns rather abruptly to "another signification" which is in fact the meaning at play, without explicitly relating this meaning to the others or explaining his procedure.

10 Boethius, *Contra Eutychen et Nestorium*, 83 ("Sed de persona maxime dubitari potest.") See also: Tertullian, *Adversus Praxean*, ed. and trans. by E. Evans as *Tertullian's Treatise against Praxeas* (SPCK, 1948), esp. cc. 11-12, pp. 99-102; Andrea Milano, *Persona in teologia: Alle origini del significato di persona nel cristianesimo antico*, new ed. (Rome: Edizione Dehoniane, 1996), 61-90, 164-72; and Ratzinger, "Person in Theology," 440-43.

to reveal the gravity of the Nestorian error of supposing two persons in Christ Jesus.

He begins by premising that person is not more general than nature, but vice versa; thus we must determine of what sorts of natures “person” can be said. Now natures, in the broad sense at hand, are either substances or accidents, and it is evident that there is no person in accidents—“for who can say that there is any person of whiteness or blackness or size?”—and thus it seems that person must be said of substances.<sup>11</sup> This leads to a progressive division of the genus of substance, one that recalls a Porphyrian tree. First dividing substances into corporeal and incorporeal, and eventually dividing each of these branches into rational and irrational, we find that we only say “person” of rational substances, whether these be corporeal or incorporeal, and so of man, God, and angel.<sup>12</sup> Once more, substances can be spoken of as universal or particular, as the species man versus this man Cicero, and it is clear that “person” cannot be said of

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11 Boethius, *Contra Eutychem et Nestorium*, 82–83 (“quis enim dicat ullam albedinis vel nigredinis vel magnitudinis esse personam”). In comparison with the preceding chapter, Boethius’s use of “nature” in this passage may be confusing. Although its fourth sense will be operative in the Christological chapters, in this division it appears that “nature” must be taken as broadly as in the *first* sense of the preceding chapter—“what belongs to all things which, since they exist, can in some way be apprehended by the intellect”—so as to include substance and accident. This might explain in retrospect why Boethius was concerned to elaborate all the senses of “nature,” lest the reader presume that in the operative sense, “the specific difference informing any given thing,” it must already be limited to substances.

12 A curious consequence of dividing this way is the branch of *irrational incorporeal substances*; as an example, Boethius gives “pecudum vitae,” or “the animating spirits of beasts.” Boethius, *Contra Eutychem et Nestorium*, 82–83. Perhaps this is entertained hypothetically, as if to say, even if the animating principle of a cow could exist without a body, we would not call it a “person” any more than we call the living cow one; although this line of thinking could end up in a knot if applied to man. In any case, nothing seems to impinge upon the unity of the composite human person in the rest of the treatise, which is indeed important for Boethius’s Christological purpose.

universals. Thus we arrive at “individual substance of a rational nature.”

Although many questions could be raised at this point, it is at least clear that Boethius understands his task, in finding a definition, to be revealing the meaning of “person” through what we already know, and how we already speak, beginning with the most common.<sup>13</sup> This is so even though the context at hand involves a mystery of faith, and the disputes over that mystery have demanded the definition.

In turning to St. Thomas, we should be wary of the presumption that he adopts and defends the Boethian definition merely out of deference to its authority. It was indeed the *locus classicus* for Scholastic treatments of “person,” and it is also true that, as we will see, in adopting it Thomas offers variations on its terms when dealing with difficulties. This has led some to claim that he only nods to it piously, while in effect supplying his own,

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13 See St. Thomas Aquinas, *In De Trin.*, q. 6, a. 4, c.: “It should be said that in speculative sciences, one always proceeds from something previously known, both in demonstrating propositions and in finding definitions. For just as one arrives at the knowledge of a conclusion from propositions already known, so from the conception of the genus and difference and causes of a thing one arrives at knowledge of the species. . . . Whence every consideration in speculative sciences comes back to some first consideration, which a man does not need to learn or to find . . . and also the first concepts of the intellect, such as ‘being’ and ‘one’ and the like, to which all definitions of the aforesaid sciences must come back.” (“Dicendum quod in scientiis speculativis semper ex aliquo prius noto proceditur tam in demonstrationibus propositionum quam etiam in inventionibus diffinitionum. Sicut enim ex propositionibus praecognitis aliquis devenit in cognitionem conclusionis, ita ex conceptione generis et differentiae et causarum rei aliquis devenit in cognitionem speciei. . . . Unde omnis consideratio scientiarum speculativarum reducitur in aliqua prima, quae homo non habet necesse addiscere aut invenire . . . et etiam primae conceptiones intellectus, ut entis et unius et huiusmodi, in quae oportet reducere omnes diffinitiones scientiarum praedictarum.”) All translations of St. Thomas are mine.

improved version.<sup>14</sup> In fact, seen in context, the case is very different.<sup>15</sup> By St. Thomas's time the Boethian definition had been controverted in Western theological debates for centuries, and alternatives were in play, such as that of Richard of St. Victor.<sup>16</sup> Thomas's own master, St. Albert, is witness that a commentator on the *Sentences* was free to "correct" Boethius with alternatives or additions.<sup>17</sup> Thus Thomas is in fact notable for his return to Boethius's definition and defense of it against contemporary alternatives.<sup>18</sup>

One likely reason for St. Thomas's high regard is the way that Boethius approaches his definition, reflecting the influence of his long study of Aristotle's *Organon*. As has been noted, he works towards his definition by dividing the genus of substance, and through comparisons judged by our preexisting knowledge, albeit vague, of what we already mean by "person": that is, although he does not say so explicitly, he is evidently

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14 E.g., Leonard Geddes, in *The Catholic Encyclopedia*, s.v. "Person," accessed May 9, 2008, <http://www.newadvent.org/cathen/11726a.htm>: "The definition of Boethius as it stands can hardly be considered a satisfactory one. . . . That St. Thomas accepts it is presumably due to the fact that he found it in possession, and recognized it as the traditional definition. He explains it in terms that practically constitute a new definition." See also Koterski, "Boethius and the Theological Origins of the Concept of Person."

15 For the historical context, see Corey L. Barnes, "Albert the Great and Thomas Aquinas on Person, Hypostasis, and Hypostatic Union," *The Thomist* 72 (2008): 107–46.

16 Richard favors "incommunicable existence" for Boethius's "individual substance," and does not think that "rational nature" can be extended to God, and so his formulation, proper to uncreated persons, is "naturae divinae incommunicabilis existentia." Richard of St. Victor, *De Trinitate* IV, c. 22 (in *Patrologia Latina* 196:945).

17 See Albertus Magnus, *Commentarii in I Sententiarum*, in *Opera omnia*, ed. E. Borgnet, vol. 25 (Vives: 1893), d. XXV, C, a. 1, p. 626.

18 Thomas is also remarkable for his care for his source; that is, in dealing with difficulties, he seeks to explain the definition in the context of the Boethian text. On this, see Wald, "Boethius und der Begriff der Person im Mittelalter," 168.

working from a *quid nominis* to a *quid rei*.<sup>19</sup> Further, because he approaches it by division of a genus, he implies the structure of a good definition, which is composed of a genus and specific difference, not just any bundle of terms which successfully delineate a group of things by applying to all of them and no others.<sup>20</sup> Of course, questions remain about that definition, not least because Boethius uses in succession two different ways of dividing the genus, yielding “of a rational nature” and “individual” respectively as qualifications. I will turn to St. Thomas for assistance there. But my anticipatory point is simply that St. Thomas does formally consider the composition of the definition: that is, in contrast to many other treatments (favorable or unfavorable, Scholastic or modern),<sup>21</sup> he attends to the words of the definition precisely as a unity of genus and difference.

### B. Genus

Indeed, in his earliest defense of it (in his *Sentences* commentary), where the question posed is whether Boethius’s definition of person is “adequate” (*competens*), all he does in the *corpus* of the article is to classify it and identify its parts as a definition—as if the response to the question “is this an adequate definition”

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19 Garrigou-Lagrange notes St. Thomas’s implicit attention to this procedure in treating the definition in Question 29 of the *Prima pars*; see Reginald Garrigou-Lagrange, O.P., *The Trinity and God the Creator: A Commentary on St. Thomas’ Theological Summa, Ia, q. 27-119*, trans. Frederic C. Eckhoff (B. Herder, 1953), 147–49.

20 By contrast, for example, Richard of St. Victor’s principal criterion for judging a definition is “ut conveniat omni et soli,” i.e., that it correctly delimit by applying to each thing and only those things intended by the name (*De Trinitate* IV, c. 21 (PL 196:944)).

21 A notable modern exception is Seidl, “The Concept of Person in St. Thomas Aquinas,” who does attend to St. Thomas’s identification of the genus and difference and the significance of this for debates about personhood.

were “yes, it is a definition.”<sup>22</sup> Of course, there will be more to his defense in the replies to objections, but this is the starting-point.

St. Thomas notes first that “person” names a reality, not an intention, and yet it names a reality insofar as a certain intention befalls it. He then identifies the genus as “substance” and the difference as “of a rational nature,” and finally adds that “individual” is “something pertaining to that intention under which the name of person signifies its reality.”<sup>23</sup>

How then is the definition unified? Where exactly does “individual” fit in along with genus and difference? It appears from the rest of this article, and yet more clearly from the later treatments in the *Summa theologiae* and *De potentia*, that St. Thomas regards this intention as completing the name of the genus of person, namely “individual substance” (which might also be named “hypostasis” according to the Greeks). Yet this is not, as it might appear grammatically, composing a genus of a more remote genus and difference, as if we were to define man as “rational living substance” instead of “rational animal.” For in the present case, “individual” does not divide “substance” into one of its species, but rather designates a mode of existing. Here is how St. Thomas begins the *corpus* of his treatment in the *Summa*, Question 29 of the *Prima pars*:

Although the universal and the particular are found in all genera, yet the individual is found in a certain special way in the genus of substance. For substances are individuated by themselves, but accidents by their subject. . . . Whence it is fitting that individuals of [the genus] substance also

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22 See *In I Sent.*, d. 25, q. 1, a. 1, c.

23 *In I Sent.*, d. 25, q. 1, a. 1, c.: “Et ideo in definitione personae ponuntur tria: scilicet genus illius rei, quod significatur nomine personae, dum dicitur ‘substantia’; et differentia per quam contrahitur ad naturam determinatam, in qua ponitur res, quae est persona, in hoc quod dicitur ‘rationalis nature’; et ponitur etiam aliquid pertinens ad intentionem illam, sub qua significat nomen personae rem suam . . . et ideo additur ‘individua’”

have a special name, beyond others: for they are called *hypostases*, or “first substances.”<sup>24</sup>

Our genus, then (clearly not a univocal genus, but one at best unified by analogy), is the genus of substance determined by a certain mode of existing, that is, as individual, as first substance.

Why should not “hypostasis” name that genus in the definition, rather than “individual substance”? Moreover, in dealing with objections, Thomas must go on to clarify in various ways what is meant by “individual substance,” so that only what subsists or exists *per se* as a whole can be a person (lest the separated soul or the human nature of Christ be persons on their own), and so that a person need not be the subject of accidents (lest we say that of the Trinity). This being so, would it not have been better to correct Boethius from the start, as Richard of St. Victor and others chose to do, and name the genus by a different term, such as *subsistentia*, *per se existens*, or *incommunicabilis existentia*?

St. Thomas addresses the “subsistence” (*subsistentia*) option for the genus explicitly in his parallel treatment in *De potentia*.

For “substance” in the sense of “hypostasis” stands closer to “person” than does “subsistence”: since “person” nevertheless means some subject, as a first substance, and not only as subsisting, as “subsistence” does.<sup>25</sup>

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24 *ST I*, q. 29, a. 1, c.: “[L]icet universale et particulare inveniantur in omnibus generibus, tamen speciali quodam modo individuum invenitur in genere substantiae. Substantia enim individuatur per seipsam, sed accidentia individuantur per subiectum. . . . Unde etiam convenienter individua substantiae habent aliquod speciale nomen prae aliis: dicuntur enim *hypostases*, vel *primae substantiae*.”

25 *De potentia*, q. 9, a. 2, ad 8: “[S]ubstantia enim quae est hypostasis, propinquius se habet ad personam quam subsistentia; cum tamen persona dicat aliquid subiectum, sicut substantia prima, et non solum sicut subsistens ut subsistentia.”

Although “substance” differs from “subsistence” by naming a thing as a subject of accidents, rather than as existing *per se* and not in another,<sup>26</sup> and a person is not necessarily a subject of accidents, nevertheless, the word “person” does in fact express some subject, and not merely some existence. Prior to its development in the question at hand (that is, prior to its adoption into Christian theology), the note of “subject” in *persona* might have been: theatrically, a role, that is, the subject of speeches and actions in a play; grammatically, the subject of a finite verb; juridically, the subject of rights or duties; and so forth.<sup>27</sup> Though all these are bound up with accidents, it is not accidents or a relation to accidents as such which *persona* was coined to signify, but the individuality (and sometimes the dignity)<sup>28</sup> of the role, grammatical subject, source of legal obligation, and so forth—their distinction from others in their several contexts. And it is clear that St. Thomas prefers to extend analogically or to “purify” this already-established signification of the word when said of God than to preempt any implication of accidents by way of “subsistence,” which would obscure the distinct meaning of “person,” and in the bargain would still not avoid the need for

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26 See *ST I*, q. 29, a. 2, c.: “Secundum enim quod per se existit et non in alio, vocatur *subsistentia*. . . . Secundum vero quod supponitur accidentibus, dicitur *hypostasis* vel *substantia*.”

27 See: Boethius, *Contra Eutychen et Nestorium*, 86–87; Charlton Lewis and Charles Short, *A Latin Dictionary* (Oxford: Clarendon, 1879) s.v. “Persona,” pp. 1355–56; Mary Hatch Marshall, “Boethius’s Definition of *Persona* and Medieval Understanding of the Roman Theater,” *Speculum* 25 (1950): 471–82; and Koterski, “Boethius and the Theological Concept of Person.”

28 St. Thomas notes that some in fact define “person” by way of dignity (e.g., “an hypostasis distinguished by a property pertaining to dignity”), and does not find fault with this, but will show how the Boethian definition as it stands in fact gives us the principle of the dignity of certain substances. See *ST I*, q. 29, a. 3, ad 2.

analogical extension and clarification—a need for any positive predicate whatever that we can say properly of God.<sup>29</sup>

Regarding “existence” (*existentia*) and “the *per se* existing” (*per se existens*), a similar argument seems to apply. We can confirm this by way of St. Thomas’s response to a related objection concerning the difference, “of a rational nature.” The objector argues that “essence” would be preferable to “nature”; Thomas, although he too must select from different senses of “nature” the one fitting this definition, and elsewhere glosses that sense as equivalent to “essence,”<sup>30</sup> nonetheless replies that *essentia* is a less appropriate name here than *natura* because it is derived from *esse*, “being,” “which is most common of all,” whereas persons are found only among certain kinds of being.<sup>31</sup> Likewise in the genus, both *existentia* and *per se existens* are names standing further from “person” because they are derived from another “being”-verb, *existere*.

To reiterate: These alternatives are not mere failures; with the appropriate qualifications, they can constitute a definition that applies to every person and only persons, and indeed can bring out aspects of the notion of “person” that are not as explicitly or distinctly stated in the Boethian version, helping to answer objections. But in attempting to forestall those objections, they name the real genus of “person” too remotely, opening the door to new difficulties, and losing the attention to the subject that “substance” brings.

Furthermore, by first stating “substance” as the genus commonly and then determining it by the intention “individual”—as opposed to using the single name “hypostasis”—we may gain in

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29 See *ST I*, q. 13, aa. 3, 5.

30 See *ST III*, q. 2, a. 1, c.

31 See *ST I*, q. 29, a. 1, ad 4: “Et ideo convenientius fuit quod in definitione personae, quae est singularis generis determinati, uteretur nomine *naturae*, quam *essentiae*, quae sumitur ab *esse*, quod est communissimum.”

two ways. First, at least in Latin (and English), the former terms are less abstruse and technical, making more evident how the definition is founded upon common knowledge. Second, and more importantly, this facilitates our seeing the definition as a unity of genus and difference. For our attention is drawn to the mode of existing under which the genus is being signified, and so more precisely to that which will be determined by the difference, that is, the ways in which individuals exist and are subjects in their respective natures. Thus the genus commonly and implicitly signifies any of the essential principles by which substances of any kind are individuated. This will help to preserve the commonality of the account so that, albeit analogously, we may use this name of men, angels, and the Father, Son, and Holy Spirit. For to do so, we must see diverse principles of *individuation* precisely as such—as commonly called “individuating.”

### C. Difference

Let us now return to the body of the *Summa* article to complete the definition:

But the particular and individual are found in a yet more special and more perfect way in rational substances, which have dominion over their own acts, and not only are acted upon, like other things, but act through themselves: and actions are in singulars. And therefore the singulars of a rational nature, among other substances, also have a certain special name. And this name is “person.”<sup>32</sup>

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32 *ST* I, q. 29, a. 1, c.: “Sed adhuc specialiori et perfectiori modo invenitur particulare et individuum in substantiis rationalibus, quae habent dominium sui actus, et non solum aguntur, sicut alia, sed per se agunt: actiones autem in

The difference contracts the genus by determining and perfecting its notion. No less than the genus, the difference must also come from some pre-existing knowledge, yet essential differences are not easily known to us. We may already know, at least for the most part, what among substances should be called a person; the difficulty lies in finding the difference that not only captures these and no others, as some group of accidents might do, but reveals the principle. A classic example might be “risibile animal” versus “rational animal”: we know that the latter is the better definition as it has the power to manifest the former and much else besides. Now that is a classic example in part because it is arguably the only example: that is, we do not have a battery of other real definitions of natural substances by essential differences known to us; substituting accidents for true specific differences is the norm. But happily for the case of “person,” “rational animal” is not merely an example for comparison, but overlaps. It involves knowledge of the very same principle of the difference.

And so if we ask whence comes this prior knowledge of the difference of person, while Thomas does not say explicitly, considering his teaching on our knowledge of the soul, it seems reasonable to say that self-consciousness is the most certain source.<sup>33</sup> We know most certainly from ourselves that we act

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singularibus sunt. Et ideo etiam inter ceteras substantias quoddam speciale nomen habent singularia rationalis naturae. Et hoc nomen est *persona*.”

33 The study of the soul takes its certitude from the fact that “everyone experiences this in his own self, namely, that he has a soul and that the soul gives life.” (“[H]oc enim quilibet experitur in se ipso, quod scilicet habeat animam et quod anima uiuificet.”) *Sententia Libri de anima*, Leonine ed. vol. 45.1 (Commissio Leonina, 1984), I.1, p. 5. See also *ST I-II*, q. 112, a. 5, ad 1: “The things that are in the soul through its own essence are known with experiential knowledge, insofar as man experiences [his] intrinsic principles through [his] actions: as we perceive the will in willing, and life in the operations of life.” (“Illa quae sunt per essentiam sui in anima, cognoscuntur experimentali cognitione, in quantum homo experitur per actus principia intrinseca,

from ourselves. To act *per se* follows upon existing *per se*, and so it is only substances that are properly said to act at all. But we know that rational substances act *per se* in a much stronger sense than non-rational substances: “it is in them to act and not to act,” as a parallel text in *De potentia* puts it.<sup>34</sup> We attribute acts to rational creatures in a way we do not to beasts or to the inanimate. And by seeing this as a difference of the genus “individual substance,” we see this attribution as due to the fact that being of a rational nature names the most perfect way of being an individual, of being *per se*. Or to put it another way, “being a rational individual” names the perfect reality of being *per se* more properly than does the name “being *per se*.”

If *rationalis naturae* is the specific difference in the definition, the determining characteristic of the thing defined, it

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sicut voluntatem percipimus volendo, et vitam in operibus vitae.”) Likewise, see Charles De Koninck, “Introduction to the Study of the Soul,” trans. David Quackenbush, *The Aquinas Review* 23 (2019–20): 1–99 (originally published in *Laval Théologique et Philosophique* III.1 [1947]: 9–65); see particularly 9 and 14: “The first notion of life, that to which one must always return, comes to us first and principally from the internal experience of living . . . the study of the soul, which is situated on the level of the universal, presupposes as point of departure knowledge of the vital activities that we experience first of all in ourselves, that we attain *in singulari* in internal experience.”

34 *De pot.*, q. 9, a. 1, ad 3: “As the individual substance has it as proper that it exist *per se*, so it has it as proper that it act *per se*: for nothing acts except being in act. Wherefore, just as heat does not exist *per se*, so it does not act *per se*, but the hot thing heats through heat. But this, to act *per se*, belongs in a more excellent way to substances of a rational nature than to others. For only rational substances have dominion over their acts, such that it is in them to act and not to act; but other substances are more acted upon than act.” (“Sicut substantia individua proprium habet quod *per se* existat, ita proprium habet quod *per se* agat: nihil enim agit nisi ens actu; et propter hoc calor sicut non *per se* est, ita non *per se* agit; sed calidum *per* calorem calefacit. Hoc autem quod est *per se* agere, excellentiori modo convenit substantiis rationalis naturae quam aliis. Nam solae substantiae rationales habent dominium sui actus, ita quod in eis est agere et non agere; aliae vero substantiae magis aguntur quam agant.”) In *Quaestiones disputatae*, vol. II, ed. P. M. Pession (Marietti, 1965), p. 70.

should be no surprise that one's understanding of this definition depends especially on what one admits under the names "rational" and "nature." Put otherwise, broader and narrower notions of "reason" and "nature" will expand or contract its explanatory power. It is more characteristic of modern considerations of personhood to be skeptical of the adequacy of these terms for expressing even the essence of *human* persons, to say nothing of the angelic or divine;<sup>35</sup> the role that this plays in Ratzinger's critique, at least as regards "reason," will be noted in the replies. Medieval commentators, on the other hand, were more likely to balk at Boethius's apparent extension of the proper difference of man to angelic and divine persons, who were more commonly called "intellectual" than "rational." It is evident that, as St. Thomas argues, that is just what Boethius means; he is not naming the proper difference of man, but the difference of knowing and willing, whether that be realized in corporeal or incorporeal substance, in a creature or the creator. Such breadth obviously entails analogy, which is required for us to see this as a common account of persons human and divine.

#### D. Analogy

We can and should extend the name "person" to God insofar as by it we signify first some created perfection—indeed, "person signifies that which is most perfect in all nature, namely, what

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35 For example, see the differing accounts of the continuity of Pope John Paul II's "personalist" philosophy with classical philosophy and St. Thomas by, respectively, James Taylor and Michael Waldstein: Taylor, "Beyond Nature: Karol Wojtyła's Development of the Traditional Definition of Personhood," *The Review of Metaphysics* 63 (2009), 415–54; Waldstein, "Person and Nature according to Wojtyła's *Person and Act*," *Communio* 47 (2020): 699–726.

subsists in a rational nature.”<sup>36</sup> But, of course, it can only be said of God in a more excellent way, as with any divine name; and there is a special difficulty with “person.” For it seems to name in a preeminently absolute way, since it names what exists *per se*, and yet by faith we confess three in God, without multiplying absolute beings. As St. Thomas introduced and defended the Boethian definition precisely for the purpose of thinking well about the Trinity, we should expect it to bear fruit here.

A first stage of this is found in Thomas’s defense of our saying the word “person” of God at all:

[A]lthough the name “person” is not found said of God in Scripture, whether the Old or New Testament, nonetheless that which the name signifies is many times found to be asserted of God in Sacred Scripture: namely, that he is most of all *per se ens*, and most perfectly intelligent.<sup>37</sup>

We see here each of the proper parts of the definition serving to resolve the later theological use of “person” to Scripture; that is a good sign.

Even so, the early Ratzinger might object here: We cannot find the reality signified by “person” said of God in Sacred Scripture, except when it speaks dialogically or relationally—for the reality is a relation.

St. Thomas himself is, in this article, working towards his own argument that on the basis of revelation, we must affirm that in the highest way of being persons, persons are relations. But this is an articulation developed from revelation. Scripture, thanks be to God, does not reveal the Trinity of persons to us by

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36 St. Thomas, *ST I*, q. 29, a. 3 c.: “persona significat id quod est perfectissimum in tota natura, scilicet subsistens in rationali natura.”

37 St. Thomas, *ST I*, q. 29, a. 3, ad 1: “[L]icet nomen *personae* in Scriptura veteris vel novi Testamenti non inveniatur dictum de Deo, tamen id quod nomen significat, multipliciter in sacra Scriptura invenitur assertum de Deo; scilicet quod est maxime *per se ens*, et perfectissime intelligens.”

way any of the words “relation,” “substance,” or “subsistence,” but rather, Father, Son, and Holy Spirit. And there is an order here, whereby the difference of person as we could know it even apart from revelation is precisely what will open up our understanding, however limited, of divine persons as relations. For without some argument, even granting that we cannot comprehend the reality, how can we grasp anything by the claim “some person is a relation”? Why is it not a mere category mistake? For this we must see the culmination of Question 29—Article 4, wherein Thomas explains how “person” signifies relation when said of God—in light of the previous two questions.

For St. Thomas, what is most immediately revealed to us by Scripture about the Trinity of divine persons is that there is procession in God. We can to some extent grasp this as consistent with his unity and immutability insofar as we already know him to be of an intellectual nature, and we know through ourselves that the operations proper to intelligence are the most perfect and delightful activities of all, being not truly motions but activities with no essential contrariety or destruction. Thus we can speak (albeit analogously) of the immanent processions that belong to the proper operations of such a nature, knowing and loving: to knowing, the procession of an interior word; to loving, a procession that goes unnamed.<sup>38</sup> Since there are really

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38 See *ST I*, q. 27, a. 1, c.: “And this is most apparent in the intellect, whose action, i.e., to understand, remains in the one understanding. For whoever understands, from the very fact that he understands, has something proceed within himself, which is the conception of the thing understood, coming forth from the intellectual power, and proceeding from its knowledge. It is this conception which the voice signifies, and it is called the *word of the heart*, signified by the word of the voice.” (“Et hoc maxime patet in intellectu, cuius actio, scilicet intelligere, manet in intelligente. Quicumque enim intelligit, ex hoc ipso quod intelligit, procedit aliquid intra ipsum, quod est conceptio rei intellectae, ex vi intellectiva proveniens, et ex eius notitia procedens. Quam quidem conceptionem vox significat: et dicitur *verbum cordis*, significatum verbo vocis.”) This does not mean, of course, either that we know by reason that there must

processions in a single nature, it must follow that there are relations, really distinct from each other, in that nature; and yet, because of the simplicity of that nature, those relations cannot be beings other than itself.<sup>39</sup> So relation is what exists distinctly in the divine nature, being at once identical with that nature.

The signification of “person” is common among all rational or intellectual natures—and so is open to diversity of signification amongst those natures, without mere equivocation.

Therefore “person,” in any given nature, signifies that which is distinct in that nature: as in human nature it signifies this flesh and these bones and this soul, which are the principles individuating a man. . . . But no distinction is made in God except through relations of origin, as was said above. And relation in God is not as an accident inhering in a subject, but is the divine essence itself; whence it is subsistent. . . . Thus “divine person” signifies relation *as subsisting*.<sup>40</sup>

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be a Word in God, or that the Word is reduced to an emanation from the divine substance. See Gilles Emery, O.P., “Essentialism or Personalism in the Treatise on God in Saint Thomas Aquinas?,” *The Thomist* 64 (2000): 521–63, trans. Matthew Levering (original: “Essentialisme ou personnalisme dans le traité de Dieu chez saint Thomas d’Aquin?,” *Revue Thomiste* 98 [1998]: 5–38).

39 See *ST I*, q. 28, a. 1, c.: “But when something proceeds from a principle of the same nature, it is necessary that both, namely what proceeds and that from which it proceeds, belong to the same order: and thus they must possess real relations towards each other. Therefore, since the processions in God exist in an identical nature, as has been shown, it is necessary that the relations admitted in consequence of the divine processions be real relations.” (“Cum autem aliquid procedit a principio eiusdem naturae, necesse est quod ambo, scilicet procedens et id a quo procedit, in eodem ordine convenient: et sic oportet quod habeant reales respectus ad invicem. Cum igitur processiones in divinis sint in identitate naturae, ut ostensum est, necesse est quod relationes quae secundum processiones divinas accipiuntur, sint relationes reales.”)

40 *ST I*, q. 29, a. 4, c.: “Persona igitur, in quacumque natura, significat id quod est distinctum in natura illa: sicut in humana natura significat has carnes et haec ossa et hanc animam, quae sunt principia individuantia hominem. . . . Distinctio autem in divinis non fit nisi per relationes originis, ut dictum est

When we say “person” of God, because that name already means the individual substance (or what exists distinctly *per se*) of a rational nature, we discover that the reality that it signifies is relation—relation signified not as such, but as subsisting. God the Father is the divine paternity.

So it is precisely the grandeur of reason (or intellect), the finally determining element in the Boethian definition, which has made the extension possible. Because intellect is the principle of the activity of the perfect, an activity that does not in itself imply any potency or destruction of opposites, our notion of it can be a vehicle for the revelation of relative opposition without diversity of essence in God, and which thus in turn allows us to see dimly how there could be distinct persons in the divine unity.

Finally, another aspect of this article—what we might call the historical or developmental side of this question—further explains St. Thomas’s regard for the Boethian definition. The question whether “this name *persona* signifies relation” involves not only how a common conception might be understood of human and divine persons, but how the particular Latin word *persona* comes to have that signification. There is much to that story beyond the scope of this paper, but it is appropriate to mention one aspect here.<sup>41</sup>

As has been mentioned, however distinctive its use in Catholic theology, *persona* was not a word invented by the Church, but had a history and meaning (or set of meanings) when she took it up. And it happens that it was not a relative name (such as “father”), but named in an absolute way. Yet in controversy with heretical accounts of the Trinity, the Church came to use this word as naming the divine relations. Some

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supra. Relatio autem in divinis non est sicut accidens inhaerens subiecto, sed est ipsa divina essentia: unde est subsistens. . . . Persona igitur divina significat relationem *ut subsistentem*.”

41 See Milano, *Persona in teologio*, for a sweeping historical account.

theologians interpreted this as follows: in its own right as a human word, “person” means something absolute, and so said of God, it would mean the divine essence; but by conciliar *fiat*, it has been appropriated to mean relation in God.

St. Thomas rejects this as giving more fuel to heretics, because it admits that by the force of the words themselves, “three divine persons” should mean three absolute divine things, which the heretics will understand to mean “three gods.” He himself has avoided this by adopting from Boethius a common definition of what the word already meant, in a pre-theological way—in which we can see that although the better-known things signified by “person” are absolute beings, the account is not through the notion “absolute thing” but “individual substance”; and as has been shown, this notion is in fact open to including relation once the divine processions have been revealed to us.

And in this way it can also be said that this signification of this name “person” had not been perceived before the calumny of heretics, whence this name “person” was only in use as an absolute name. But afterwards, this name “person” was accommodated to stand for a relative, from the congruence of its signification: that is, that it should stand for a relative comes not only from use, as the first opinion said, but also from its own signification.<sup>42</sup>

Thus to receive a ripened fruit of sacred doctrine, that divine persons are relations, and to treat this as the meaning that “person” ought to have *ab initio* and everywhere for the

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42 *ST I*, q. 29, a. 4, c.: “Et secundum hoc etiam dici potest, quod haec significatio huius nominis *persona* non erat percepta ante haereticorum calumniam: unde non erat in usu hoc nomen *persona*, nisi sicut unum aliorum absolutorum. Sed postmodum accomodatum est hoc nomen *persona* ad standum pro relativo, ex congruentia suae significationis: ut scilicet hoc quod stat pro relativo, non solum habeat ex usu, ut prima opinio dicebat, sed etiam ex significatione sua.”

Christian, risks the sort of scandal St. Thomas worked to avoid. To claim that naming a man a person names relation, or relativity, seems to override the word's own power of signification by revealed *fiat*, giving unnecessary occasion for dismissing or misunderstanding other aspects of the Church's teaching on the human person, as if contrary to reason, or denying that a created person is something absolute.

*Part II: Replies*

*Reply 1: The Greek Mind*

Thus to the first and principal objection—revelation that the divine persons are relations entails that “to be a person” is essentially “to be relational”—two things should be said.

First, in St. Thomas's account the very means by which we develop our grasp of that revelation, articulate it into the understanding “divine persons are relations,” and defend it against errors, is the common Boethian definition. It is not the only way to grasp and articulate that revelation, and our understanding through it still falls far short of the revealed mystery. But if our understanding, even in matters of revealed truth, must always advance on the basis of some prior knowledge, and is always more certain when proceeding from the more common, it is hard to see how a radically different approach, one that attempted to remake human thought on the basis of revelation, would give a grasp of “person” better suited to sacred doctrine.

Second, and more constructively, what are we looking for in a definition? If St. Thomas does not define human person in terms of relation, by no means does he therefore make relation

unimportant or circumstantial.<sup>43</sup> Relations are accidents in creatures, nor are we naming by way of relation when we name creatures “persons”—we are naming by way of rationality. But after all, to be creatures and not the creator means that accidental being makes for us all the difference, in this world and the next: the difference between good and bad persons, between happiness and misery.

Accidents of many kinds flow from an essence, some more and some less directly; and it is just in light of this that we work out and judge definitions. A good definition will manifest the principles from which properties flow; and the Boethian definition gives us precisely the grounding of the relationality that is characteristic of persons, illuminating them more than we could by defining them through the word “relation.” That grounding is the rational nature as perfective of individual substance taken

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43 This conflation of “accidental” with “trivial” seems to have distorted the early Ratzinger’s view of medieval accounts. See *Introduction to Christianity*, 182–83: “With the insight that, seen as substance, God is One but that there exists in him the phenomenon of dialogue, of differentiation, and of relationship through speech, the category of *relatio* gained a completely new significance for Christian thought. To Aristotle, it was among the ‘accidents,’ the chance circumstances of being, which are separate from substance, the sole sustaining form of the real. . . . It now became clear that the dialogue, the *relatio*, stands beside the substance as an equally primordial form of being.” Michael Waldstein offers a correction of this conflation in an adjacent discussion of person-as-relation, “Constitutive Relations: A Response to David L. Schindler,” *Communio* 37 (Fall 2010): 1–23. Fr. Clarke’s position here is curious; while in discussion with Schindler, he too (like Waldstein) argues against conflating the accidental with the external and unimportant, he seems to fall into a closely related error in disregarding St. Thomas’s teaching (*STI*, q. 5, a. 1, ad 1) that the meaning of “being” said *simpliciter* is “good” said only *secundum quid*, and “good” said *simpliciter* of creatures refers to what is called “being” *secundum quid*, that is, to accidents: “And since this self-communication is a communication of being in some way, and being and goodness are convertible for Aquinas, such a self-communication always tends in some way toward the good, toward sharing the good that the communicator possesses.” Clarke, *Person and Being*, 76.

generally—so long, that is, as one has the sort of view of the dignity and expansiveness of “rational nature” that St. Thomas had, one which seems to be echoed by the later Ratzinger at Regensburg.<sup>44</sup>

For “relation” is a common term, and there are relations of many kinds in any human person; of these, many do not belong to him insofar as he is called “person” (which names something perfect), but follow upon imperfections and what he shares with lower creation. Our every quantitative aspect, our every action and passion, is apt to found real relations, and so we have many relations just insofar as we are physical bodies. It is evidently not these sorts of relations Ratzinger had in mind when he proposed relation as simply definitive of the person, relations belonging to material being as such and which imply the contrariety and loss that comes with motion properly speaking; he meant the relations proper to “spirit,” to use his word, which does not become less by going out of itself, which can fully possess itself.<sup>45</sup>

But this is precisely what is achieved by defining “person” in common not through relation but through reason: to determine it formally by a principle of the sort of action that is the act of the perfect, and so grounds the relations of knowledge and love, whereby the knower and lover comes to be related to the known and loved without the necessary implication of loss

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44 “The courage to engage the whole breadth of reason, and not the denial of its grandeur—this is the programme with which a theology grounded in Biblical faith enters into the debates of our time. ‘Not to act reasonably, not to act with *logos*, is contrary to the nature of God,’ said Manuel II, according to his Christian understanding of God, in response to his Persian interlocutor. It is to this great *logos*, to this breadth of reason, that we invite our partners in the dialogue of cultures.” Pope Benedict XVI, “Faith, Reason, and the University: Memories and Reflections,” Lecture at the Aula Magna of the University of Regensburg (September 12, 2006), [https://www.vatican.va/content/benedict-xvi/en/speeches/2006/september/documents/hf\\_ben-xvi\\_spe\\_20060912\\_university-regensburg.html](https://www.vatican.va/content/benedict-xvi/en/speeches/2006/september/documents/hf_ben-xvi_spe_20060912_university-regensburg.html).

45 Ratzinger, “Person in Theology,” 451.

or motion in either. The rational soul is in a way all things—the knower can by this activity be related to itself and to the whole universe, in a way far surpassing the relation he has to that whole in the quantitative and mobile orders, just as it is only by surpassing that order that he can be said truly to act *per se*, and not only to be acted upon. Is this not what grounds Ratzinger's claim that "openness, relatedness to the whole, lies in the essence of spirit"?<sup>46</sup> And again, it is our self-reflective knowledge of the rational nature and its proper activity, the act of the perfect, that permits our reaching out in thought to a being identical with its activity. This does not yet reveal to us the Trinity, but it prepares us to receive that revelation, and this too seems consonant with the Regensburg address.

Indeed both Ratzinger and Clarke, in their critiques of the Boethian definition, are forced to concede that we men are not (yet) persons in the way the divine persons are, and that therefore their respective accounts of person-as-relation describe rather the goal of man's trajectory as a person. But we have seen this trajectory in St. Thomas, through the analogical application of "person" to man and God, a trajectory implicit perhaps, but well secured. Indeed in the same texts, we could go on (following Fr. Gilles Emery) to see the Trinitarian mark of man's procession from and return to God. We proceed from God as created persons because of the immanent processions of the Son and of the Holy Spirit in the manner of the intelligible word and of love: and so we can say that our substantial existence as created persons is a participation in subsisting relations.<sup>47</sup> Our hoped-for

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46 Ratzinger, "Person in Theology," 451.

47 Emery, "Essentialism or Personalism?," pp. 527–31. See *De potentia* q. 10, a. 2, ad 19: "the Son as Word and Exemplar is the sufficient reason for the temporal procession of creation; but the Holy Spirit must be the reason for the procession of creation as Love." ("Filius est sufficiens ratio processionis temporalis creaturae ut verbum et exemplar; sed oportet quod spiritus sanctus sit ratio processionis creaturae ut amor.")

fulfillment as persons in glory consists in assimilation to God; we cannot become subsistent relations, but by our capacity for the most perfect sort of relation, our rational nature, we are susceptible of becoming united to the persons who are subsistent relations.

Note finally that by the Boethian definition, in Thomas's account, even quantitative accidents, which found our least noble relations (those that man has not as spirit but as body), are recognized as serving personhood, drawn up into an order with the noblest relation, under the common term "individual." For by this term, the definition signifies any individuating principle in a rational nature, and so what in the Holy Trinity is subsisting relation is for this poor Jack or Jill the "thisness" of this flesh and these bones, by which alone can our nature be individuated and thus realize persons and the relations proper to persons.

### *Reply 2: Relation and Community*

The reply to the second objection, regarding the person as interpersonal, is similar. We have already seen why it is erroneous to say that the Boethian definition entails an isolated, autonomous substance; it may not name relation or community, but it defines the individual's existence through the principle of his truly personal relations. To quote Fr. Emery:

[O]ur interpersonal relations are grounded in our *nature*. They are, so to speak, the blossoming of our nature—to be more precise: these relations are grounded in the "rational nature" that is part of the very definition of person, a rational nature which in turn finds its foundation in the subsistence of the person as an individual substance.<sup>48</sup>

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48 Emery, "The Dignity of Being a Substance," 1000.

Moreover, because the difference is “rational nature” and not just “rational”—because Boethius from the first sought to manifest the person within a nature—the definition also locates the composite person within a common nature, *of* which he is an individual. This term in the definition does not merely set the person apart, as if to isolate, but sets him as a part, as belonging to a whole (even if immediately, this is just a universal whole).

On this point, my interlocutors might renew the objection, due to a distinction sometimes made by personalists between “individual” of a human nature and “person.” We see it in the early Ratzinger:

Greek thought always regarded the many individual creatures, including the many individual human beings, only as individuals, arising out of the splitting up of the idea in matter. The reproductions are thus always secondary; the real thing is the one and universal. The Christian sees in man, not an individual, but a person; and it seems to me that this passage from individual to person contains the whole span of the transition from antiquity to Christianity, from Platonism to faith.<sup>49</sup>

To treat of this adequately is well beyond the scope of this paper, but I would be remiss in trying to meet the difficulties of Ratzinger and Clarke if I did not at least allude to it. For it is evident that aside from any other considerations, accepting such a distinction, at least in words, means rejecting the Boethian definition.

Yet we can see from this passage that in fact the meaning of “individual” is in dispute. Its significance for Ratzinger’s narrative, and what it implies for the relation of part to whole, is very different from what it means in the Boethian definition as Thomas understood it. Ratzinger, perhaps because of a reduction

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49 Ratzinger, *Introduction to Christianity*, 160.

of Greek thought to Platonism, takes this subordination of part to whole intended by “individual” to mean that only the universal whole really exists or is of interest. But in the Boethian definition, the mode of existence which “individual substance” denotes is the real—substance as it exists outside the mind, and is the measure of the mind’s grasp of it in the universal. It is *first* substance. Indeed, the rational nature, as difference in the definition, is perfective of just this, the individual way of being. It is through the rational nature that individual substances can be the most real of things, can be deserving of so much care as individuals, can be *capax Dei* and thus of such great dignity—because of the common good to which they can be called on account of their rational nature. It is not necessary, in order to secure this care and this dignity, to deny that persons as such can in any way be parts subordinated to a whole.<sup>50</sup> That recent schools or movements of Catholic thought have in fact denied this may

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50 On the argument of this paragraph, see Charles De Koninck’s “On the Primacy of the Common Good against the Personalists” and “In Defence of Saint Thomas: A Reply to Father Eschmann’s Attack on the Primacy of the Common Good,” in *The Aquinas Review* 4 (1997): 14–71, 171–349. The two were originally published as *De la primauté du bien commun contre les personnalistes* (Éditions De L’Université Laval, 1943), and *Laval théologique et philosophique* 1 (1945): 8–109, respectively. Both are also available in *The Writings of Charles De Koninck*, vol. 2, ed. and trans. Ralph McInerney (University of Notre Dame Press, 2009). The text often cited to deny that persons can in any sense be parts (“ratio partis contrariatur rationi personae,” *In III Sent.*, d. 5, q. 3, a. 2, c.) is, as De Koninck notes (*In Defense of St. Thomas*, 22), applied out of context, and once again attention to the Boethian definition makes this clear. Opposition to the *ratio personae* should be evident from the definition, not from some added notion; and in fact, in context, St. Thomas means that a person cannot be a part of an *unum per se*: being itself an individual substance, a person cannot be part of an individual substance. This in no way affects whether a person can stand as a part to a community, a real whole, though not a substantial whole. Note also, e.g., *ST* II-II, q. 50, a. 3, c.: “It is evident that the household stands in the manner of middle between one single person and a city or kingdom, for just as one single person is part of a household, so one household is part of a city or kingdom.” (“Manifestum est autem quod domus medio modo se habet inter

help explain the drive to define the human person relationally. Absent this notion, which belongs in a thoroughgoing way to St. Thomas's accounts of all creatures' order to their end, including human and angelic persons—namely, that they are in some ways parts of a whole—it seems that the effort to make relation explicit and essential in the definition is a substitute, intended to force back into our reasoning about persons the communal and the interpersonal, trying to fill the void left by the banishment of an axiom: the whole is greater than the part. I fear that this will undermine such reasoning in the end.

*Reply 3: Reason and Being*

The third objection was peculiar to Fr. Clarke—that Thomas's metaphysics of *esse* implies that persons are essentially relational, because being is essentially relational, and person is “the highest, most intense expression of the perfection of being.”<sup>51</sup> To this it should be said that being is said in many ways, and Thomas's attention to signification, so important to his thinking on all divine names, including that of person, is sadly ignored here. Thomas explicitly rejects alternatives to Boethius that use terms closer to *esse*, not necessarily as false, but as less appropriate accounts of person, because “being is most common”—it does not so well name the perfection of personhood. Fr. Clarke, in the line of Gilson, seems to admit no greater name than “being,” to which all else must be subordinated. He does not dismiss the Boethian definition as *incompetens*; yet his reason for preferring another betrays his departure from Thomas: having gathered an

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unam singularem personam et civitatem vel regnum, nam sicut una singularis persona est pars domus, ita una domus est pars civitatis vel regni.”)

51 Clarke, *Person and Being*, 71.

alternative phrasing from other texts, *subsistens distinctum in natura rationali*, he says:

The advantage of working from this second definition, where the emphasis is on the act of existence as central rather than the nature, is this: if all the perfection of being a person comes to it from its act of existence, proportioned of course to its nature, then we can transfer all the attributes characteristic of existence itself over into the person as such, where they will be found at enhanced degrees of intensity.<sup>52</sup>

The role of the genus and difference now seem to have been wholly confused. Moreover, in spite of using a preferred restatement of the definition, the particular terms now seem relatively unimportant for its explanation; it seems to be merely a placeholder for a doctrine of *esse*. As a result, our grasp of the relationality proper to persons is in fact weakened, since in this account relation is said of persons only insofar as it is characteristic of all being.

### Conclusion

I have argued, then, that the very aims that the early Ratzinger and Clarke were pursuing in their critiques or “completions” of St. Thomas on the definition of person are in fact better secured through the Boethian definition, just as Thomas develops it, than by its supposedly more relational or dynamic substitutes.

This may help to explain how it was that Charles De Koninck, in the very course of arguing “against the personalists,”

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52 Clarke, *Person and Being*, 29–30.

could deduce from St. Thomas a conclusion remarkably similar to one of the central theses of Ratzinger and Clarke.

For the person is not an absolute as such. The Divine Persons are subsistent relations. . . . [I]f the created person is an absolute, this is because of its imperfection in its very character as a person.<sup>53</sup>

To be sure, Ratzinger and Clarke would likely object to De Koninck's larger argument here, which involves the premise that "in man, dignity is not an attribute of the person considered as such, but rather of the rational nature."<sup>54</sup> Nonetheless, this particular conclusion manifests how we might truly say according to St. Thomas's own teaching that the revelation of the divine persons gives us "the decisive illumination of what person must mean . . . which indicates the direction of all personal being."<sup>55</sup>

It is not our ontological right to be relational as are the divine persons; but our hope, already begun in charity in this life, is to enter into that wholly relational life, in the Body of Christ, just as he prayed for his disciples and for us: "that they too may be one in us, as thou, Father art in me, and I in thee" (John 17:21).<sup>56</sup>

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53 De Koninck, *On the Primacy of the Common Good*, 40–41. ("En effet, la personne n'est pas comme telle un absolu. Les personnes divines sont des relations subsistantes. . . . En sorte que si la personne créée est un absolu, c'est à cause de son imperfection dans la raison même de personne.")

54 De Koninck, *On the Primacy of the Common Good*, 41.

55 Ratzinger, "Person in Theology," 445.

56 This essay is based on a presentation made on June 7, 2025, at the *Thomistic Summer Conference* held at Thomas Aquinas College, California, on the theme of "Thomism in an Age of Renewal," itself dedicated to the work of Ralph McInerny.

## BOETHIUS, AQUINAS, AND THE ART OF COMMENTARY

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Students of St. Thomas Aquinas acknowledge the great importance he attached to the task of commentary: commentaries on Scripture, on the works of other theologians and on Aristotle make up more than a third of his extensive corpus. But Ralph McInerny, in his book *Boethius and Aquinas*, explains that commentary also took a central place among the intellectual tasks of the author of *The Consolation of Philosophy*. Note the following passage from Boethius's introduction to his commentary on Aristotle's *On Interpretation*:

I would put into the Roman tongue every work of Aristotle that has come down to us and write Latin commentaries on them all. Whatever of the subtlety of the art of logic, the gravity of moral knowledge, and depth of understanding of natural truth was written by Aristotle, I would by translating and commenting set out in an orderly way and clarify with commentaries.<sup>1</sup>

Not only, then, did Boethius and St. Thomas share the task of writing commentaries, but both were especially concerned to comment on the works of Aristotle. And a third factor connects our two authors: St. Thomas wrote commentaries on Boethius himself, on the theological tractates *De Trinitate* and

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<sup>1</sup> Boethius, *In librum Aristotelis Peri hermeneias commentarii, secunda editio*, II, 1 (Patrologia Latina 64:433C-D): "Ergo omne Aristotelis opus quodcunque in manus venerit, in Romanum stulum vertens, eorum omnium commenta Latina oratione perscribam, ut si quid ex logicae artis subtilitate, et ex moralis gravitate peritiae, et ex naturalis acumine veritatis ab Aristotele conscriptum est, id omne ordinatum transferam, atque id quodam lumine commentationis illustrem."

*De hebdomadibus*. It is more than fitting, then, that McNerny's *Boethius and Aquinas* takes up an inquiry into the nature of a commentary.

In this essay we will examine, with McNerny's guidance, St. Thomas's Boethian commentaries, principally his commentary on *De hebdomadibus*. We will see that St. Thomas's commentary proposes an interpretation of that work that sharply conflicts with that adopted by most modern scholars. We will also see that, more surprisingly, many modern Thomists side with the modern scholars against St. Thomas. But in *Boethius and Aquinas*, McNerny defends St. Thomas's interpretation:

The thesis of this book is simply stated: Boethius taught what Thomas said he taught and the Thomistic commentaries on Boethius are without question the best commentaries ever written on the tractates.<sup>2</sup>

The first part of this essay summarizes McNerny's defense of the commentary. The second part investigates a further question: why is St. Thomas Boethius's best interpreter? I will argue that St. Thomas is the best interpreter because he is not just an interpreter, he is a commentator. So the second part of my essay is also an exploration of the nature of commentary as practiced by St. Thomas and Boethius and its distinction from a more modern practice of textual interpretation. Finally, we will briefly consider the curious reluctance of some Thomists to trust St. Thomas the commentator.

We will begin by looking at the *De hebdomadibus* by itself. A friend of Boethius (in the *Patrologia Latina* he is called Deacon John) asks him a philosophical question with theological implications. On the one hand, the received teaching regarding the goodness of substance is that every substance is good insofar

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<sup>2</sup> Ralph McNerny, *Boethius and Aquinas* (The Catholic University of America Press, 1990), xiv.

as it is. This seems to imply that every substance is a substantial good. On the other hand, it is also received that no created being is a substantial good; only God, who is Goodness itself, is a substantial good. Boethius's friend asks him how these seemingly conflicting statements can be reconciled. *De hebdomadibus* is Boethius's answer.

His friend, however, also makes an unusual request. Do not make yourself clear, he asks. Be obscure. He is afraid that a plain statement of the truth of these sacred matters would lead buffoons to ridicule them. Boethius replies that the brevity of his treatment will shield these sacred truths from the unworthy but reveal them to those who have seriously and eagerly wrestled with such matters before.

Thus, eager for brevity, Boethius tells us that he is adopting a quasi-mathematical approach to the question. He dispenses with preliminary explanations. Instead, he begins by laying out axioms, universal statements concerning those most universal concepts, being and good, which will be the principles of his solution to the problem. He then states the problem itself, uses the axioms to resolve it, and finally answers two objections that the solution suggests. He does all this in just a few pages.

Short as it is, most of the treatise does not concern us because it is not the focus of the interpretational controversy. The controversy about how to understand Boethius focuses on the axioms themselves. Having defined axioms, or "common conceptions of the mind," as statements that, having been heard, all assent to, Boethius then lays out, among others, the following:

1. Diversum est esse et id quod est.
2. Ipsum enim esse nondum est, at vero quod est accepta essendi forma est atque consistit.
3. Omni composito aliud est esse, aliud ipsum est.

4. Omne simplex esse suum et id quod est unum habet.<sup>3</sup>

We can translate these literally as follows:

1. To be and that which is are diverse.
2. For to be is not yet but, the form of being having been received, it is and takes a stand.
3. For every composed thing, to be is one thing, it itself is another.
4. Every simple thing has its to be and that which it is as one.

Controversy has arisen especially around the interpretation of the infinitive *esse*, “to be” in English. What in this context does Boethius mean by *esse*?

Pierre Duhem, in the fifth volume of his magnum opus, *Le Système du Monde*, first offered what is now the received interpretation among modern scholars. It is worth our while to say a little more about Duhem himself, one of the most prominent scientists of the late nineteenth and early twentieth centuries, a man of extraordinary abilities. A theoretical physicist, he had several laws in chemical thermodynamics named for him. A fervent Catholic, he saw that the kind of knowledge encompassed in mathematical science does not exhaust the scope of the human mind, and he developed a philosophy of science to reconcile the claims of natural science, philosophy, and religion. A brilliant scholar, he wrote seven volumes (out of a projected ten) on the history of cosmology from Plato to Copernicus.

Remarkably, in the fifth volume of that work he found space to consider the theological tractates of Boethius. His discussion of Boethius arises within an inquiry into the cosmology of the medieval philosopher Alexander of Hales. Duhem

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<sup>3</sup> Boethius, *De hebdomadibus* (titled *Quomodo Substantiae in Eo Quod Sint, Bonae Sint* in the *Patrologia Latina*), (PL 64:1311C).

is investigating the source of an axiom invoked by Alexander: “Citra primum quicquid est, est ex quod est et quo est,” that is, “First of all, whatever is, is from what it is and that by which it is.”<sup>4</sup> Duhem finds that medieval theologians using the same axiom attribute it to Boethius, and so he looks into the writings of Boethius for its source.

He thinks that he has found it in the *De hebdomadibus*. When he encounters the first axiom, “Diversum est esse et id quod est,” he sees it not only as the source of the medieval axiom, but as the result of the Neoplatonic influence on the thought of Boethius, which he here exemplifies using the writings of Themistius. Duhem writes:

This thought, in fact, was developed entirely from the principle that the following proposition formulates: “Diversum est esse et id quod est.” But of what kind is the distinction between *id quod est* and *esse*? A reading of the treatise . . . shows us that it is identical to that which Themistius has established between a certain concrete water, *hudor*, and the specific nature of water, *hudati einai*.<sup>5</sup> For Boethius, this concrete water is *id quod est*, the *esse* is the specific nature of water, the essence, that which the Greeks named *ousia* and Saint Augustine named *essentia*. Without any trouble we can recognize the complete likeness between the thought of Boethius and that of Themistius.<sup>6</sup>

We can summarize the argument of Duhem as follows: Boethius was clearly influenced by Neoplatonists who recognized a distinction between the concrete individual and its essence or form. Boethius formulates his distinction between *id quod est* and *esse* in a way parallel to Themistius’s distinction between water and

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4 Pierre Duhem, *Le Système du Monde* (A. Hermann et Fils, 1917), tome 5, p. 286.

5 Aristotle himself makes this very distinction in *De anima* 3.4, 429b10.

6 Duhem, *Le Système du Monde*, 288 (author’s translation).

the “to be” for water, which is a distinction between concrete individual water and the essence or form of water. Later philosophers, influenced by Boethius, distinguish the concrete individual and its essence or form by a similar formula. Therefore, the most obvious interpretation of the axiom, “Diversum est esse et id quod est,” is that it distinguishes the concrete individual from its essence or form. That is, the word *esse* in this context signifies essence or form.

The above argument is not the only evidence Duhem presents for his interpretation. He also supports his reading of the *De hebdomadibus* by a comparison to passages from Boethius’s *De Trinitate*.<sup>7</sup> Just as the *De hebdomadibus* says that *esse* and *id quod est* are one in simple things (namely, God), so the *De Trinitate* says, “Divina substantia sine materia forma est, atque ideo unum, et est id quod est. Reliqua enim non sunt id quod sunt,” that is, “The divine substance is form without matter. Therefore the divine substance and *id quod est* are one, while other substances are not *id quod sunt*.”<sup>8</sup> Since in creatures *id quod est* is taken to be distinct from both *forma* and *esse*, while in God *id quod est* is taken to be identical to both *forma* and *esse*, Duhem concludes that *esse* must mean the same thing as form or essence. Moreover, also in the *De Trinitate*, Boethius asks us to contemplate the form “*quae vere forma neque imago est, et quae esse ipsum et ex quae esse est,*” that is, “which is truly form and not image, and which is *esse* itself and from which *esse* is.”<sup>9</sup> Since God is again identified here with both form and *esse*, it makes sense to say that *esse* is form or essence. The influence of Themistius, then, is not the only evidence for Duhem’s interpretation. Still, even by itself, recourse to Themistius as a

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7 Duhem, *Le Système du Monde*, 289.

8 Boethius, *De Trinitate*, 2 (PL 64:1250C).

9 Boethius, *De Trinitate*, 2 (PL 64:1250B).

historical influence has great power for Duhem and epitomizes his approach to the Boethian text.

Duhem is aware that his interpretation conflicts with that of St. Thomas, but of course St. Thomas is unaware of Duhem's.<sup>10</sup> Thus, we find in St. Thomas no argument against interpreting *esse* in this context to mean essence. What we do find, however, is an account of the text that consistently takes *esse* to mean what it usually means in the writings of St. Thomas himself, the being or existence of that which exists. Thus, the distinction in creatures between *id quod est* and *esse* is not taken to be the distinction between the concrete individual and its essence, but between the concrete individual and its existence. St. Thomas takes this distinction as stated in the first axiom, "Diversum est esse et id quod est," as a distinction according to intention: the *ratio* of existence is not the same as the *ratio* of that which exists. Later, St. Thomas takes the axioms which concern the one, "Omni composito aliud est esse, aliud ipsum est" and "Omne simplex esse suum et id quod est unum habet," to mean that, for complex things, existence is one thing while the thing that exists is another, but for simple things, existence and that which exists are one and the same, this latter case being true only for God.

This is the crux of the difference between the interpretations of Duhem and St. Thomas. Duhem, regarding Boethius as influenced by the Neoplatonists and as influencing later medieval philosophers, takes *esse* to signify the essence of a concrete individual, while St. Thomas takes *esse* to signify what he usually means by *esse*, the being or existence of the concrete individual. As far as we have looked into the matter, both interpretations seem plausible. Which should we prefer, that of Duhem or that of St. Thomas?

Modern scholars not of the Thomistic school tended, with various modifications, to adopt the interpretation of Duhem.

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10 Duhem, *Le Système du Monde*, 304–5.

What is surprising is that many, perhaps the majority, of scholars of the Thomistic school also adopted the interpretation of Duhem, despite its incompatibility with that of St. Thomas.<sup>11</sup> In *Boethius and Aquinas*, McInerny intends to show that St. Thomas's interpretation is far superior to that of Duhem. He argues that Duhem's interpretation renders the text of *De hebdomadibus* unintelligible, while St. Thomas's renders the text consistently clear.

In refuting Duhem, McInerny leaves aside the argument from Themistian influence and focuses on Duhem's textual arguments. First, he notes that Duhem takes *id quod est* in *De hebdomadibus* to mean the concrete individual as opposed to the essence. But the passage from *De Trinitate*, which Duhem uses as support for his interpretation, asserts that the *id quod sunt* for creatures is not the concrete individual: "Reliqua enim non sunt id quod sunt," that is, "The remaining things are not *id quod sunt*." Duhem's interpretation of this critical phrase, then, is inconsistent. Moreover, McInerny points out that the second passage from *De Trinitate*, "quae vere forma" and so on, is immediately followed by this statement: "Omne namque esse ex forma est," that is, "For every *esse* is from form." It seems strange for Duhem to identify form and *esse* here because *esse* is from form, and that which something is from is distinct from that something itself. Thus, the two passages from *De Trinitate* which are supposed to provide support for Duhem's interpretation fail to do so. And finally, McInerny appeals to evidence internal to the text. He writes, "even if one were to test [Duhem's] original suggestion that *esse* = *forma* by replacing all occurrences of *esse* with *forma*, it would have been seen that it could not be done."<sup>12</sup> He

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11 See Edward Synan's introduction to his translation of St. Thomas's *An Exposition of the On the Hebdomads of Boethius* (The Catholic University of America Press, 1993), xxxix, lviii, and lxxv.

12 McInerny, *Boethius and Aquinas*, 250.

concludes that Duhem's interpretation of the *De hebdomadibus* is a failure.

What about St. Thomas's interpretation? McInerny discusses that interpretation at great length, so the best we can do here is to summarize the ways in which he finds St. Thomas's interpretation superior. First, if we regard the word *esse* as signifying that by which something exists, it requires no violence to the text to see not only that the axioms are true, but that they are as self-evident as axioms should be: the *ratio* of existence does clearly differ from the *ratio* of that which exists; in composite things, that which exists is other than its very existence; and in something absolutely simple, that which is and existence itself must be one thing. Moreover, taking *esse* to mean existence makes more, not less, sense of the parallel passages in *De Trinitate*: God is both form and existence, and yet in other things existence comes from form. Finally, St. Thomas's interpretation makes Boethius's solution to the initial problem concerning the goodness of created substances intelligible: It is possible for them to be good insofar as they exist and not to be essentially good because, although their existence makes them good, existence is neither the whole of nor part of their essence. In sum, St. Thomas's interpretation makes the *De hebdomadibus* intelligible in a way that no competing interpretation has.

We have seen so far that the meaning of *esse* is at the center of the controversy about how to interpret *De hebdomadibus*. We have seen that Duhem takes *esse* to signify essence, while St. Thomas takes it to signify existence. We have seen that Duhem's interpretation makes a hash of the text and fails to help us understand Boethius's solution to the original problem, while St. Thomas's makes both the text itself and the solution to its problem more intelligible. As McInerny concludes, "Boethius taught what Thomas said he taught, and the Thomistic commentaries

on Boethius are without question the best ever written on the tractates.”<sup>13</sup>

Thus, with respect to this crucial passage we see that St. Thomas is a better interpreter of the *De hebdomadibus* than Pierre Duhem. The question that arises next is: *Why* is he a superior interpreter? Does St. Thomas have better access to the textual sources than Duhem? By no means. Is St. Thomas’s scholarship superior to Duhem’s? One glance at Duhem’s *Le Système du Monde* will convince anyone of his immense scholarly abilities. In his interpretation of Boethius, he brings to bear the texts of several of the Neoplatonists, as well as those of many medieval interpreters. Is St. Thomas just more intelligent than Duhem? Perhaps, but we should remember that Duhem was himself a genius; he was not only an intellectual historian but also a mathematician and physicist of great influence. He was a philosopher of science of the first magnitude as well. And his disagreement with St. Thomas did not arise from anti-religious prejudice: Duhem was a fervent Catholic.

Why, then, is St. Thomas the superior interpreter? The primary reason is that St. Thomas is first a commentator and then an interpreter. His interpretation flows from his commentary. In contrast, Duhem is not a commentator, but merely an interpreter. Let us begin to clarify this assertion by an examination of the distinction between commentary and interpretation.

At first it is difficult to see any difference. In English, by the word “comment” we mean an expression of one’s thought about something, and by “commentary” we mean a series of comments explaining a text. Thus, commenting on a text is just explaining it to another, and this is the same thing as interpreting it.

In Latin, however, the words have distinct meanings. The noun *interpres*, derived from the preposition *inter* (between) and the root *pret* (speak), marks out someone as a messenger,

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13 McNerny, *Boethius and Aquinas*, 249.

a mediator, a go-between, and an explainer. Likewise, *interpretari* means to explain or to translate, while an *interpretatio* is an explanation or translation. The verb *commentor*, however, derived from *cum* (with) and *mens* (mind), means to consider thoroughly, to reflect upon deeply, and in its most extended sense, to compose. It does not have attached to it the notion of explaining a text to another. And a *commentarium* is not a series of comments, but rather a memorandum book, a diary. Julius Caesar's *Gallic Commentaries* are not explanations of a difficult text, but a journal of his doings in Gaul. Thus, the Latin use of these words suggests that the principal task of the textual commentator is to consider the text deeply oneself, not to explain the text to another or to publish one's comments.

The motive for this kind of deep consideration is not hard to find. McNerny points out the following about Boethius's commentaries on Aristotle:

If Boethius will sometimes reject the interpretations of other commentators, he will do so because there is a reasonable basis in the text to reject them. Sometimes that basis is sought in more general views. Every effort is made to understand what the text is saying because, the assumption is, what the text is saying is true.<sup>14</sup>

The motive for the deep consideration of the text that the very word "commentary" implies, then, is the prior conviction that what the text says is true, and that by understanding the text, one comes to know the truth.

Monsignor Maurice Dionne makes this point even more emphatically in *St. Thomas Aquinas and the Logical Problem of Analogy*. He says:

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<sup>14</sup> McNerny, *Boethius and Aquinas*, 39.

If we are convinced that the teaching of St. Thomas is the one we should follow, if we have at heart to share in his intellect, the only way to do so, and the most perfect way possible, is to comment on his text. This is the only way if we wish to share *cum mente* and not simply to repeat the words without understanding much, as many of the manuals predispose one to do.

Certain historians of philosophy say that the method of commentary was good in years gone by but is not so anymore. We wish to prove, for our part, that the commentary form is necessary and that it is imposed by the very condition of the disciple; that it is for us the only way to share in the intelligence of the master. If one does not use it or if one departs from it, if one does not scrutinize the letter, the details, one risks falsifying the doctrine of St. Thomas.<sup>15</sup>

Note the words “master” and “disciple.” One commenting on a book ought to regard its author as a master of its subject matter, someone who knows the truth about the subject and intends in the book to teach this truth to others. The essential prerequisite, then, for authentic commentary is that the commentator be a disciple of the author.

To understand this more clearly, consider a particular kind of commentary that represents a large share of St. Thomas's writings, namely, commentary on Sacred Scripture. The comparison will make our point more vivid and bring out new features to look for in a philosophical commentary.

The most obvious feature of the Scriptural text is that it is the word of God. The Author of the text is omniscient, and thus the master of its subject matter. He knows the truth about it as thoroughly as possible. By means of the text, the Master

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15 Maurice Dionne, *Saint Thomas D'Aquin et le Probleme Logique de l'Analogie* (La Societe d'Etudes Aristotelicienne, 1984), 78 (translation by Glen Coughlin).

intends to teach this truth. On the assumption that the reader of Scripture knows this, his only reasonable attitude toward the Author, God, is to be His disciple, and his attention to the text is a disciple's attention.

A second feature is that God intends the Scriptural text to teach us about the highest things, principally Himself, and these are, on the one hand, hardest to understand, but on the other hand, the most important. Therefore, the only reasonable attitude of the disciple toward this text is one of the utmost attention. Scripture, more than any other text, demands and deserves the deep consideration that the Latin word *commentarium* implies.

A third thing to note is that the text of Scripture is worth this deep consideration not chiefly so that it can be communicated to others, but for its own sake. The disciple is confronted with a truth in this text which it is vital for him to know, and which is worth knowing just for its own sake. He deeply considers primarily so that he might learn this truth. And since such deep consideration is commentary, we can say that, principally, the commentary is for deepening the knowledge of the one commenting.

A fourth thing to note is that in Scripture, God uses human words to teach Divine Truth in the most perfect way possible. Not only does Scripture contain many kinds of words—universal words, particular words, histories, stories, and metaphors—each adapted to conveying different kinds of truth, not only does it order these words to bring the mind from grasping one divine truth to grasping another, not only does it have words that can be grasped by the child and words that can be grasped by the expert, it also contains words with many meanings, so that the same words can be grasped by different men in their different conditions in different ways, all conveying the same Divine Truth. Therefore, the disciple commenting upon Scripture knows that his commentary does not exhaust and could never

exhaust the meaning of the text. There is always more to learn, always another commentary worth writing.

This last point leads to a final feature of the commentary. After the Scriptural commentary has been written, it can be shared with another disciple. But because the author knows that his commentary cannot exhaust the truth to be found in the text, he never thinks that the reading of the commentary is a substitute for reading Scripture itself. He shares his commentary only insofar as it can help another read Scripture more profitably. The written commentary shared with another is only meant to be an aid to the reading of Scripture, not a substitute for it.

Let us sum up these points. Because God is the Author of Scripture, its reader should approach the text as a disciple learning from the master. He should be a disciple strongly motivated to consider the text as deeply as possible, to comment upon it according to the strict meaning of that term. When the commentary is written, its principal audience is the author himself; he writes the commentary principally for himself, to understand more deeply Divine Truth. The words of Scripture are the most perfect possible expressions of that truth in human language, and so the commentator will realize that his commentary can never exhaust the meaning of Scripture. Consequently, if he shares his written commentary with another, he shares it only as an aid for the reading of Scripture, never as a substitute for it.

Clearly, no merely human text deserves the respect that we pay to Scripture. Still, in a proportional way, we can apply these considerations of Scriptural commentary to St. Thomas's commentary on Boethius's *De hebdomadibus*. As commentator, St. Thomas regards Boethius as a master of his subject, a man who knows the truth and writes the tractate to teach that truth to others. Consequently, he comes to the author of the text as a disciple to a master. What follows is that St. Thomas considers the text deeply; in the words of Msgr. Dionne, he "scrutinizes

the letter.” When he comments on the text, he does so chiefly to learn the truth from the text for himself. He also recognizes that the words of *De hebdomadibus* express the truth with great perfection, and so he does not expect his commentary to exhaust what can be learned from it. Consequently, he does not intend his commentary to be a substitute for reading *De hebdomadibus*; rather, his commentary is an aid to reading the text more profitably.

Perhaps the most surprising thing I have said above is that the commentator writes the commentary principally for himself, to understand the text better, not chiefly to explain it to others. But Fr. Jean-Pierre Torrell in his *Saint Thomas Aquinas* attributes to St. Thomas himself just this motive for his writing commentaries on Aristotle:

We will doubtless better understand what Thomas wanted to do if we recall that these commentaries were not courses that he would have given to his students. They are rather the equivalent of personal reading made with pen in hand to constrain himself to penetrate the text of Aristotle in order to prepare himself for the composition of the moral part of the *Summa theologiae*.<sup>16</sup>

I think that this assertion matches the experience of serious thinkers everywhere. We take notes, not chiefly to share them with students or colleagues, but rather to deepen our own knowledge of the text.

This is not to deny that a commentary on a text can also be an interpretation of it. In fact, a commentary shared with another naturally becomes an interpretation of the text. What I am arguing is that, just as St. Thomas’s interpretation of *De*

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16 Jean-Pierre Torrell, *Saint Thomas Aquinas, Volume 1: The Person and His Work*, trans. Robert Royal (Catholic University of America Press, 1996), 228–29.

*hebdomadibus* succeeds because it flows from his commentary, Duhem's fails because he does not comment on the text, he merely interprets it.

Duhem, we have seen, interprets the *De hebdomadibus* in the course of writing a ten-volume history of cosmology, *Le Système du Monde*. In this work he is a historian of ideas, and his principal task is to give a causal account of the appearance of various ideas, theories, and disciplines in the times and places in which they arose. He must tell us what men of letters were saying at given times and places, and why they were saying these things. He looks upon the ideas prevailing in one era as causes of the ideas prevailing in the next. Thus, when he is looking at a given author or philosophical work, he is principally looking for three things: what the author had read or heard that might have influenced what he wrote; what in his writings was original to the author, his own idea; and how his writings influenced what later thinkers wrote on the same subject. When a historian of ideas has given a reasonable account along these lines, he has succeeded in his principal task. Duhem's interpretation of Boethius epitomizes this approach. He discusses *De hebdomadibus* to help him explain the cosmological thought of Alexander of Hales; he uses writings of Themistius, a likely influence on Boethius, to explain its axioms; and he sees in *De hebdomadibus* something original, the axiomatization of insights presented by Themistius in a less systematic way.

Thus, the interpretation offered by an historian of ideas differs from that of a commentator in three important respects. First, the historian does not intend to consider the text deeply, to "scrutinize the letter," because he does not relate to the author as a disciple to his master. Second, he writes his interpretation not for himself, but principally for his reader because he is principally an interpreter, a go-between. Third, his interpretation is meant to be a replacement for reading the original text because

he thinks that his interpretation conveys all that the reader needs to know about it.

It follows, then, that the measure of success for a commentator's interpretation will be different from that of a mere interpreter. A commentator seeks the truth and thinks that the intention of the author captures that truth. Therefore, he regards his interpretation as successful only if it captures the true intention of the author. A historian of ideas, however, seeks the causal connections between ideas. Thus, he measures the success of his interpretation primarily by how well it explains the author's influence on later thinkers.

Paradoxically, if the axiom from the *De hebdomadibus* causes Alexander of Hales to think that essence and the concrete individual differ, then Duhem's interpretation of it will be adequate for a history of ideas even if it fails to capture Boethius's real intention. In other words, Duhem might be wrong about the meaning of *esse* and still give a successful interpretation relative to his purposes. St. Thomas's interpretation, however, can only be successful if it captures what Boethius meant. If we judge that the superior interpretation more accurately captures the author's real intention, then the commentator will tend to be a better interpreter than the historian of ideas, who is merely an interpreter.

Let us sum up what we have argued so far. After seeing that St. Thomas's interpretation of *De hebdomadibus* was superior to that of Duhem, we wondered why this was so. We might have said that St. Thomas is smarter than Duhem, a better scholar or closer to the time of the author, but we were looking for a deeper reason. We have seen that there is a deeper reason: St. Thomas is principally a commentator, whereas Duhem is principally a historian of ideas and interpreter. The commentator, because he is a disciple of the author and concerned chiefly with understanding the truth itself, is more likely to interpret an authoritative text

correctly than an interpreter, whose primary aim is to give an account of the book in terms of how it influenced future thinkers and was influenced by past thinkers. The commentator measures the success of his interpretation by the intention of the author, while the interpreter is content to give an account adequate to the demands of history.

But all this makes it even more mysterious why many Thomists have insisted that Duhem's interpretation is right and St. Thomas's wrong. McNerny offers the following explanation:

Because Thomists came to insist on the originality and centrality of *esse* in the thought of Thomas . . . there was a disposition to oppose Thomas's thought to that of his predecessors—and indeed to most of his followers. Such Thomists were susceptible to and relatively untroubled by the claim of Duhem that there exists a chasm between what Boethius meant and what Thomas took him to mean.<sup>17</sup>

He then offers a corrective:

The recent tendency to drive wedges between Thomas and the texts and thinkers without whom he is unintelligible must be reversed. Thomas's genius was not to develop doctrines unheard of before. His great accomplishment was akin to that of Boethius: to find similarities, to unify, to see diverse efforts converging on a comprehensive truth.<sup>18</sup>

One of the main tasks of Ralph McNerny's academic life was to reverse the tendency to separate the philosophy of St. Thomas from that of Aristotle and Boethius. His book, *Boethius and*

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<sup>17</sup> McNerny, *Boethius and Aquinas*, 249.

<sup>18</sup> McNerny, *Boethius and Aquinas*, 253.

*Anthony Andres*

*Aquinas*, is a remarkably successful effort to help bring that reversal about.<sup>19</sup>

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<sup>19</sup> This essay is based on a presentation made on June 5, 2025, at the *Thomistic Summer Conference* at Thomas Aquinas College, California, on the theme of “Thomism in an Age of Renewal,” itself dedicated to the work of Ralph McInerny.



## THE FALLACY OF EQUIVOCATION

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In his *Organon*, Aristotle opens with a discussion of equivocation.<sup>1</sup> The skill of discerning multiple meanings of a word ranks as the second tool in his dialectical method,<sup>2</sup> and recognizing the varied significations of terms is a primary purpose of studying sophistical arguments.<sup>3</sup> Across his works, Aristotle meticulously differentiates the senses of terms in every field he examines, dedicating an entire book of the *Metaphysics* to analyzing the diverse meanings of the most universal words.<sup>4</sup> It is, therefore, not surprising that the fallacy (παραλογισμός) stemming from ambiguous names is the most naturally adapted to and most common place (τόπος) for sophistical refutations,<sup>5</sup> apparent but invalid arguments that mimic genuine refutations through likeness. Of the thirteen sophisms Aristotle identifies in his *Sophistical Refutations*, the fallacy of equivocation is first and paradigmatic. It presents a subtlety so deceptive that even the most seasoned (ἐμπειροτάτους) thinkers may overlook it.<sup>6</sup> Accordingly, the ability to recognize and untie equivocal knots in dialectical argument is no small achievement in the life of the mind.

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1 See *Categories* 1, 1a1–6.

2 See *Topics* 1.13, 105a24–25.

3 See *Sophistical Refutations* (*De Sophisticis Elenchis*, hereafter, SE) 1.16, 175a5–10.

4 See *Metaphysics* 5.1–30, 1012b34–1025b3. On the significance of *Metaphysics* 5, see Stephen Menn, “Aristotle on the Many Senses of Being” in *Oxford Studies in Ancient Philosophy* 59, ed. Victor Caston (Oxford University Press, 2021), 187–263, particularly 190–196.

5 See SE 1.1, 165a4–5. For the concept of “place” in *Sophistical Refutations*, see Robin Smith, *Aristotle: On Sophistical Refutations* (Oxford University Press, 2026), 109–10; see also Robin Smith, *Aristotle: Topics I, VIII, and Selections* (Clarendon Press, 1997), xxiv–xxx.

6 See SE 1.33, 182b22.

To grasp the fallacy fully, we first examine the nature of fallacy in general and the distinctive character of sophistical refutation. We then analyze the fallacy of equivocation itself: its causes (the unity of vocal sound masking diverse significations), its differences (whether the equivocal term occupies the middle, major, or minor position), and Aristotle's illustrative examples. Next, we explore methods for detecting and untying it, drawing on dialectical tools to make distinctions via opposites, inflections, genera, and degrees. Finally, we consider the kinds of equivocation—chance versus non-chance, including πρὸς ἓν and analogous forms,<sup>7</sup> ending with a systematic division of all equivocation. In this way, we may provide some defense against reason's most common pitfall.

### THE MEANING OF FALLACY

Aristotle, while arguing against his predecessors' accounts of the soul, criticizes their failure to account for error: "They should have said something about error. For this is more proper to animals, and the soul continues in this for more time."<sup>8</sup> The universal experience of "getting it wrong" must have a place in any complete epistemology, and Aristotle does not neglect the subject. His *Sophistical Refutations* aims to explain the universal logical causes of error.<sup>9</sup> Aristotle defines error as thinking

7 The different kinds of non-chance equivocation will be discussed below.

8 *On the Soul* 3.3, 427a29–b2: "καίτοι ἔδει ἄμα καὶ περὶ τοῦ ἠπατηῆσθαι αὐτοῦς λέγειν, οἰκειότερον γὰρ τοῖς ζώοις, καὶ πλείω χρόνον ἐν τούτῳ διατελεῖ ἡ ψυχή." Unless otherwise noted, translations are my own from the Oxford Classical Texts.

9 The *Sophistical Refutations* is about the causes of error, but it does not treat the causes of error from every angle. The treatise treats of error insofar as it may be caused by deceptive argument. Pride, the passions, and human nature are causes of error. Thomas Aquinas, for instance, holds that "the root of error is twofold, namely, the influence of pride and a defect of the intellect" ("Radix autem erroris est duplex, scilicet superbiae affectus, et defectus intellectus").

“what is as what is not, and what is not as what is.”<sup>10</sup> The English word “error” is connected to the Latin word *error*, which means a wandering.<sup>11</sup> In fact, the English word “error”, originally meant “wander.”<sup>12</sup> Even Christ uses “wander” as a figure of error while reproving the Sadducees: “You wander (πλανᾶσθε), not knowing the Scriptures, nor the power of God.”<sup>13</sup> What can this etymology teach us about error? The etymology suggests that just as wandering is a certain disordered physical movement, so also is error a certain disordered discourse in our reason or the result of a disordered discourse in our reason. In other words, only by proceeding in an orderly way can we proceed without error. For this reason, Aristotle places heavy emphasis on making good beginnings and proceeding in an orderly fashion. For, as he says, the beginning is more than half of the whole.<sup>14</sup>

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See *In I Ad Timotheum*, c. 6, lec. 1, n. 238. Further, Aristotle holds that the stirring of the passions leads men to error. See *Rhetoric* 1.1, 1354b8–12. Moreover, Aristotle implies that the lowness of our nature is in some sense the cause of error. See *On the Soul* 3.3, 427b1–5. See also *Metaphysics* 4.4, 1005b23–24, where Aristotle claims false imagination can cause one to verbally contradict first principles. While such causes are worthy of consideration, they are beyond the consideration of the *Sophistical Refutations* because they are not deceptions universally applicable to dialectical reasoning on any subject matter.

10 *On Interpretation* 6, 17a26: “τὸ ὑπάρχον ἀποφαίνεσθαι ὡς μὴ ὑπάρχον καὶ τὸ μὴ ὑπάρχον ὡς ὑπάρχον.”

11 We have the same etymology in the Greek word πλάνη. The planets were considered by the ancients to be nothing other than the stars that *wandered* around the twelve constellations of the Zodiac.

12 See C.T. Onions, *The Shorter Oxford English Dictionary on Historical Principles* (Oxford University Press, 1973), 678.

13 Matthew 22:29. See also Mark 12:24.

14 See *Nicomachean Ethics* 1.7, 1098b5–9. St. Thomas Aquinas also notes this connection between error and making a good beginning in the Proemium to his commentary on the *Posterior Analytics* (lec. 1, n. 5): “But the third process of reason is that in which reason fails to reach a truth because some principle that should have been observed in reasoning was defective.” (“[T]ertius vero rationis processus est in quo ratio vero deficit, propter alicuius principii defectum quod in ratiocinando erat observandum.”) Recognition of order’s relation to truth manifests the reason why Thomas gives his order of the fruit

In contrast, the word “mistake” has an etymology that suggests that error results from missing some distinction. The word “mistake” is derived from the English “miss take.” Whenever things closely resemble one another, it is easy to *take* one for the other or to make a “mistake.” The mind naturally aims at the truth,<sup>15</sup> although it sometimes misses the mark for something that resembles it closely. Thus, Aristotle establishes that likeness is a general cause of error.<sup>16</sup> As Plato says, “One should always be on guard concerning likenesses because they are most slippery things.”<sup>17</sup> If we see the likeness between two things without seeing their distinction, we may mistakenly take one for the other. A failure to make distinctions is *the* root of Aristotle’s explanation of error.<sup>18</sup>

The word “fallacy” is not just another name for error.<sup>19</sup> The meaning of the word “fallacy” has some relation to the meaning of “error” and “mistake,” but a fallacy is not strictly speaking either. Aristotle describes sophistical refutations as the ways (τρόποι) of deceiving one’s interlocutor into thinking that he has been refuted.<sup>20</sup> More generally, fallacy is a way of making a mistake or error. The fallacy of equivocation, for instance, does not name any mistake in thinking but a general way one may make an error in reasoning.

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of logic: to proceed orderly, easily, and without error. One can proceed without error only insofar as he proceeds in an orderly fashion.

15 See *Metaphysics* 1.1, 980a21, and *Rhetoric* 1.1, 1355a20ff.

16 See *SE* 1.1, 164a26–b24.

17 Plato, *Sophist* 231a6–8: “τὸν δὲ ἀσφαλῆ δεῖ πάντων μάλιστα περὶ τὰς ὁμοιότητας ἀεὶ ποιεῖσθαι τὴν φυλακὴν.”

18 See *SE* 1.7, 169a21–b18.

19 Bradley Dowden, for instance, claims, “Errors in reasoning are called fallacies.” Dowden, *Logical Reasoning* (Wadsworth Publishing Company, 1993), 186.

20 See *SE* 1.4, 165b23–5.

WHAT IS A SOPHISTICAL REFUTATION?

The *Sophistical Refutations* does not treat every kind of fallacy.<sup>21</sup> Its principal subject matter is the thirteen ways of making sophistical refutations, and not every fallacy is a way of making a sophistical refutation.<sup>22</sup> A sophistical refutation, the principal tool of sophistic, is a kind of fallacy.<sup>23</sup> Aristotle says that sophistical refutations are what “appear to be refutations but are fallacies

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21 Some commentators seem to miss the narrow scope of the treatise. Scott Schreiber claims: “He says that there are twelve ways and only twelve ways by which false *arguments* can appear to be persuasive,” and “Aristotle believes that he has uncovered the 12 false beliefs about language and the world whose correction will protect one from being taken in by false *arguments*.” See Scott Schreiber, *Aristotle on False Reasoning* (State University of New York Press, 2003), xiii, emphasis mine. (Schreiber holds that there are really twelve and not thirteen fallacies in the *Sophistical Refutations* by claiming that the fallacy of composition is the same fallacy as that of division.) On the other end of the spectrum, Davies holds that Aristotle’s fallacies are mere historical accident: “The study of fallacies is an exercise in folklore.” For “the list of 13 sophistical refutations we find in the fourth and fifth chapters are just examples of some tricks that (fourth century Athenian) sophists got up to.” See Richard Davies, “Can we have a Theory of Fallacies?” *Rivista Italiana di Filosofia del Linguaggio* 6 (2012), 25.

22 Since the sophist’s primary tool is sophistical refutation, and refutation is a syllogism, the work does not deal with every kind of sophistical argument, but only those that are syllogistic. Today we use the English word fallacy to refer to the *Ad* arguments such as *ad baculum* or *ad hominem*. Such “arguments” would not fall under Aristotle’s category of fallacy because they are not apparent syllogisms. See Douglas N. Walton, *The Place of Emotion in Argument* (Pennsylvania State University Press, 1992), 97: “Such arguments may help lead one to think a certain thing or think it with more conviction or intensity, but they do not do so through a form of apparent syllogism.” Finally, although Aristotle claims that his list of sophistical refutations is complete, the *Sophistical Refutations* does not treat every kind of sophistical refutation, but only those fallacies that one may use in any philosophical discipline. The naturalistic fallacy, for example, is not treated because it does not have universal application.

23 Nevertheless, it is not the only subject of the *Sophistical Refutations*. The treatise has five subjects corresponding to various tools that sophists use to appear wise (*SE* 1.3, 165b12–23).

and not refutations.”<sup>24</sup> One can understand sophistical refutation through its positive counterpart, the sound refutation. A refutation is defined as a “syllogism with a contradiction of the conclusion.”<sup>25</sup> Let us, therefore, consider Aristotle’s notions of syllogism, contradiction, and sophism.

### *Refutation as a Syllogism*

Aristotle categorizes syllogism as one of four kinds of arguments (λόγοι): induction, syllogism, example, and enthymeme.<sup>26</sup> According to its genus, argument is a form of speech. This speech is a tool formed by the mind to reason, by which we come to know or suppose that a statement is true or false or probable or improbable because of other statements that we know or suppose are true or false or probable or improbable. Through argument the mind is led from what is known, or known to be probable, to other things which were previously unknown, or unknown to be probable.

In the *Prior Analytics*, Aristotle defines a syllogism as “an argument [λόγος]<sup>27</sup> in which, when certain [premises] have been laid down, something else, other than what was laid down,

24 *SE* 1.1, 164a20–21: “τῶν φαινομένων μὲν ἐλέγχων, ὄντων δὲ παραλογισμῶν ἀλλ’ οὐκ ἐλέγχων.”

25 *SE* 1.1, 165a2–3: “ἔλεγχος δὲ συλλογισμὸς μετ’ ἀντιφάσεως τοῦ συμπεράσματος.”

26 See *Posterior Analytics* 1.1, 71a5–11. There is some question as to whether the example and enthymeme are just syllogism and induction used in rhetoric, as Aristotle appears to be saying in this passage, or distinct kinds of arguments, as appears to be the case elsewhere. See *Rhetoric* 1.2, 1357b26–30, 1356a36–1357a22, and *Prior Analytics* 2.24, 68b37–69a13, 70a3–38. Whatever the status of enthymeme and example is, the syllogism is not the only kind of argument.

27 Alexander of Aphrodisias understood λόγος here to mean speech or utterance. See Alexander, *On Aristotle’s Topics 1*, trans. Johannes M. Van Ophuijsen (Cornell University Press, 2001), 9. I take it that both speech and argument are genera of the syllogism, with argument being the more proximate genus.

follows by necessity by those [premises] being so.” Aristotle then adds, “by ‘by those [premises] being so,’ I mean that they happen through them, and by ‘it happens through them,’ that no extrinsic term is needed for the necessity to arise.”<sup>28</sup> In other words, the definition does not imply that the conclusion is true but that the conclusion must be true if the premises are true, and this necessity must be seen simply by what is laid down in the premises. The syllogism expresses a necessary intelligible connection between the premises and the conclusion.

Two other elements in the definition are worth noting. First, there has to be a number of things—meaning premises—laid down. In all Aristotle’s definitions of syllogism, he uses the plural: τεθέντων.<sup>29</sup> According to Aristotle, nothing new results by necessity from a single premise. Hence, such reasonings as follow are not syllogisms: “Since no man is green, then no green thing is a man” or “Since you are breathing, you are therefore alive.” The former “reasoning” is not a syllogism, but a conversion—it simply switches the position of the subject and the predicate—and the quasi-conclusion does not say anything more than its premise. The latter “reasoning” needs to have a missing premise supplied to be a syllogism, but as it stands is not a complete argument.<sup>30</sup> A second essential requirement of the syllogism is that the “something else” that “follows by necessity”—meaning the conclusion—must be different from the premises that constitute the syllogism. This requirement implies that not every

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28 *Prior Analytics* 1.1, 24b18–22: “συλλογισμὸς δὲ ἐστὶ λόγος ἐν ᾧ τεθέντων τινῶν ἕτερόν τι τῶν κειμένων ἐξ ἀνάγκης συμβαίνει τῷ ταῦτα εἶναι. λέγω δὲ τῷ ταῦτα εἶναι τὸ διὰ ταῦτα συμβαίνειν, τὸ δὲ διὰ ταῦτα συμβαίνειν τὸ μηδενὸς ἕξωθεν ὄρου προσδεῖν πρὸς τὸ γενέσθαι τὸ ἀναγκαῖον.” Aristotle gives a similar definition in the *Sophistical Refutations* (1.1, 165a1), and a virtually identical definition in the *Topics* (1.1, 100a25–27).

29 Alexander of Aphrodisias points out that the use of the plural implies that a syllogism must consist of at least two premises; see *On Aristotle’s Topics* 1, 9. 30 See *Prior Analytics* 1.23, 40b35–36, and 2.2, 53b16–20.

valid deduction is a syllogism because a deduction can assume the conclusion in its premises whereas a syllogism cannot.

The definition of refutation given, “syllogism with a contradiction of the conclusion,”<sup>31</sup> may be confusing at first glance because it appears to say that a refutation is an argument whose conclusion is immediately contradicted and is therefore shown to be false. What Aristotle means, however, is that the conclusion contradicts some other statement such that the conclusion makes manifest the falsity of the other statement, or at least that it is not in harmony with the syllogism’s premises. In the context of the *Sophistical Refutations*, the other statement in contradiction to the conclusion is held by one’s interlocutor. A syllogism is a refutation, then, insofar as its conclusion is an affirmation of what the interlocutor denies or vice versa.<sup>32</sup>

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31 SE 1.1, 165a2–3: “συλλογισμὸς μετ’ ἀντιφάσεως τοῦ συμπεράσματος.”

32 In the *Sophistical Refutations* and *Topics*, Aristotle speaks of refutation as coming about in the context of a particular form of dialectical disputation. Both works are concerned with methods used in one-on-one debates between interlocutors aiming at defeating one another through refutation or at least its appearance. In the disputation, the two key competitors are the questioner and the answerer. The interlocutors establish a specific problem for disputation, taking opposing sides. The questioner then seeks to build a syllogism using as premises only the responses of the answerer that concludes in a contradiction of the answerer’s original expressed opinion on the established problem. The premises of this form of dialectical argument are originally put forward as questions that one can answer with a simple “yes” or “no.” After failing to achieve outright refutation of the answerer’s original position, the questioner may try to achieve lesser forms of victory. The answerer seeks to answer each question without yielding answers that the questioner may use as premises that will lead to his contradiction. Book 8 of the *Topics* presupposes various rules of this disputation that allow either of the interlocutors to call foul. The whole of the *Topics* and the *Sophistical Refutations* presuppose this organized form of competitive intellectual exercise as the context of discussing refutation and sophistical refutation.

This is not to say that the contents of the *Topics* and the *Sophistical Refutations* cannot be used outside this context. Most of the contents will be useful in any form of dialogue. The context does mean that Aristotle will take certain things for granted in his treatment of dialectic and sophistic, such as an

*Refutation as Involving Contradiction*

Contradiction is part of the meaning of refutation. As the *Sophistical Refutations* makes clear, the notion of contradiction can be slippery. Contradiction is one of the four kinds of opposition.<sup>33</sup> In any two contradictory statements, “one opposite must always be true, while the other must always be false.”<sup>34</sup> Unlike the opposition of contraries or sub-contraries, if two statements are in contradiction to one another, there is no middle ground, both cannot be true, and both cannot be false.

For this kind of opposition to come about, there must be a specific relation between two “parts.” In one part of the contradiction, the affirmation joins a predicate with a subject; in the other part, the negation disjoins these same terms. Aristotle clarifies in *On Interpretation*:

Let this be a contradiction: an affirmation and a denial which are opposite; I call [statements] opposite when they affirm and deny the same thing of the same thing, not equivocally, together with all other [qualifications] we specify in addition regarding sophistical difficulties.<sup>35</sup>

The affirmation and denial are opposed as contradictories only when the very same thing is affirmed or denied of the very same thing. That is, the statement’s subject and predicate must be the same as well as their quantity. For example, “No man is mortal”

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audience of the disputation. For a more complete articulation of this practice of Aristotelian dialectical disputation, see Smith, *Aristotle: Topics*, xiii–xxi, and Paul Slomkowski, *Aristotle’s Topics* (E. J. Brill, 1997), 9–42.

33 See *Categories* 10, 11b15–13b37.

34 *Categories* 10, 13b2–3: “ἀναγκαῖον αἰεὶ τὸ μὲν [ἐναντίον] ἀληθὲς τὸ δὲ ψεῦδος αὐτῶν εἶναι.”

35 *On Interpretation* 6, 17a33–37: “καὶ ἔστω ἀντίφασις τοῦτο, κατάφασις καὶ ἀπόφασις αἱ ἀντικείμεναι· λέγω δὲ ἀντικεῖσθαι τὴν τοῦ αὐτοῦ κατὰ τοῦ αὐτοῦ μὴ ὁμωνύμως δέ, καὶ ὅσα ἄλλα τῶν τοιοῦτων προσδιοριζόμεθα πρὸς τὰς σοφιστικὰς ἐνοχλήσεις.”

is not the contradiction of “Every man is mortal.” The contradiction of “Every man is mortal” is “Not every man is mortal” or in other words “Some man is not mortal.” Contradiction is the unequivocal opposition of an affirmation and a denial of the same thing of one and the same thing.

What does Aristotle mean by “regarding the sophistical difficulties?” Grappling with the various forms of sophistical refutation leads Aristotle to specify the nature of a true refutation and therefore contradiction more fully:

Refutation is [a syllogism to] the contradiction of one and the same thing [held by an interlocutor], not of the name but of the thing, and not of the synonymous name,<sup>36</sup> but of the same name, [in which the conclusion follows] by necessity from the premises that are granted (and does not assume [among the premises] the original problem), [where the contradiction is] according to the same thing,<sup>37</sup> in relation to the same thing, in the same manner, at the same time.<sup>38</sup>

In the passage quoted above, Aristotle lists some requirements for a true syllogism and others for a true contradiction. Concerning contradiction, not only must the predicate and the subject of the two contradictory statements be the same, but the predicate must be affirmed or denied of the same subject, in relation to the same thing, at the same time, in the same manner, and with the

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36 The Greek word which I translate as “synonymous” here is συνωνύμος. The same word is defined as “univocal” in *Categories* 1, 1a5. However, the word can also be seen to have its transliteral meaning, as it does in *Rhetoric* 3.2, 1405a1–3.

37 I will not here give an account of Aristotle’s meaning of “according to the same” (κατὰ ταῦτό). However, I take that it is stated to avoid the fallacy of accident.

38 *SE* 1.5, 167a22–26: “ἔλεγχος μὲν γὰρ ἐστὶν ἀντίφασις τοῦ αὐτοῦ καὶ ἐνός, μὴ ὀνόματος ἀλλὰ πράγματος, καὶ ὀνόματος μὴ συνωνύμου ἀλλὰ τοῦ αὐτοῦ, ἐκ τῶν δοθέντων ἐξ ἀνάγκης μὴ συναριθμουμένου τοῦ ἐν ἀρχῇ, κατὰ ταῦτό καὶ πρὸς ταῦτό καὶ ὡσαύτως καὶ ἐν τῷ αὐτῷ χρόνῳ.”

same terms. There is no contradiction, for instance, in saying that four is both half and is not half if one makes these affirmations in relation to different numbers. In its full sense, contradiction is the univocal and synonymous opposition between an affirmation and denial of the same thing with the same name, according to the same thing, in relation to the same thing, at the same time, and in the same manner.

In sum, a sound refutation is an argument in which certain premises based on the opinions of one's interlocutor are laid down from which a conclusion follows necessarily which is in genuine contradiction with some other established position of the interlocutor. By genuine contradiction, Aristotle means that contradiction affirms the same predicate of the same subject that the answerer denies or vice versa. They must apply at the same time, they must be said in the same respect, and if the subject or the predicate is in the category of relation, they must be said relative to the same thing. If the questioner forces the answerer into making statements that meet all of these requirements, then the answerer is genuinely refuted; two of his conceded positions are not in harmony with one another. Either one of the premises that he has accepted is false or his original position on the established problem is false. One way or another he is mistaken.

### *Refutation as Sophistical*

Aristotle's characterization of sophistical refutations as "what appear to be refutations but are fallacies and not refutations,"<sup>39</sup> makes clear that what makes a refutation sophistical is twofold. First, the argument must fail to be an actual refutation. Second,

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<sup>39</sup> *SE* 1.1, 164a19–20: "τῶν φαινομένων μὲν ἐλέγχων, ὄντων δὲ παραλογισμῶν ἀλλ' οὐκ ἐλέγχων."

the argument must in some way appear to be a real refutation.<sup>40</sup> Aristotle identifies the cause of the deception as the likeness that the sophism has to genuine refutation.<sup>41</sup> Thus, appearance is essentially connected with the instrument of the sophist, the sophistical refutation. The notion of appearance not only enables Aristotle to define the sophistical refutation, but it also becomes a principle of distinction among sophisms: There will be as many different sophistical refutations as there are appearances of actual refutations. The number of sophisms, in short, is determined by the number of ways in which a speech that is not a syllogism may appear to be a syllogism.

Albert the Great will help us bring these two requirements to light. Each sophistical refutation has two causes: its “*causa apparentiae*,” that is, the cause of it appearing to be a valid syllogism and a “*causa non existentiae*,” that is the reason it is not actually so.<sup>42</sup> Untying any sophism requires that one point out the effect of each of these two causes: Why does it seem to be a refutation and why is it not a true refutation? Answering these

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40 One might doubt whether it is possible for an argument to appear to bring about a refutation of one's interlocutor while in fact not bringing about this refutation. Accordingly, Aristotle does not assume that this kind of argument exists. Unlike Aristotle's method in other disciplines, in the discipline of sophistic, Aristotle sets out to establish that the subject matter exists. Such arguments exist through likeness, which is a universal cause of error. For, as we noted earlier, the etymology of mistake suggests that failure to make a distinction is at the root of error, but we can fail to make a distinction between two things when they have a certain likeness to one another. No one would ever mistake the salt for the pepper, but one may mistake the salt for the sugar. Aristotle illustrates that such sophistical arguments exist by showing that equivocation is a necessary attribute in any natural language (*SE* 1.1, 165a614). Thus, a sophist can always play on the various meanings of the same vocal sound to produce a merely apparent refutation.

41 See *SE* 1.1, 164a25–26.

42 Albertus Magnus, *De sophisticis elenchis*, Borgnet edition, vol. 2 (Paris, 1890), tr. 2, c. 2, p. 542a.

questions is the heart of Aristotle's "loosening up" of the knots tied by a sophistical refutation.

In the case of the fallacy of equivocation, the "causa apparentiae" is the "unity of the word [*vox*]."43 Take the following argument: Happiness is life's end, but life's end is death, and therefore happiness is death. Both premises are true, and the conclusion appears to follow. Why? Likeness of the word "end" is the reason for the appearance of a syllogism. Just as fool's gold resembles and has the appearance of real gold because of its shiny yellow color, so also an argument may assume the appearance of a rigorously concluding syllogism because the word "end" is the same. Obviously, the conclusion is not true, and the "causa non existentiae," Albert explains, "is the diversity of signification."<sup>44</sup> The cause of the defect of the syllogism is that it has four terms because "end" signifies both the purpose of life and the termination of its duration. In other words, the argument has no middle term because life's end does not signify the same thing in both premises, and hence the syllogism is defective.

These causes of the sophistical refutation are sufficient for the appearance of refutation insofar as the interlocutor lacks experience: "For inexperienced people perceive just as if they were looking from far away."<sup>45</sup> Just as those who are inexperienced with the subtle difference between genuine and counterfeit gold are fooled by their likeness, so also are those inexperienced with the subtle difference between the genuine and sophistical refutation fooled by their likeness. In some way, then, inexperience with and ignorance of genuine refutation are causes of the appearance of sophistical refutations (*SE* 1.6, 168a17–169a20).

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43 Albert, *De sophisticis elenchis*, tr. 2, c. 2, p. 542a: "[C]ausam apparentiae habet unitatem vocis."

44 Albert, *De sophisticis elenchis*, tr. 2, c. 2, p. 542a: "Causam autem non existentiae habet diversitatem significatorum."

45 *SE* 1.1, 164b26–27: "οἱ γὰρ ἄπειροι ὥσπερ ἂν ἀπέχοντες πόρρωθεν θεωροῦσιν."

*The Sophist's Purposes*

Aristotle also unfolds the other causes of sophistical refutations. The agent cause of the sophistical refutation is the sophist. In harmony with Plato's *Sophist*, Aristotle characterizes the sophist as a person for whom "seeming to be wise is more profitable than being [wise] and not seeming to be."<sup>46</sup> He uses the tool of *apparent* refutation for the sake of apparent wisdom. Aristotle also characterizes the sophist by his more proximate end as a lover of victory.<sup>47</sup> This characterization places the sophist in stark contrast to the philosopher, the lover of wisdom. Philosophy differs from dialectic in the manner of its ability,<sup>48</sup> but it differs from sophistry in the kind of life chosen.<sup>49</sup> It is not ability or even habit that principally distinguishes a philosopher from a sophist; it is their loves that divide them. For the sophist, winning is more important than the truth, and therefore he chooses a life ordered to apparent wisdom. The philosopher would rather know the truth and appear ignorant and therefore chooses a life ordered to wisdom. A sophist chooses to place the good of appearing wise and the evil of appearing foolish over the good of truth and the fear of being mistaken.

In the practical order, the first principle is the ultimate end, and the means are determined insofar as the practical intellect can bring about that end. Thus, the various tools or methods of the sophist are the different ways that he may bring about the appearance of his wisdom. Before Aristotle unfolds the different means of the sophist, he lays out the more proximate ends or aims of the sophist. There are five aims: to refute the

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46 SE 1.1, 165a19–21: "μᾶλλον πρὸ ἔργου τὸ δοκεῖν εἶναι σοφοῖς ἢ τὸ εἶναι καὶ μὴ δοκεῖν"; see Plato, *Sophist* 268c.

47 See SE 1.2, 165b13; 1.11, 171b22–34.

48 Dialectic is a merely critical and testing ability, while philosophy claims knowledge.

49 See *Metaphysics* 4.2, 1004b16–26.

interlocutor, to manifest that he has stated a falsehood, to lead him into a paradox, to get him to commit a solecism, and, finally, to make him babble.<sup>50</sup> By overcoming his opponent in these five ways or appearing to do so, the sophist—the lover of victory—appears wise. They are his five forms of victory.

Of these five proximate ends, the sophist prefers refutation above all.<sup>51</sup> Albert the Great points out that the sophist orders his actions principally to refutation because he thinks that this will bring him the most glory.<sup>52</sup> It is proper to the wise man to state the truth but also to expose error.<sup>53</sup> Exposing error, however, is more glorious insofar as it involves upheaval, which captures the attention of an audience. Moreover, since the principle of non-contradiction is the ultimate principle of reason, its violation is the ultimate defect of reason. Revealing this defect through refutation is “the greatest of all purifications.”<sup>54</sup> The interlocutor is shown to have violated the fundamental principle of the mind. There is nothing more humiliating or disastrous to the mind than for it to be led to contradict itself. The refuter above all appears to be the benefactor of those in error. Not only does the refuter seem to know, but he also sets others aright. The sophist’s chief aim is to refute because refuting brings about the greatest appearance of wisdom.

Aristotle’s original definition of a sophistical refutation may then be revised to account for all of its various causes. A sophistical refutation is a speech that appears to be a refutation due to its likeness to a real refutation but is not a refutation; it is sought as a means by the sophist to appear wise and deceives

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50 See *SE* 1.3, 165b12–23.

51 See *SE* 1.3, 165b19–20.

52 Albert, *De sophisticis elenchis*, tr. 1, c. 5, p. 533b: “hoc enim maximam reputant gloriam.”

53 See *SE* 1.1, 165a25–27.

54 Plato, *Sophist* 230d6–10: “τὸν ἔλεγχον λεκτέον ὡς ἄρα μεγίστη καὶ κυριωτάτη τῶν καθάρσεων ἐστὶ.”

because of the interlocutor's inexperience in distinguishing the genuine from the apparent refutation.

### WHAT IS THE FALLACY OF EQUIVOCATION?

Like most sophistical refutations, Aristotle does not explicitly define the fallacy of equivocation. Pseudo-Thomas Aquinas characterizes this fallacy as “the deception coming from that which is one in name but many in significations.”<sup>55</sup> The fallacy of equivocation results from the mixing up of the senses of a word in an apparent refutation. Since almost all words used in philosophy are equivocal, it is impossible to avoid using equivocal words in syllogisms. However, it is possible to avoid using words *equivocally* in a single argument. The fallacy of equivocation is the use of a name equivocally in an apparent refutation while appearing to use the name univocally. The sophist puts forward an argument in which three words apply to the minor, middle, and major terms, respectively. However, the sophist uses one of the words with multiple meanings, and thus either the minor, middle, or major term is equivocal. Consequently, there is either no genuine syllogism or no genuine contradiction.

To understand this fallacy better, let us consider Aristotle's examples. Aristotle gives four examples of sophisms taken from equivocation and shows by these four examples that the word equivocation sometimes occupies the role of middle term, and sometimes the role of the major term or minor term.

Aristotle's first example:

Every grammar teacher learns (μαθηάειν) the things

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55 (Ps) Thomas Aquinas, *De Fallaciis*, Leonine edition (Rome: Editori di San Tommaso, 1976), c. 6, 415–35: “[F]allacia autem aequivocationis est deception proveniens ex eo quod unum nomen plura significat.”

*John M. McCarthy*

that his students recite to him.  
Every grammar teacher knows (μανθάνειν) the things  
that his students recite to him.  
Hence, some of those who know learn.<sup>56</sup>

This example, likely taken from Plato's *Euthydemus*, plays on the various meanings of the Greek term "learn" (μανθάνειν). In the argument, "learn" is an ambiguous major term that means both "understanding" through the use of science, and also "acquiring science." Thus, according to one sense of the word, the first premise is true because grammar teachers understand what their students recite to them. With this meaning, the conclusion follows necessarily from the premises of the argument as long as the major term "learn" is taken to mean "understand" in the conclusion. Nonetheless, the argument likely does not conclude in a refutation of the interlocutor's position because the interlocutor most likely agreed that those who know do not "learn"—in the sense of acquiring knowledge. It is unlikely that the interlocutor agreed that those who know do not "learn"—meaning understand. The interlocutor conceded that it is the ignorant who learn because he hears the word "learn" in the sense of acquiring knowledge. The sophist takes the word "learn" in its other sense, meaning to understand. If the interlocutor cannot distinguish between the two senses of the word, he will be obliged to concede that it is the learned who learn, although there is not a genuine contradiction.

In Aristotle's second example, the middle term is equivocal:

Everything that needs to be is good.  
Evil things need to be. (For evil is often inevitable.)  
Therefore, evil things are good.<sup>57</sup>

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<sup>56</sup> See *SE* 1.4, 165b31ff; see Plato, *Euthydemus* 275d–276c.

<sup>57</sup> See *SE* 1.4, 165b34.

This fallacy results from the middle term “things that need to be [τὰ δεόντα]” having a double meaning. On the one hand, “things that need to be” may mean what ought to be or what is desirable, which is usually not evil, and never evil as such. On the other hand, “things that need to be” may mean what is inevitable, which is often evil. In this argument, as long as the premises are true, there is no syllogism, because the first premise is true only using the former meaning, but the second premise is true only using the latter meaning. The middle term’s unity is merely apparent, and no conclusion follows necessarily. If one takes the same meaning in both premises, then one of the premises is surely paradoxical and not likely to be acceptable to one’s interlocutor. Consequently, either the premises are true, and the argument does not follow, or the argument follows, but one of the premises is only an apparent truth. Either way, the result is a sophistical refutation.

In addition, Aristotle observes that the fallacy of equivocation follows from the mistake of making two questions one.<sup>58</sup> The questioner, for instance, puts forward the question, “Is it the case that things that need to be are good?” When the interlocutor answers “yes,” the questioner acts as if the interlocutor has answered affirmatively two distinct questions. He proceeds as if the interlocutor has conceded both that everything that should be is good and that everything that happens necessarily is good. In other words, any fallacy of equivocation may be reduced into the fallacy of making many questions one.

In accordance with these two examples, Aristotle points out that sometimes the equivocal term is only in premises because it is the middle term, and other times the equivocal term is in the conclusion because it is the minor or major term.<sup>59</sup> When the name used equivocally is the middle term, there are

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58 See *SE* 1.17, 175b39–176a19.

59 See *SE* 1.19, 177a9–11.

two ways to analyze the argument. First, one could say that the fallacy is only an apparent syllogism because there are not three but four terms: One of the terms is used with a double meaning. Second, one could analyze the same refutation by holding that there are only three terms but that one of the premises is not true but only appears to be so.

When the word used equivocally is the major or minor term, there are two analogous ways to analyze the argument. First, one could analyze the fallacy by holding that the term that shows up in the conclusion does not have the same meaning as the same term in the premise, and thus the conclusion does not follow. Second, one could hold that the term that shows up in the conclusion has the same meaning as the term in the premise, but that the conclusion does not contradict a previously held statement of the interlocutor. Christopher Kirwan sums up this characteristic of the fallacy of equivocation succinctly: “The upshot of this is that equivocation is a fault in a piece of reasoning when each of the meanings between which the reasoner equivocates justifies a part of his reasoning but no one of them justifies it as a whole.”<sup>60</sup>

Aristotle provides two other examples which mirror one another:

The sitting man is standing up.  
The one standing up has stood up.  
Thus, to sit and to stand are the same.

Or again:

The one recovering is healthy.  
The sick man is recovering.  
Thus, to be sick and to be healthy are the same.<sup>61</sup>

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60 Christopher Kirwan, “Aristotle and the So-called Fallacy of Equivocation,” *The Philosophical Quarterly* 29 (January 1979), 36.

61 See *SE* 1.4, 165b38ff.

The sophist argues for these absurd conclusions using a confusion between the past and the present. Aristotle clarifies the ambiguity in the fallacy:

For “the sick man doing or suffering anything whatsoever” does not signify one thing, but sometimes [it signifies] he who is now sick (or sitting), and at other times he who was sick before. Albeit the man who is sick was recovering even while he was sick, but he is not healthy while he is sick, rather he is the man who was sick before, but not now.<sup>62</sup>

The adjectives “sitting” and “sick” can be taken in the present or in the past. The argument is equivocal in that it takes terms that apply in the present as applying in the past or vice versa.<sup>63</sup>

The last two examples reveal that the fallacy of equivocation may involve more ambiguities than those resulting from Aristotle’s description of equivocation given in the *Categories*. Not only do his examples of the fallacy include names signifying different kinds of things, they also include names that signify the same thing differently qualified, such as “the sitting man” and “the man who is sick.” “The sitting man” signifies the same person but in one sense as the man who is sitting and in another sense as the man who was sitting. The fallacy of equivocation may result from mixing up meanings of a term that signifies two different things or from mixing up the meanings of a term that signifies the same thing in different ways.

Presented as they are, Aristotle’s examples appear quite insignificant and benign, posing no danger to the mind; their

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62 SE 1.4, 166a2–6: “τὸ γὰρ τὸν κάμνοντα ὅτιοῦν ποιεῖν ἢ πάσχειν οὐχ ἔν σημαίνει, ἀλλ’ ὅτε μὲν ὅτι ὁ νῦν κάμνων [ἢ καθήμενος], ὅτε δ’ ὅς ἔκαμνε πρότερον. πλὴν ὑγιάζετο μὲν καὶ κάμνων καὶ ὁ κάμνων· ὑγιαίνει δ’ οὐ κάμνων ἀλλ’ ὁ κάμνων, οὐ νῦν, ἀλλ’ ὁ πρότερον.”

63 See *Organon VI: Les réfutations sophistiques*, translation and notes by Jules Tricot (Librairie Philosophique J. Vrin, 1939), 8, n. 5.

falsity is obvious.<sup>64</sup> Aristotle unfolds the fallacy to us in simple examples to render its nature. But in dealing with a difficult instance of the fallacy, a person easily can be fooled. He will be more vulnerable if he has not understood how this fallacy comes about in simpler instances. Other examples are more pernicious than Aristotle's examples:

What is before other things is in time.  
God is before creation.  
Therefore, God is in time.<sup>65</sup>

This example, taken from St. Augustine's *Confessions*, reveals the deceptive power of the fallacy of equivocation. From this fallacious reasoning, one may easily come to the opinion that creation, and therefore God's existence, is impossible. In Aristotle's *Categories*, he lays down five senses of "before." In the first sense, the word "before" can signify what is before in time, and in the second sense, it signifies what is before in being.<sup>66</sup> The first premise of the example is true only in the first sense of "before," while the second premise is, according to St. Augustine, true in the second sense of "before." That is, God is not before creation in the sense that there was some time when God existed and creation did not exist. God is before creation in the sense that creation could not exist without God, but God could exist without creation. The middle term of the argument has only ostensible unity; accordingly, the conclusion does not follow.

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64 In fact, Aristotle uses the ambiguous term "things that need to be" as an example of being said in many ways that no one could fail to notice; see *Topics* 2.3, 110b10.

65 See Augustine's description of a carnal question, *Confessions*, 11.12–11.30.40, and Werner Heisenberg, *Physics and Philosophy: The Revolution in Modern Science* (Penguin Classics, 2000), 78–79.

66 See *Categories* 1.12, 14a26–35.

Again, we find Aristotle dealing with much more difficult examples himself. In his *Physics*, while trying to account for the existence of the infinite in nature, he alludes to the following argument:

The natural infinite exists in potency.  
What exists in potency is able to be fully actual.  
Thus, the natural infinite is able to be fully actual.<sup>67</sup>

If the argument followed, then one would fall victim to the paradoxes of Zeno, but the argument is loaded with confusing ambiguity. For the infinite to be “fully actual” may be taken to apply successively as it does to time, or it may be taken to apply simultaneously, as Aristotle refutes of magnitude. Again, “infinite in potency” may imply infinity of the potency itself as it does in potential divisions of the line. Or “infinite in potency” may imply a genuine possibility for the actual infinite as it does when applied to the multitude of human souls existing after everlasting past time. Even the word “infinite” as applied to different natural entities cannot be taken synonymously.<sup>68</sup>

What sort of equivocation is deceptive? While examining his third tool of dialectic<sup>69</sup>—the tool of finding differences—Aristotle claims that discovering the difference between things that are far apart is evident.<sup>70</sup> He advises the dialectician, therefore, to practice distinguishing between things that are similar to one another. This principle also applies to the distinction

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67 See *Physics* 3.6, 206a18–21.

68 For an account of Aristotle’s treatment of the infinite in nature and its many meanings, see John M. McCarthy, “Aristotle’s Dialectical Consideration of the Infinite,” *Elenchos: Rivista di Studi Sul Pensiero Antico* 46.2 (2025): 177–99. For a parallel but partially conflicting account, see Marcus R. Berquist, “Cutting the Infinite Down to Size,” *The Aquinas Review* 14 (2007): 99–108.

69 See *Topics* 1.13, 105a20–33.

70 See *Topics* 1.16, 108a5.

between meanings of a word. When two meanings of a word are wholly unrelated, the equivocation is evident to everyone. In contrast, when the distinction between the senses of a name is subtle, the inexperienced are apt to be deceived. For instance, Aristotle argues that the different senses of justice are harder to distinguish than other equivocal words because they are near to one another.<sup>71</sup> Without possessing distinct knowledge of the various senses of a name, one is inclined to fall back on a prior and already familiar sense of that same word. In the fallacy taken from the *Confessions*, for example, the reader is inclined to understand God's priority to creation as priority in time. The meanings of "before" are connected and consequently apt to be confused. Equivocation is deceptive when the various meanings of the word are confused on account of their proximity with one another.

#### HOW TO UNTIE THE FALLACY OF EQUIVOCATION

Aristotle claims that those who are inexperienced with the power (*δύναμις*) of names are susceptible to the fallacy of equivocation.<sup>72</sup> While anyone who does not know that it is possible for a name to bear multiple meanings will be vulnerable to the fallacy of equivocation, the knowledge that names have the power to bear multiple meanings will not make one impervious to the fallacy of equivocation.<sup>73</sup> Aristotle claims that "the trick of

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71 See *Nicomachean Ethics* 5.1, 1129a27–31.

72 See *SE* 1.1, 165a16.

73 Louis-André Dorion notes that, according to the Liddell, Scott, Jones lexicon, one meaning of *δύναμις* is "meaning." He argues however that the principal cause of the vulnerability to paralogisms, therefore, is not the rather benign knowledge of the meaning of a word, but the otherwise serious ignorance of the possibility of a word having several meanings. See Louis-André Dorion, *Les refutations sophistiques, introduction, traduction et commentaire* (Librairie Philosophique J. Vrin., 1995), 209, n. 7.

[fallacies] from equivocation and speech occurs through being unable to distinguish what is said in many ways.”<sup>74</sup> Only the ability to distinguish between different senses of particular names used in an argument in real time will make one impervious to the fallacy of equivocation.

Having established that the defense against this fallacy lies in the answerer being able to distinguish between different meanings of a word, Aristotle divides the answerer’s responses into two kinds based on whether the equivocal word is used only in the premises, or in the conclusion. When the question through which the sophist elicits his premise has more than one meaning in a dialectical disputation, Aristotle advises the answerer to respond: “In one sense, yes, and in another sense no.” When the conclusion has a double meaning, the answerer should indicate that the conclusion does not contradict the thing (πρᾶγμα) previously granted but only the name.<sup>75</sup> Both of these solutions to the fallacy of equivocation require that the answerer possess the power to distinguish the various senses of names in real time. If the answerer recognizes that a name used in an argument has multiple meanings, then the sophist cannot ensnare him. The true dialectician will ask, “what do you mean by this word?” The inexperienced adversary who is ignorant of the doctrine of homonyms, however, will consider words as having only one meaning and fall into the sophist’s trap.

The ability to identify promptly exact meanings of words is difficult. Accordingly, Aristotle advises that the prudent

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74 SE 1.7, 169a22–24: “Ἡ δὲ ἀπάτη γίνεται τῶν μὲν παρὰ τὴν ὁμωνυμίαν καὶ τὸν λόγον τῷ μὴ δύνασθαι διαιρεῖν τὸ πολλαχῶς λεγόμενον.” “λόγος” here is apparently a fill-in for amphiboly. See SE 1.6, 168a25.

75 See SE 1.19, 177a16–34.

answerer should also attack the sophist by explicitly accusing him of committing the fallacy.<sup>76</sup> This tactic requires that the answerer be able to show that the fallacy of equivocation is possible. The easiest way to do so is through two kinds of examples. Every sophistical refutation must both fail to be a refutation and appear to be a refutation. A simple example most effectively demonstrates that equivocation corrupts argument while a more difficult example better illustrates that it can indeed be deceptive. This tactic does not involve distinguishing the exact meanings of a word; it merely accuses the questioner of using more than one sense in an argument. This tactic offers the benefit of being always at hand in disputation. Interestingly, for Aristotle the appearances matter. He notes that it is important to be able to respond promptly when under interrogation and thereby to avoid the appearance of refutation.<sup>77</sup> Articulating the confused senses of the equivocal name is the only way to destroy the sophism completely. Nevertheless, at times it is expedient simply to call an argument equivocal and to articulate what the fallacy of equivocation is, even if one cannot exactly articulate the different senses of the equivocal name.

### THE PLACES OF EQUIVOCATION

Even so, to untie the fallacy of equivocation completely, one must identify the various meanings of a name used in an argument, and consequently, the dialectician must be able to distinguish all the senses of a name. Moreover, Aristotle says in the *On the Heavens* that it is useful to distinguish the senses of names even when it makes no difference to the validity of an argument.<sup>78</sup> Confusion regarding the different senses of a name is harmful

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76 See *SE* 1.17, 175b1–8.

77 See *SE* 1.16, 175a17–30, and 1.17, 175a40–b1.

78 See *On the Heavens* 1.11, 280b1–5.

in philosophy even if no fallacy of equivocation results from the ambiguity. For a person will know better what he is stating if he clearly understands the various meanings of the words he uses.<sup>79</sup> When one considers a principle containing a word whose meanings he does not fully grasp, his apprehension of that principle is limited. Again, someone could form a valid argument in which the premises are true, and the conclusion follows necessarily, but he will not be able to grasp the argument with full clarity without full knowledge of the meanings of the words it entails. It is imperative, therefore, that a philosopher be able to distinguish the different senses of words.<sup>80</sup>

As was noted above, Aristotle calls this ability the second tool of his dialectical art. In the first book of the *Topics*, Aristotle unfolds numerous “places” or aids for perceiving that a word is equivocal and in identifying the different senses of that word. Let us examine four such places: the use of opposites,<sup>81</sup> the use of inflection,<sup>82</sup> the use of genera,<sup>83</sup> and the use of more and less.<sup>84</sup>

*Opposites:* One way to determine whether a name has diverse meanings is to see if there are many contraries to that name or only one.<sup>85</sup> “In most cases,” a name used with one meaning will have only one contrary, and likewise the reverse. For example, by noting that “sharp” is contrary to both “flat” and “dull,” one detects that the word is equivocal. Similarly, “many” is evidently equivocal because it is contrary both to “one” and to

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79 See *Topics* 1.18, 108a19–20.

80 The necessity of appreciating the different senses of a word applies equally well to the theologian. For what theologian could understand the Lord’s words “I am Alpha and Omega, the first and the last, the beginning and the end,” without knowing the various senses of beginning and end. See Revelation 22:13.

81 See *Topics* 1.15, 106a10–b28.

82 See *Topics* 1.15, 106b29–107a2.

83 See *Topics* 1.15, 107a13–17.

84 See *Topics* 1.15, 107b13–18.

85 See *Topics* 1.15, 106a10–21.

“few.” Aristotle uses this place to distinguish two senses of “justice,” noting that it is contrary to “unfair” as well as “unlawful.”<sup>86</sup> It is clear, then, that if two things bear the same name but have different contraries according to that name, it is likely that the name is equivocal.

One can also detect equivocation by noticing that one instance of a word has a contrary, but that another instance of the same word does not.<sup>87</sup> For example, one can call a group of friends thick, but one does not call them thin. Nevertheless, a thick stick is contrary to a thin stick.<sup>88</sup> Similarly, that pleasure has multiple meanings is evident because the pain of thirst is contrary to the pleasure of drinking water, while there is no contrary to the pleasure of contemplating the conclusion of a geometrical demonstration. Again, loving as a matter of the will has the contrary of hating, but loving as a bodily activity has no contrary.

Again, one can detect equivocation by noticing that two intermediaries between contraries are different from one another. In the *Categories*, Aristotle points out that there is a middle between some contraries, and there is no middle between other contraries.<sup>89</sup> If two things share the same name, but one has an intermediary while the other does not, then the two things are equivocal. For instance, fine as opposed to coarse has no intermediary, but fine as opposed to crude or drab has the intermediary of ordinary.

Finally, if the contradiction of a name has multiple meanings, then the name has multiple meanings.<sup>90</sup> For instance, “not

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86 See *Nicomachean Ethics* 5.1, 1129a23–b1. While it may seem that injustice is not contrary to justice but the privation of justice, Aristotle calls justice contrary to injustice; see *Categories* 1.8, 10b12–14.

87 See *Topics* 1.15, 106a37–b4.

88 One can detect another meaning of “thick” by using the prior place and noticing that thick traffic is contrary to light traffic.

89 See *Categories* 1.10, 12a1–10.

90 See *Topics* 1.15, 106b13–20.

to see” is said with more than one meaning: It can mean “not to possess sight” or “not to be engaging in the activity of seeing.” A person may say he did not see something and mean that he simply did not notice it, but a person may also use the phrase to signify blindness instead. Since “not to see” is the contradictory term of “to see,” and the former has multiple meanings, so too does the latter.

*Inflection:* The dialectician can also detect equivocation by looking at the inflected forms (πτώσεις) of a name. If a name can be said of one thing, but another name with the same base cannot be said of that thing, then the name may be equivocal. For instance, “drying” and “dry” may refer to a towel, but “dryly” does not. Or one may use “dryly” and “dry” in reference to a remark, but not “drying.” Again, one could say that the sculptor causes the sculpture, but one would not likely say that the marble causes the sculpture, but the marble is the material cause of the sculpture. These discrepancies are signs that there must be more than one sense of “dry” and “cause.”

*More or Less:* Another place to detect equivocation is to see if the things signified by the word are comparable regarding more and less. Aristotle says that “everything univocal is comparable: Either they will be equally called, or one will be more so.”<sup>91</sup> Which is softer, the light of the lamp or the down pillow? One cannot compare apples and oranges. Hence, when said of the pillow, “soft” must have a different meaning than when said of the lamp. If a name is said univocally of two things and they admit of more and less, then they will be comparable according to more and less.

*Genera:* Another place to uncover equivocation is to see whether the uses of the name are in the same genera. In other words, a term will not generally be said in the same sense of

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91 *Topics* 1.15, 107b17–18: “τὸ γὰρ συνώνυμον πᾶν συμβλητόν· ἢ γὰρ ὁμοίως ῥηθήσεται ἢ μᾶλλον θάτερον.”

things in different genera. Rigidity in wood is in the genus of sense quality, but rigidity in a man is in the genus of moral quality. In his *Nicomachean Ethics*, Aristotle uses this same principle to show that “good” has multiple meanings.<sup>92</sup> Since “good” is in the category of substance, quality, quantity, and place, “good” is homonymous.

In sum, while the above places or tools are not a complete taxonomy of all Aristotle’s ways of uncovering equivocation, they illustrate his “sensible”<sup>93</sup> approach to distinguishing the senses of words. Aristotle seems to offer these places not as tools to be used in dialectical dispute, but rather on one’s own, during investigations in preparation for dialectical argument and philosophical inquiry.<sup>94</sup> Moreover, he gives no indication that these places can be employed in all cases. He appeals to them as norms—practical tools at the disposal of the dialectician—that may or may not be applicable to a given word.<sup>95</sup>

### KINDS OF EQUIVOCATION

In the *Politics*, Aristotle claims that when one wants to understand something more fully, it is essential to understand how it develops from the beginning.<sup>96</sup> Accordingly, one can better understand equivocal names if one comes to a universal understanding of the way in which they become equivocal. Although scholars extensively debate the varieties and subcategories of equivocation, there is near-universal consensus that Aristotle

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92 See *Nicomachean Ethics* 1.6, 1096a23–29.

93 Smith, *Aristotle: Topics*, 92.

94 Smith, *Aristotle: Topics*, 93.

95 For example, Aristotle’ qualifies the universality of the first place when he considers the contraries of justice in *Nicomachean Ethics* 5.1, 1129a24: “ἐπὶ τὸ πολὺ.”

96 See *Politics* 1.2, 1252a25–27.

categorizes equivocal names into two main types.<sup>97</sup> For example, in his discussion of the term “good,” Aristotle notes that it lacks univocity, stating:

The good, then, is not something common according to one species [κατὰ μίαν ιδέαν]. How, then, is it said? For they do not seem to be equivocal by chance [τοῖς ἀπὸ τύχης ὁμωνύμοις]. Are they instead [equivocal] in being from one thing [ἀφ’ ἐνός] or in all terminating toward one thing [πρὸς ἕν ἅπαντα συντελεῖν], or rather according to analogy [κατ’ ἀναλογίαν];<sup>98</sup>

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97 Julie Ward distinguishes between systematic/related and accidental equivocation in her work. See Julie Ward, *Aristotle on Homonymy: Dialectic and Science* (Cambridge University Press, 2008), 1–2, 16–18. For further discussion, compare Thomas Cajetan, *The Analogy of Names, and the Concept of Being*, trans. Edward A. Bushinski (Wipf and Stock Publishers, 2009), 22–23; Terrence Irwin, “Homonymy in Aristotle,” *Review of Metaphysics* 34 (1981), 524; Christopher Shields, *Order in Multiplicity: Homonymy in the Philosophy of Aristotle* (Clarendon Press, 1999) 20, 30, 40, 52, 112–114; and Duane Berquist, “Equivocal by Reason” (Paper presented at the Society for Aristotelian-Thomistic Studies conference, 2007), 2. Scholarly debates focus on the characterization and subdivision of non-chance equivocation. Shields employs the terms “discrete” and “comprehensive” equivocation, defining “discrete” equivocation as cases where “definitions have nothing in common and do not overlap in any way,” and “comprehensive” equivocation as cases where definitions partially overlap (Shields, *Order in Multiplicity*, 11). Shields’s concept of “core-dependent equivocation” exemplifies comprehensive equivocation (Shields, *Order in Multiplicity*, 106–26). However, not all non-chance equivocals fall under comprehensive equivocation. For instance, the meaning of “before” in the temporal sense does not overlap with its meaning in the sense of honorability. These two meanings of “before” lack overlap yet are not equivocal by chance, as they appear consistently in Greek, Latin, and English, with an intuitive connection between them.

98 *Nicomachean Ethics* 1.6, 1096b25–28: “οὐκ ἔστιν ἄρα τὸ ἀγαθὸν κοινόν τι κατὰ μίαν ιδέαν. ἀλλὰ πῶς δὴ λέγεται; οὐ γὰρ ἔοικε τοῖς γε ἀπὸ τύχης ὁμωνύμοις. ἀλλ’ ἄρα γε τῷ ἀφ’ ἐνός εἶναι ἢ πρὸς ἕν ἅπαντα συντελεῖν, ἢ μᾶλλον κατ’ ἀναλογίαν.”

Here, Aristotle differentiates equivocals that arise by chance from those that do not, such as those derived from a single source, terminating toward one thing, or linked by analogy.<sup>99</sup> The core distinction lies between chance equivocals and non-chance ones. He reinforces this distinction in the *Eudemian Ethics*, noting that some terms are “spoken entirely equivocally [πάμπαν λέγεσθαι ὁμωνύμως],” in contrast to those oriented “toward some one primary [nature] [πρὸς μίαν . . . καὶ πρώτην].”<sup>100</sup> For example, the term “bark” applies to both rind or outer sheath of a tree and to the sharp cry of dogs, but this shared naming is purely coincidental, lacking any inherent connection.<sup>101</sup> Such chance equivocals, like “toast” or “bark,” are rarely equivocal across multiple languages. Conversely, non-chance equivocation emerges from a necessary condition for expedient signification, making it predictable. “Being,” for example, applies to both substance and accident, and Aristotle provides an ordered relationship between

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99 While acknowledging potential development in Aristotle’s thought, I consider the instances of non-chance equivocals as representative subspecies rather than an exhaustive catalog. Aristotle provides varying kinds of equivocals in different contexts.

100 *Eudemian Ethics* 7.2, 1236a16–18. In the *Nicomachean Ethics*, Aristotle categorizes equivocal names into two types, but in a passage from the *Physics*, he seems to propose a threefold division: those widely divergent, those sharing some resemblance, and those closely related: “[O]f equivocals, some differ greatly; others have some likeness; others are near in genus or by analogy, thus they do not seem to be equivocal, although they are” (*Physics* 7.4, 249a23–25). I interpret those greatly differing as equivocal by chance and those closely related as equivocal due to a necessary condition for expedient signification. An example of the intermediate type, exhibiting some resemblance, might be the term *cardinal*. It is somewhat coincidental that “cardinal” denotes both a cleric and a bird, as no necessary connection exists between the two meanings, and this equivocation is unlikely to carry over into other languages. However, the two senses of “cardinal” are not purely accidental, given that both the cleric and the bird are associated with the color red. This type of equivocal naming appears to stem from a metaphor that, through repeated use, has solidified into convention.

101 For a Greek example, see *Nicomachean Ethics* 5.1, 1129a29–30.

these meanings.<sup>102</sup> Consequently, equivocals essential for efficient signification often share meanings across languages.

Non-chance equivocals can be further divided into subtypes. Aristotle sometimes includes equivocals by analogy in his classifications but omits them elsewhere.<sup>103</sup> Similarly, he occasionally references πρὸς ἓν equivocals but not always, suggesting he did not aim for an exhaustive list of subtypes.<sup>104</sup> Nonetheless, Aristotle provides illustrative examples.

He views equivocals by analogy as connected through a proportional relationship. In the *Nicomachean Ethics*, he describes sight as equivocal by analogy: “For as sight is in the body, so the mind is in the soul, and indeed as something is in another.”<sup>105</sup> This analogy reflects a similarity of ratios: sight (ὄψις): body :: mind (νοῦς): soul.<sup>106</sup> Thus, we speak of seeing with our eyes and, by analogy, with the “mind’s eye.”<sup>107</sup> Similarly,

102 See *Metaphysics* 4.2, 1003a31–b19. I have proposed that the primary division of equivocation is between those by chance (ἀπὸ τύχης) and those arising from a necessary condition for expedient signification. Aristotle underscores the necessity of equivocation in *Sophistical Refutations* (1.1, 165a6–14), where he argues that equivocation is inevitable due to the finite nature of names contrasted with the infinite multitude of potentially signified things, necessitating the use of one name with multiple meanings. Non-chance homonymy—arising from analogy or relation to a primary meaning—is essential for expedient communication, reflecting the progressive nature of human knowledge from the more to the less known. See John McCarthy, “Aristotle on the Necessity of Homonymy,” *Revue de philosophie ancienne*, forthcoming.

103 He includes equivocals by analogy in *Nicomachean Ethics* 1.6, 1096b21–28; he omits them in *Eudemian Ethics* 7.2, 1236a16–18.

104 He mentions them in *Metaphysics* 4.2, 1003a33; he does not mention them in *Physics* 7.4, 249a23–25. See K. Jaakko J. Hintikka, “Aristotle and the ambiguity of ambiguity,” *Inquiry: An Interdisciplinary Journal of Philosophy* 2 (1959), 142.

105 *Nicomachean Ethics* 1.6, 1096b28–29: “ὥς γὰρ ἐν σώματι ὄψις, ἐν ψυχῇ νοῦς, καὶ ἄλλο δὴ ἐν ἄλλῳ.”

106 See also *Nicomachean Ethics* 5.3, 1331a31–33.

107 Aristotle gives a similar account of “to perceive” (τὸ αἰσθάνεσθαι) in the *Topics* (1.15, 106b21–25). See also *Topics* 1.17, 108a7–12.

a principle (ἀρχή) relates to an argument as a foundation does to a house.<sup>108</sup> Clearly, equivocals based on such proportional likeness cannot be deemed accidental.<sup>109</sup>

Aristotle's most prominent discussion of equivocation appears in his defense of studying being qua being:

Being is said in many ways, but toward one thing, that is, to some one nature [πρὸς ἓν καὶ μίαν τινὰ φύσιν], and not equivocally—just as everything healthy is [said] toward health: One preserves [φυλάττειν] health, one makes [ποιεῖν] health, one is a sign (σημεῖον) of health, one receives [δεκτικὸν] health . . . hence being is said in many ways, but every one is toward one principle.<sup>110</sup>

A diet, medicine, complexion, urine, or the body may all be called healthy. Health primarily applies to the body, and this

108 See *Metaphysics* 5.1, 1012b34–1013a23.

109 For a discussion of analogous equivocals and their differentiation from πρὸς ἓν equivocals, consult Joseph Owens, *The Doctrine of Being in the Aristotelian 'Metaphysics'* (Pontifical Institute of Mediaeval Studies, 1978) 122–25. Aristotle does not label πρὸς ἓν equivocation as “analogous,” though this terminology is prevalent in later Scholastic texts (Owens, *The Doctrine of Being*, 125). Surprisingly, despite Aristotle's numerous examples, Shields argues that Aristotle does not consider analogical equivocation a distinct subspecies of equivocation (*Order in Multiplicity*, 12, n.3), focusing exclusively on πρὸς ἓν equivocation. Ward aligns with Shields's perspective on this matter (*Aristotle on Homonymy*, 2–4). Menn critiques efforts to reduce all metaphysical terms to πρὸς ἓν equivocation, pointing out that “it is simply not true that all the terms discussed in [*Metaphysics*] Δ are πρὸς ἓν equivocals: most obviously, ‘cause’ has four irreducible primary senses, and similarly with terms such as καθ’ ὅ, ἕκ τινος, and ‘part,’ which are said according to matter and form or to all of the kinds of cause” (“Aristotle on the Many Senses of Being,” 27). While I do not agree that there is no sense of priority that applies to the four causes, the meanings are not the result of πρὸς ἓν equivocation.

110 *Metaphysics* 4.2, 1003a33–b6: “Τὸ δὲ ὄν λέγεται μὲν πολλαχῶς, ἀλλὰ πρὸς ἓν καὶ μίαν τινὰ φύσιν καὶ οὐχ ὁμωνύμως ἀλλ’ ὥσπερ καὶ τὸ ὑγιεινὸν ἅπαν πρὸς ὑγίειαν, τὸ μὲν τῷ φυλάττειν τὸ δὲ τῷ ποιεῖν τὸ δὲ τῷ σημεῖον εἶναι τῆς ὑγείας τὸ δ’ ὅτι δεκτικὸν αὐτῆς . . . οὕτω δὲ καὶ τὸ ὄν λέγεται πολλαχῶς μὲν ἀλλ’ ἅπαν πρὸς μίαν ἀρχήν.”

primary sense—a healthy body—underpins all other uses. A diet is “healthy” by preserving health, medicine by producing it, and urine by indicating it. Similarly, “being” primarily denotes substance but extends to quantity as the measure of substance and to quality as its disposition. Comparable accounts apply to terms like “political,” “geometrical,” and “medical.”

Unlike Aristotle, who does not attempt to give an exhaustive list of non-chance equivocal subtypes. Duane Berquist has attempted a more systematic account of equivocation’s subtypes, making his primary division into kinds parallel to Aristotle’s equivocal by chance and equivocal by expedient necessity: equivocal by chance and equivocal for some reason.<sup>111</sup>

A name is equivocal *by reason* when there is a reason why the name has more than one meaning or when there is a reason why the same name is said of many things even though we do not have the same exact meaning in mind when saying it of each. Thus, in a name equivocal by reason, there is a connection or order among the many meanings.<sup>112</sup>

Berquist’s division of equivocation is not identical to Aristotle’s division of necessary and chance equivocation. But the two divisions are consistent because expedient necessity of equivocation for ready signification is the reason for non-chance equivocation.

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111 Berquist’s division modifies the nomenclature of scholastic tradition’s equivocal by analogy or analogous naming. For, in his own words, “although many are accustomed to use *name equivocal by reason* and *analogous name* to mean the same, this is more *ex usu loquentium* than from the word “analogous” itself. For this word means proportional and whether we use that word to mean a likeness of ratios (as Euclid does) or to mean a ratio, it signifies only some kind or kinds of name equivocal by reason. If we want to understand *name equivocal by reason* universally and in all its kinds, it is necessary to separate the other kinds from those which are based on a proportion or ratio(s).” Berquist, “Equivocal by Reason,” 2.

112 Berquist, “Equivocal by Reason,” 1–2.

Berquist articulates two primary ways in which names may be equivocal by reason:

- 1) Sometimes a name is said of two things, but one retains the name as its own, and the other receives a new name.
- 2) Other times, a name is said of one thing, and we see a reason to apply that name to something connected with it yet still preserving its own separate meaning. In this case, the name equivocal by reason is moved over from one thing to another.

Berquist's distinction between these two kinds of equivocation by reason is complete because either the name must be transferred to another thing which did not previously have that name, or the name must be applied with a new meaning to a thing which already had that name.

One can further divide these two subdivisions into two. 1a) Sometimes a common name is said *equally* of multiple things, but one of them is given a new name because it has something special about it, while the other/others which have nothing noteworthy retain the original name with a slightly restricted meaning.

- A. For instance, "finger" is first said of any digit on a hand. Since the thumb has the noteworthy aspect of being opposable, we give it a special name "thumb" while the rest retain the name "finger" now having another slightly more restricted meaning opposed to thumb.
- B. "Disposition" is first said of any quality by which one is apt to carry out some action, but since habit is noteworthy in so far as it is firm, we assign to it the special

name “habit” while the other disposition retains the name “disposition.”<sup>113</sup>

- C. “Scientific knowledge” (ἐπιστήμη) is first said of any demonstrated knowledge, but since wisdom—that is, first philosophy—has the noteworthy aspect of being that by which we call someone wholly wise, we give it a special name “wisdom” while other forms of demonstrated knowledge retain the name “scientific knowledge.”<sup>114</sup>
- D. “Animal” first is said of every sentient thing, but since man has the noteworthy aspect of being rational, we give man the special name “man” while other sentient things retain the name “animal” with the slightly more restricted meaning of being opposed to “man.”<sup>115</sup>

Another kind of equivocal naming happens when 1b) what is signified by a name is found *imperfectly* in a thing, which is subsequently given a new name, while the other thing(s) retain the old name. As Berquist puts it, “When one thing has *simpliciter* or perfectly what is signified by the common name, and the other has it only in an imperfect and qualified way the same, the former keeps the common name, and the latter is given a new name.”<sup>116</sup>

- A. For instance, sometimes people call kittens cats, but other times people oppose kittens to cats.

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113 *Categories* 1.8, 8b27–9b14.

114 Aristotle calls wisdom a scientific knowledge in *Nicomachean Ethics* 6.7. In the same chapter, he distinguishes wisdom from scientific knowledge.

115 Another example is the word “car,” which first includes trucks and then is opposed to truck.

116 Berquist, “Equivocal by Reason,” 6.

- B. Sometimes people say that a boy is a man but other times people oppose boy to man.
- C. Aristotle sometimes calls an enthymeme a syllogism<sup>117</sup> but other times opposes enthymeme to the syllogism.<sup>118</sup>

In both of these instances of equivocation, we name things as we know them. We are aware of the general universal before the particular universal,<sup>119</sup> and common names are first applied generally and then applied more particularly to a subspecies.

The second primary way to name equivocally is to apply the name of one thing to a second—and in some way related—thing. This may happen in two ways. 2a) Sometimes the name is carried over by being generalized and drops part of its meaning. With a more general meaning, it is said of all the things of which it was said originally but also of more things than before.

- A. Aristotle uses “scientific knowledge” to mean a certain and stable syllogized knowledge through the cause<sup>120</sup> but then extends the name “science” by dropping “through the cause” to extend to any certain and stable syllogized knowledge.<sup>121</sup>
- B. “Suffering” or “undergoing” originally meant passive change for the worse or painful change. The word was

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117 *Rhetoric* 1.1, 1355a8; 1.2, 1357a32f; and *Prior Analytics* 2.27, 70a10.

118 *Rhetoric* 1.1, 1355a14, and 1.2, 1357a18.

119 *Physics* 1.1, 184a16–b14.

120 *Posterior Analytics* 1.2, 71b10–14.

121 *Posterior Analytics* 1.13, 78a22ff. Hence, demonstration “propter quid” and demonstration “quia” are distinguished by the former making one know scientifically in the strict sense and the latter making one know scientifically in the more general sense.

then extended to mean any change including but not limited to that which is for the worse or painful.

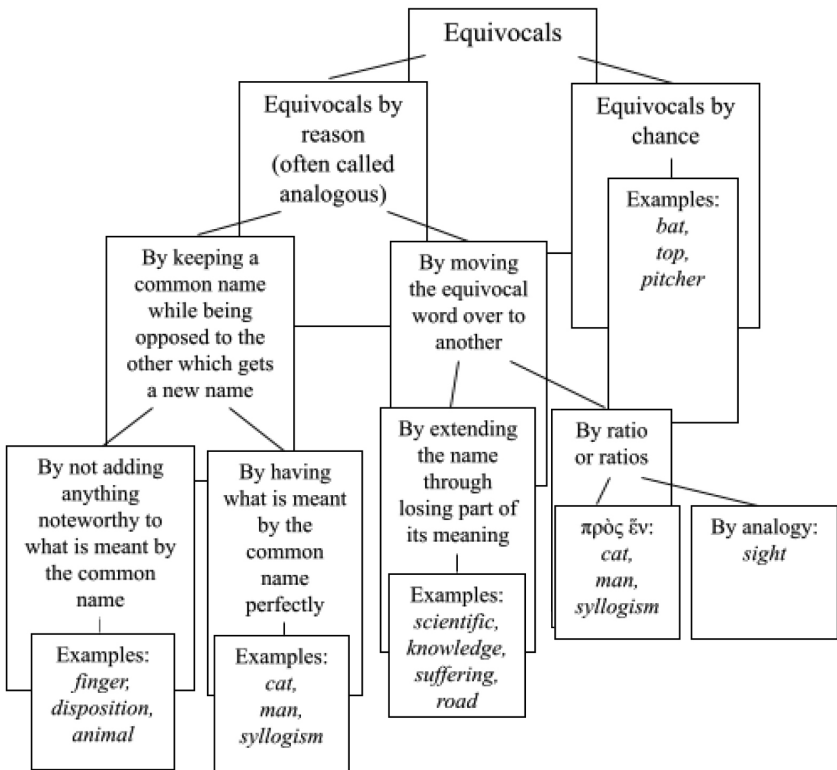
- C. “Road” originally meant stable even ground upon which to travel, but one may drop the material aspect of the meaning of road while keeping the notion of before and after thus making it applicable to our experience of coming to knowledge.

In another way, 2b) the name is moved over by ratios or the order or relation of one thing to another. This, in turn, can happen in different ways.

- A. For instance, one name is often said of two things because one of them has a certain relationship to the other. “Health” is said of the body in the first sense of healthy, but it is moved over and said of diet because of the diet’s causal relation to health, and it is said of one’s complexion because it is a result of health. Here we find Aristotle’s *πρὸς ἕν* equivocation.
- B. Sometimes, one name is said of two things by their having different relationships to the same thing. For example, quality and quantity are both equivocally called “being” because they each have a relationship to substance, but different relationships. Quantity is called “being” because it is the measure of substance whereas quality is called “being” because it is a disposition of substance.
- C. Sometimes one name is said of two things because they have the same relationship to different things. For instance, mind is to intelligible as eye is to sensible, and so we might apply the name “see” from the eye to the

mind. Further, the general is to particular as whole is to part. Accordingly, we call the universal a whole and derive the name “particular” from the name “part.” Here we find Aristotle’s equivocal by analogy.

The following chart lays down the principal divisions of equivocation given by Duane Berquist:



*Conclusion*

Aristotle's *Sophistical Refutations* identifies the fallacy of equivocation as the paradigmatic sophism; any dialectician should have a solid handle on the fallacy. The fallacy of equivocation is the result of mixing up different senses of an equivocal word, creating an apparent but defective refutation. The fallacy exploits the unity of a word's sound (*causa apparentiae*) while its diverse significations (*causa non existentiae*) undermine the syllogism's validity. Vulnerability to this fallacy stems from inexperience, particularly ignorance of the "power of names" to signify in multiple ways. Mere awareness that words can be equivocal is insufficient; philosophic understanding and inquiry necessitate more. True defense requires the active ability to distinguish senses in real time during argument. Thus, Aristotle equips the dialectician with practical tools for this task: the topical "places" (opposites, inflections, genera, degrees of more and less) that reveal equivocation, together with an understanding of its kinds—chance equivocation versus non-chance (including πρὸς ἕν and analogous forms). Grasping systematically how equivocation arises enables us not only to detect it but to anticipate possible senses of terms. Mastery of equivocation thus guards reason against its most pervasive pitfall, thereby sharpening dialectical skill and clarifying insight into the signification of universal terms.

## HAS MONEY BECOME FECUND?<sup>1</sup>

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Of the many unsettling beliefs held in antiquity, the denunciation of usury stands out as particularly startling. It's disconcerting to encounter such a categorical rejection of a practice so deeply embedded in our way of life. Indeed, what else could be the foundation of our contemporary economy? In order for the word to retain a negative connotation, the definition of usury had to be modified. What the Ancients criticized vehemently under this name was any recompense contractually attached to a loan over and above its restitution at the agreed time, while for us the complaint of usury only concerns the abuse of this recompense, and no one questions any longer the justice of *a reasonable rate of interest*. Certainly, familiarity with the seriousness of philosophers such as Plato, Aristotle, Thomas Aquinas, and their finest commentators should prevent us from dismissing their understanding of usury without diligent examination. Now, one might say that such an attempt has already been made and the lovers of antiquity do not dare to go any further than to excuse Aristotle and his disciples in light of economic conditions that are now a thing of the past—familial economy, slavery, the absence of international commerce, little artisanal production, rudimentary technology—which do not readily allow one to see the inherent fecundity of money. It is thus that Marcel Defourny, after offering an abundance of observations that reveal the remarkable coherence of Aristotelian economics, ultimately reproaches Aristotle for speaking in terms that are too absolute:

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1 A shorter version of this article was originally published as "La Justification morale de l'intérêt," *Philosophia Perennis* 2 (1995): 19–57. It has been enriched, as the result of an exchange with Marie George, whom I would like to thank for translating this article.

Such is the fundamental error of Aristotle. He was not mistaken about the interpretation and juridical demands concerning the facts of his day and age. But he formulated this interpretation and these demands without setting any time limit to their application. He leaves one to believe in their unconditional value, because he himself believed it.

The necessity of slavery, the interdiction of commerce, the monopoly of imports and exports, the prohibition of lending at interest, the highly relative utility of money, all these things certainly form a theoretical system that is coherent and justified *at an economic stage where the division of labor did not go beyond the limits of the family and the city . . .* Only, in place of justifying his economic morality by the circumstances of his milieu, Aristotle relied on reasons drawn from the nature of things. . . . He considers it abstractly, and *in the very analysis of the concept of commerce itself, he pretends to find intrinsic reasons for disapproval. . . .* Thus, a relative theory, good for his time, coherent insofar as it is related to his milieu, *wrongly takes the form of an absolute and universal theory.*<sup>2</sup>

However, now that the spectacular collapse of communist economies seems to confirm the capitalist path to be the only viable one, wouldn't it be advantageous to shed light on what principles morally justify its most radical foundation? As long as no rebuttal has been produced to the classic demonstrations of usury's immorality, and as long as its claim of justice has not been rigorously validated, it will remain possible for the malcontents of our world to suspect in every social problem a symptom of some innate vice in usury and capitalism. Isn't this how many critics explain the worsening crisis—where individuals,

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2 Marcel Defourny, *Aristote. Études sur la «Politique»* (Beauchesne, 1932), 38–39 (emphasis added).

institutions, and nations increasingly devote resources to servicing insolvent debt—as the inevitable result of capitalist monetary manipulation?

Isn't it often said that here is to be found the main reason why the rich increasingly become richer and less numerous while the poor increasingly become poorer and more numerous? Isn't there growing concern about the gradual loss of sovereignty afflicting nations in proportion to the sprawling expansion of multinational corporations and major speculators? The question is increasingly being asked: Isn't there some fundamental principle being overlooked in relying so heavily on exchange to enrich ourselves? If paying interest on loans is not one of the great errors in political history, then a careful reconsideration of the arguments that led Aristotle and Thomas Aquinas to condemn usury—specifically with the aim of refuting them—should help clarify whether it is truly legitimate. For the principles of usury are more hidden than preserved by the quick and irrelevant responses put forward in recent centuries. To return to Defourny, for example, ignorance of refutation<sup>3</sup> is displayed when he describes a condemnation that Aristotle “bases on reasons drawn from the nature of things” as a “relative theory, one good for his day, and coherent insofar as it relates to his milieu.” If it is “in the very analysis of the concept of trade in itself” that Aristotle “claims to find intrinsic grounds for reprobation,” he cannot be right for his time and wrong for the economy of our day. If exchange does not become per se unjust today, when “money becomes the end of exchange,” this could not have been unjust in the differing circumstances of Aristotle's day. And if Aristotle is wrong in this, and in the other reasons that seemed

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3 Ignorance of refutation is a sophistical argument that leads—even rigorously—to a conclusion that does not contradict the statement it claims to refute, even though contradicting it is precisely what a refutation should do. See *Sophistical Refutations* 5, 167a21–35.

to him to be rooted in the very nature of the things in question, it is only pure accident and not coherence if other, more circumstantial motives called for the disapproval of usury in his time. The subject is important and deserves a serious search for the deeper principles that would invalidate the Aristotelian and Thomistic criticisms.

It may seem bold to undertake this examination without the support of the most refined recent economic theories, without the usual charts and statistical samples, without direct experience in investment, complex banking operations, or stock market dealings—relying rather on reason and common experience alone. However, the inquiry here turns to those fundamental principles which, in every field, no matter how complex, must never be disregarded on the grounds of particular historical circumstances without thereby risking the irreversible compromise of all further understanding. Throughout this article, I will therefore seek to reduce interest-bearing loans to their most basic elements in order to ground a moral judgment that resists the temptation of a hasty refutation—one that simply dismisses anything that might unsettle a convenient conclusion.

### *I - The Definition of "Loan"*

The discovery of a defect in the ancient and medieval indictment of usury would require paying attention to the exact same things. I will henceforth understand by "usury" what its detractors called "recompense for a loan," with special attention, however, to a monetary recompense for a monetary loan, what we, nowadays, call "interest." This is what Aristotle and Thomas Aquinas, among others, condemned. This is what must be justified in order to morally found our contemporary capitalist economy. Now, to legitimate interest being attached to a loan

requires looking closely at the nature of the operations implied, and first at the act of lending. Defining what a loan is implies asking about the opportunity of exchanging goods and also, and more radically, about the power, the right over goods that is pre-supposed to this act.

*A. Strict Equality is Required for Just Exchange*

Nature, when it imposes upon man, as his end, the perfection of his reason, and, as the path to this end, the obligation to conform his conduct to reason, and when, nonetheless, it brings him into being incompletely equipped for this task, it must also provide him with the indispensable conditions for accomplishing it. By making man depend on material goods exterior to him for his very survival, nature confers on him a right to use these goods. By producing each less perfect being to sustain the perfection of one more perfect—the inanimate to sustain the animate, the non-sensing to sustain the sensing—nature ultimately orders every non-rational being to the rational. It is thus that by nature, man holds a right of usage over everything that is exterior to him: He holds these things as his proper good; he possesses them (from *possidere*, from *potis*, “able” or “in power,” and *sidere*, “to sit”).<sup>4</sup> The most elementary observation confirms this fact, as Aristotle notes. Nature provides from birth what is required for the body’s most vital need, its nourishment; clearly there is a similar natural provision with respect to the substances needed to nourish the more developed living being:

For some animals bring forth, together with their offspring, so much food as will last until they are able to supply themselves; of this the viviparous or oviparous

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<sup>4</sup> *Cassell’s Latin Dictionary*, revised by J. R. V. Marchant and Joseph F. Charles (Funk & Wagnalls Company, 1963).

animals are an instance; and the viviparous animals have up to a certain time a supply of food for their young in themselves, which is called milk. In like manner we may infer that, after the birth of animals, plants exist for their sake, and that the other animals exist for the sake of man. . . . Now, if nature makes nothing incomplete, and nothing in vain, the inference must be that she has made all animals for the sake of man.<sup>5</sup>

We nowadays are not often conscious of this radical ordinance of nature. But even when it is recognized, how this ordinance should be administered remains difficult to conceive, such that it would ensure the most effective usage of exterior goods for the satisfaction of human needs. The more material a good is, the more it is the case that the same good can only satisfy the need of a single human being and can only fulfill its function in becoming proper to one to the exclusion of others. How indeed could the same loaf of bread, the same morsel, nourish many individuals?<sup>6</sup> How, then, is the distribution of such goods to be brought about? How can one recognize that a particular thing, which nature has constituted the common possession of

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5 Aristotle, *Politics* 1.8, 1256b10–17, 20–23: “καὶ γὰρ κατὰ τὴν ἐξ ἀρχῆς γένεσιν τὰ μὲν συνεκτικτεῖ τῶν ζώων τοσαύτην τροφήν ὡς ἰκανὴν εἶναι μέχρις οὗ ἂν δύνηται αὐτὸ αὐτῷ πορίζειν τὸ γεννηθὲν, οἷον ὅσα σκωληκοτοκεῖ ἢ φωτοκεῖ · ὅσα δὲ ζωτοκεῖ, τοῖς γεννωμένοις ἔχει τροφήν ἐν αὐτοῖς μέχρι τινός, τὴν τοῦ καλουμένου γάλακτος φύσιν. ὥστε ὁμοίως δῆλον ὅτι καὶ γενομένοις οἰητέον τὰ τε φυτὰ τῶν ζώων ἔνεκεν εἶναι καὶ τᾶλλα ζῶα τῶν ἀνθρώπων χάριν, . . . εἰ οὖν ἡ φύσις μηθὲν μῆτε ἀτελὲς ποιεῖ μῆτε μάτην, ἀναγκαῖον τῶν ἀνθρώπων ἔνεκεν αὐτὰ πάντα πεποιθέναι τὴν φύσιν.” All quotations from *The Politics* are taken from Benjamin Jowett’s translations in *The Basic Works of Aristotle*, ed. Richard McKeon (Random House, 1968). See Aquinas, *ST I*, q. 65, a. 2: “The less noble creatures are for the sake of the more noble creatures, as the creatures lower than man are for the sake of man.” All translations of Aquinas are those of Marie George.

6 St. Paul concludes that since Christians are nourished by one bread alone, they form only one body: “Because there is one bread, we who are many are one body, for we all partake of the one bread” (1 Cor 10:17).

mankind, destined for the satisfaction of the needs of all people, has become legitimately *my* thing and serves legitimately to meet my need to the exclusion of others? Who can decide, since this thing certainly doesn't have it inscribed in its nature?

One can imagine several ways. Things and their administration could remain common possessions, and each person would make use of them and consume them spontaneously as his need dictates. Alternately, someone may be put in charge of the administration of this common good and its distribution to each according to his needs: the father in his family, the abbot in his monastery, the king in his kingdom. Or in the beginning, each might appropriate what he touches, occupies, or produces, and direct it toward satisfying the needs of his own choosing. In fact, millennia of human experience have shown that, despite its many vicissitudes, the most effective path remains the last one: the individual appropriation of each material good. It is thus that people retain the greatest motivation to administer and profit from these goods, rendering them apt to satisfy more needs. It is thus that people better allot the tasks required for the development and transformation of natural things, as is often required to render them useful. But this is strictly on the condition that such appropriation and management of things keep them open to common use, with each person remaining aware that the totality of goods—including those of which one has legitimate and exclusive management—is naturally ordered toward the satisfaction of everyone's needs. Thus, private possession of a greater share of goods, while it may provide their holder with greater security in meeting personal needs, implies in return the duty to make available to others the portion of those goods that exceeds one's own needs: under the form of salaries, in calling on others to share in the benefit of his good; in the form of expenditures, in yielding his good in exchange for those of others; or

with especially superfluous goods, under the form of gifts and alms, or some non-lucrative foundation serving people in need.<sup>7</sup>

Here, we have entered into the domain of voluntary exchange,<sup>8</sup> which is the genus of loan. The exchange of goods arises as the prolongation of their distribution, one that is destined to increase the total amount of goods, in order to satisfy the needs of everyone.<sup>9</sup> In regard to the goods that nature assigns to remedy the initial indeterminacy in which it brings human beings into existence, the first necessary act is a distribution among them of the responsibility for managing these goods. There is necessarily a lot of spontaneity in the initial distribution: Each keeps what he finds, what he touches or occupies first, what he cultivates, what he exploits or transforms, what he produces, the fruits of his labor. All that is normal and good, so long as the greater abundance that talent assures to one is not relegated to waste and does not compromise the satisfaction of others' needs. This natural spontaneity is subordinate to the prudential judgment of the legislator who, to the extent that it is necessary, orders a certain redistribution, through taxes, expropriations, limits imposed on contracts, and so on, in such a manner

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7 See ST II-II, qq. 1 and 2, regarding the legitimacy of owning property; see also the note of C. Spicq, *Le prêt à intérêt*, in the appendix of the French translation of these questions in *Somme théologique* (Société Saint Jean l'Évangéliste, Desclée et Cie, 1947).

8 "Voluntary exchanges" are divided against "involuntary ones," such as theft; see ST II-II, q. 64, pr., *commutationes voluntariae* and *involuntariae*. Authors who treat the loan at interest typically define it as a type of contract. But a contract is not something other than a voluntary exchange, taking "contract" in the broad sense of an agreement—tacit, verbal, or written—concerning an exchange, and not necessarily such an agreement in writing.

9 It is crucial to recognize this complementary role of exchange. Strictly speaking, only the discovery and use of things drawn from nature increase wealth. Exchange does not produce goods; it moves them, so that each person's share better corresponds to all of his needs. Disregard for this fundamental fact is what leads to the illusion that by multiplying exchange, one would indefinitely multiply wealth.

that, spontaneously or legally, the distribution of goods realizes as well as possible the proportion between citizens' greater or lesser ability to manage things well and the best satisfaction of a greater number of needs. Exchange comes into the picture as the complement of this distribution, its whole purpose being to maximize the utility of each good, while conserving the proportions that justice demands, and to maximize, in particular, the service that each person, in conformity to his political nature, brings to his fellow.<sup>10</sup>

The concern for productivity in the elaboration of goods leads to the division of labor: Each individual, to be more productive, concentrates on the production or the service of such and such a good, useful or necessary for life, and counts on others to do the same, with the idea that in the end, each can procure what is necessary for all his other needs from the production of others by providing them in return the fruit of his own work. That is the nature of exchange, from which we immediately grasp that *its absolute principle of justice is equality*. Because the purpose of exchange is to finalize a just distribution, it is only justified when one offers one equal thing for another. This observation seems irrefutable in its simplicity, and this is what leads Aristotle to conclude that *any gain in exchange, any profit, is strictly speaking an injustice*. How could there possibly be justice to demand that, in return for a good, I get a good of greater value? One can claim that things are not so simple, that exchange is not strictly one thing for another, that one can also place on the balance the cost of production or of transport and diverse costs of acquisition. But this only serves to obscure the issue. At the very least, one

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10 See *Pol.*1.9, 1257a14–17 (translation mine): “Exchange may be made of every possession, as it arises from the natural fact that, of everything, everybody has more or less than what is sufficient.” (“ἔστι γὰρ ἡ μεταβλητικὴ πάντων, ἀρξαμένη τὸ μὲν πρῶτον ἐκ τοῦ κατὰ φύσιν, τῷ τὰ μὲν πλείω τὰ δὲ ἐλάττω τῶν ἰκανῶν ἔχειν τοὺς ἀνθρώπους.”)

must concede to Aristotle that once one has calculated everything that enters into the exchange, justice lies in strict equality on both sides. If, before the exchange, each party holds what is rightfully his—if it is indeed from his own goods that he provides for the other, and if, likewise, it is from his own goods that the other offers something in return—then each will remain in possession of what is rightfully his after the exchange only insofar as equality has governed the transaction. Inequality here could only be justified in the context of a previous unjust distribution, and would, in some manner, be the restoration of the previous lack of equality. Aristotle certainly doesn't condemn the free gift of something that is not owed. Each has a perfect right to renounce what belongs to himself in order to gift it to someone else, so much more so since, given the vicissitudes of life, the initial distribution of goods is never perfect. However—and up to this point I find no inconsistency or falsehood in Aristotle's case—no individual can, without injustice, unilaterally include any inequality in a contract for exchange. *Strict equality enters into the very definition of commutative justice.*

This equality is not easy to assure; still, one cannot doubt that it is required. The comparison of the value of things, and of actions and services of different natures, runs up against many obstacles. It was in order to better surmount them that we learned to compare all goods to one unique good, and to represent the value of each in relation to this unique good, chosen as a standard first due to its greater universality, durability, and divisibility, but finally, after a lot of abstraction, due to pure convention: first salt, in the end pure token. Money immensely facilitates exchange. Without resolving the problem of equalizing things by their comparative value, it diminishes it; it also simplifies the exchange of a good needed at the moment for a good which will only be needed in the more or less distant future and which, perhaps, has not even been produced or even identified.

By facilitating saving and exchange, money, as Aristotle notes, nonetheless intensifies the temptation of gain; yet it in no way abolishes the fundamental principle of justice in exchange: a strict equality of what is provided by each party.

If, like Aristotle, one defines commercial purpose by gain and profit,<sup>11</sup> it will require bad faith to deny the inherent malice of commerce. One can always note that there was not much international commerce in antiquity, and that in those days an intermediary automatically figured as a parasite between producer and buyer. This complicates the givens without weakening Aristotle's claim. Even in admitting the existence of one or more intermediaries who merit a part in the exchange by transporting the goods, ameliorating them, or by other services, the requirement remains the same: At each step of the exchange each person entering into it gets an equal good in the transaction. If business is to avoid being accused of injustice, it will need to be defined differently—not by the pursuit of profit without foundation, but rather by an objective claim to some reward.

Up to now, the picture Aristotle paints is simple, and no evolution of circumstances authorizes one to think otherwise. But Aristotle becomes more bewildering when he cites an ontological foundation for the condemnation of commerce. The facility, he says, that money gives to exchange dizzies people to the point of a culpable inversion: Money, a means of exchange, is claimed to be a means of production. Being a simple token without intrinsic value, exchangeable by convention for true wealth that meets vital needs, it comes to be regarded as the truest wealth, against which one wishes to exchange every necessary good. Being of limited interest as a means, money generates an unlimited desire, characteristic of an end. We are not readily touched by these reproaches, which sound rather abstract. We are not particularly bothered by the fact that business arose in

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<sup>11</sup> See *Pol.* 1.9, 1257a9–10.

the context of an inversion of means and end. That is why we spontaneously frown when confronted with the strong language with which Aristotle denounces business as the *bastard son* of the pursuit of material goods:

When money had once been invented, out of necessary exchange arose the other form of wealth getting, namely, trade, which was at first probably a simple matter, but became more complicated as soon as men learned by experience whence and how exchange could generate the greatest profit. That is why the art of getting wealth is generally thought to be chiefly concerned with money, and its function to know whence to draw an abundance of money, as it is productive of wealth and money. Indeed, riches are assumed by many to be only an abundance of money, because the arts of getting wealth and trade are concerned with money.<sup>12</sup>

Our spontaneous reaction is: So what? We will concede, however, that Aristotle touches here on something fundamental and inescapable, once his claims are translated into more concrete terms: True wealth and the pursuit of goods consist in the gathering and management of what life genuinely requires, which is something limited, and which prepares for and leaves room for activities that are more strictly human. Nothing is more pernicious, one might concede, than this means disguised as an end: True material wealth is, in reality, a tool for the natural

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12 *Pol.* 1.9, 1257b1–10 (translation mine): “πορισθέντος οὖν ἤδη νομισματος ἐκ τῆς ἀναγκαίας ἀλλαγῆς θάτερον εἶδος τῆς χρηματιστικῆς ἐγένετο, τὸ καπηλικόν, τὸ μὲν πρῶτον ἀπλῶς ἴσως γινόμενον, εἶτα δι’ ἐμπειρίας ἤδη τεχνικώτερον, πόθεν καὶ πῶς μεταβαλλόμενον πλείστον ποιήσει κέρδος. διὸ δοκεῖ ἡ χρηματιστικὴ μάλιστα περὶ τὸ νόμισμα εἶναι, καὶ ἔργον αὐτῆς τὸ δύνασθαι θεωρῆσαι πόθεν ἔσται πλῆθος, ποιητικὴ γὰρ εἶναι πλοῦτος καὶ χρημάτων · καὶ γὰρ τὸν πλοῦτον πολλακίς τιθέασιν νομισματος πλῆθος, διὰ τὸ περὶ τοῦτ’ εἶναι τὴν χρηματιστικὴν καὶ τὴν καπηλικήν.”

perfection of man—his rational activity. But if, in a reversal of order, wealth comes to be regarded as the money meant to procure it, and if this money, from being an instrument of wealth, becomes the end of human activity, its pursuit will become all-consuming and make man forget that his happiness lies elsewhere.<sup>13</sup>

*B. The Loan: Exchange of the Same for the Same*

To clear itself of Aristotle's accusation, commerce must show what real service it provides in the exchange and be paid for that work, calling its gain only that wage, without pursuing any pure profit. Now, how will this affect the situation for the specific exchange that we call a loan?

1) Buying and selling: the exchange of one thing for another

The situation of a loan is indeed somewhat special, because the most ordinary and normal exchange is to buy and to sell, or more radically, if one leaves aside the intermediary of money, to barter. The standard exchange is giving a good of one kind in return for a good of another kind. Barter is when this is done directly, and buying and selling is when this is done by the intermediary of money. In both cases, there can be the added twist that the exchange can happen immediately or at a later date, when the two making the exchange agree that one of the two will pay for the good or deliver it later on.

However, it is always the case, if the proceedings are going to be just, that neither party derives gain or profit from the other! For we have seen that business is defined by injustice if its whole

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<sup>13</sup> See *Pol.* 1.9., 1257b19–24.

reason for being resides in a profit obtained from exchange. However considerable our surprise at such a condemnation, it must lessen when we become conscious of the burden that legitimizing exchange for pure profit inflicts on a society. This legitimation stimulates the multiplication of parasitic intermediaries, which ultimately result in the annihilation of the benefit of exchange. Initially the producer and the consumer furnished aid to one another. Now both lose, both are made poorer, and it's the intermediaries who have benefited, receiving more at each step without giving proportionately more. A society that manages its economic affairs this way is bound to find its workers and producers in an increasingly miserable situation, while all the while it nourishes for free and more and more lavishly parasites that do nothing for the satisfaction of needs. Isn't its very postulate, that everyone can get richer in the exchange, contradictory? That, in the end, even at the international level, all countries could have a positive balance of payments. How can one not see that riches cannot increase simply by changing hands? Yet is this not the axiom underlying all capitalist optimism?

One must not fall back here into the ignorance of refutation that I exposed earlier. There is always a temptation to turn these simple statements into a simplistic view that neglects everything that business contributes to society. It is undeniable that the businessman does a lot: He assures contact between producer and consumer, transports merchandise from the former making it accessible to the latter, provides a place for exchange, and, in the end, spends his life serving others. How could he not merit a salary for these services? And what about the risk that he continually takes that the merchandise made available will be lost rather than sold? We must recall that the condemnation of gain does not apply here. The just price that the consumer ought to pay—the price equivalent to the value of the item acquired—includes the cost of production, transportation, and distribution,

and the salary of the workers who bring these things about. So long as it is a reasonable evaluation of his services which the businessman calls “profit,” business does not involve intrinsic injustice, as strictly speaking there is no profit or demand for more than the value of the good purchased.

It is in this weak sense that St. Thomas rehabilitates profit by denying that it would be intrinsically evil and by permitting it, so long as it is not made an end but a means to an end that is honorable or necessary:

Profit, which is the end of business, does not imply in its definition something honorable or necessary; nevertheless, neither does it imply in its definition something vicious or contrary to virtue. Whence, nothing prohibits profit from being ordered to some end that is necessary or even honorable. And in this way business is rendered licit. This is the case when someone orders the moderate profit obtained by doing business to the maintenance of his home or even to succoring the poor, and also when he engages in business for the sake of public utility, lest the things necessary to his country be lacking, and *does not seek profit as an end but as a salary for his labor*.<sup>14</sup>

It would be a mistake to oppose St. Thomas to Aristotle on this point, as if he relaxed the principles enunciated by Aristotle in light of the more extensive experience of commercial dealings

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14 ST II-II, q. 77, a. 4, c. (emphasis added): “Lucrum tamen, quod est negotiationis finis, etsi in sui ratione non importet aliquid honestum vel necessarium, nihil tamen importat in sui ratione vitiosum vel virtuti contrarium. Unde nihil prohibet lucrum ordinari ad aliquem finem necessarium, vel etiam honestum. Et sic negotiatio licita reddetur. Sicut cum aliquis lucrum moderatum, quod negotiando quaerit, ordinat ad domus suae sustentationem, vel etiam ad subveniendum indigentibus, vel etiam cum aliquis negotiationi intendit propter publicam utilitatem, ne scilicet res necessariae ad vitam patriae desint, et lucrum expetit non quasi finem, sed quasi stipendium laboris.”

in his day. To the extent that he speaks about profit in the strict sense, St. Thomas in nowise steps back from Aristotle's severity:

The second kind of exchange [, that done for profit,] is rightly censured [by Aristotle], for *considered in itself, it serves the greed for money*, which knows no limit but tends to be infinite. And therefore business, considered in itself, has a certain baseness, as no honorable or necessary end is implied by its definition.<sup>15</sup>

Neither Aristotle nor Aquinas reproaches the businessman for earning his living by facilitating exchanges. But what businessman is content to do only that? One goes into business not simply to serve others and to exchange this service for the necessities of life; one goes into business to get rich, to profit from the exchange, and to have after the exchange more wealth than what one has invested in it, with more goods than what one has provided. It is hard not to concede that Aristotle is right in seeing a fundamental injustice in anything that goes beyond a just price, equal in value to what is offered.

2) A loan: an exchange of the same for the same

To loan is to exchange a thing that I do not need now for the same thing when I have need for it. There again, Aristotle and St. Thomas are consistent in insisting on the need for equality. Indeed, equality is easier to perceive and to realize here than in the case of a sale. For since it is the very thing that is returned in payment, the comparison needed to ensure equality is not so difficult to make. How can one fail to see that anything more

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<sup>15</sup> ST II-II, q. 77, a. 4, c. (emphasis added): "Secunda autem iuste vituperatur, quia, quantum est de se, deservit cupiditati lucri, quae terminum nescit sed in infinitum tendit. Et ideo negotiatio, secundum se considerata, quandam turpitudinem habet, in quantum non importat de sui ratione finem honestum vel necessarium."

that is demanded is pure gain and flagrant injustice? How could this deduction be erroneous, as our customs make it a duty to believe? Given the manifest simplicity of the situation, Aristotle and St. Thomas seem to be right: There is nothing other than the thing received to return, and if it itself is given back to the lender, there remains no other claim for payment for the loan.

Money cannot be sold for a greater amount of money than the sum that was lent, which is what is to be repaid.<sup>16</sup>

He who is not bound to lend may receive compensation for what he has done, but he ought not to demand more. He is compensated according to the equality of justice if only as much is returned to him as he lent.<sup>17</sup>

So long as the true grounds that would justify the demand for interest on a loan remain undisclosed, the indignation of our philosophers in the face of unrelenting avarice and greed is entirely understandable. Business opened the breach with its intermediaries that invert the meaning of exchange, bartering not one good for another by means of money, but one sum of money for another by means of merchandise. “Money has become the beginning and term of the exchange.”<sup>18</sup>

Worse, what is exchanged is a smaller sum of money for a larger sum. The breach is enlarged in the case of the loan. With the collection of interest, there is an exchange of one sum of money for a greater sum without even the alibi of some

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16 *ST II-II*, q. 78, a. 2, ad 4: “[P]ecunia non potest vendi pro pecunia ampliori quam sit quantitas pecuniae mutuatae, quae restituenda est.”

17 *ST II-II*, q. 78, a. 1, ad 5: “[I]lle qui mutuare non tenetur recompensationem potest accipere eius quod fecit, sed non amplius debet exigere. Recompensatur autem sibi secundum aequalitatem iustitiae si tantum ei reddatur quantum mutuavit.”

18 *Pol.* 1.9, 1257b22–23: “Τὸ γὰρ νόμισμα στοιχείον καὶ πέρας τῆς ἀλλαγῆς ἐστίν.” This is a somewhat free translation inspired by the fact that Aristotle frequently uses “στοιχείον” as a synonym of “ἀρχή.”

merchandise or service on the side. Can one imagine a more manifestly unequal exchange? It is not a matter of two goods difficult to compare because of their difference in kind, but of two unequal sums of the same money, two homogenous signs of a right to goods.

Nonetheless, there is reason to suspect that Aristotle and St. Thomas are oversimplifying the situation. Do they really believe that lending money simply involves the exchange of coins, banknotes, or some other conventional monetary instrument? That would be quite superficial on their part. In reality, what the lender loans is the purchasing power to which the prior sale of goods entitled him, and of which his money is merely the sign. Therefore, what he has every right to expect in return is a sum that represents exactly the purchasing power he gave up at the moment of the loan.

Now—as perhaps these philosophers had fewer opportunities to observe in their time—the prices of goods that people are likely to need fluctuate for various reasons: Their production may become more costly because the materials or labor required are more expensive; their scarcity may make it harder to meet the demand for them. The price of services one may require can also increase for similar reasons. Worse still, the money itself may undergo devaluation, drastically reducing its purchasing power.

Must we not, then, acknowledge the injustice done to the lender who, when repaid the exact amount of money he lent, ends up with significantly less purchasing power than what he gave to the borrower? Doesn't this potential inflation of prices provide the lender with a serious and legitimate reason to demand interest in addition to the amount of the loan he extended? This certainly invites a careful examination of the extent to which equality is an essential element in the relationship between lending and repayment.

*II - The Essential Equality of a Loan*

We have just noted that the apparent fundamental simplicity of a loan—the exchange of a thing for itself—especially when it is a question of lending money, hides a number of circumstances that pretend to justify interest without compromising the strict equality that justice demands.

*A. Extrinsic claims:*

1) Damage suffered

When one lends, there is always a risk of incurring loss. Justice cannot require that someone be worse off for having rendered a service. If, for example, a house or tool that is loaned is returned damaged, who would say that it is just for the one who loaned it not to be compensated? If one has lent his home or a sum of money for one year and when the time comes for it to be returned to him, the borrower is unable to do so, must one, to satisfy the demands of justice, subject the lender to the costs involved? Obviously, not. Any damage inflicted by the borrower on the lender arising directly from the loan agreed upon is the responsibility of the borrower. This is clearly what justice demands. The borrower, for any damage that he has inflicted on the lender, must not only give back the good that was borrowed but must also pay compensation. St. Thomas explicitly recognizes this:

The one who makes a loan can without moral offense stipulate in the contract with the borrower a compensation for any damage that would deprive him of some part

of his due good, for this is not to sell the use of money, but to avoid harm.<sup>19</sup>

In everything, and not only in matters involving exchange, whoever harms another is obligated to provide restitution. Is that, ultimately, the justification of charging interest on a loan? After all, the word “interest” (from L. *interesse*) initially designated precisely the compensation to pay to the lender for harms he suffered while lending.<sup>20</sup>

But this doesn’t get at the root of the problem, for *an indemnity is not usury nor is it gain*. It is a claim external to the loan itself, and not payment for the loan proper, which Aristotle and St. Thomas insist must remain free of charge, aside from the return of the borrowed item and any indemnities that may be owed. One sees the difference with what we call interest nowadays when one recognizes that the *damnum emergens*, the harm that arises from a loan, which must be compensated for, cannot be determined from the start, or at least is not automatically tied to every loan, and is not calculated by a percentage of the

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19 ST II-II, q. 78, a. 2, ad 1: “[I]lle qui mutuum dat potest absque peccato in pactum deducere cum eo qui mutuum accipit recompensationem damni per quod subtrahitur sibi aliquid quod debet habere, hoc enim non est vendere usum pecuniae, sed damnum vitare.”

20 See *Etymonline*, <https://www.etymonline.com/search?q=interest>: Interest (n.) mid-15c., “legal claim or right; a concern; a benefit, advantage, a being concerned or affected (advantageously),” from Old French *interest* “damage, loss, harm” (Modern French *intérêt*), from noun use of Latin *interest* “it is of importance, it makes a difference,” third person singular present of *interesse* “to concern, make a difference, be of importance,” literally “to be between,” from *inter* “between” (see *inter-*) + *esse* “to be” (from PIE root *\*es-* “to be”). The sense development to “profit, advantage” in French and English is not entirely clear. – The earlier Middle English word was *interesse* (late 14c.), from Anglo-French *interesse* “what one has a legal concern in,” from Medieval Latin *interesse*, “compensation for loss,” noun use of Latin *interesse* (compare German *Interesse*, from the same Medieval Latin source). Emphasis added.

value of what is loaned but by an absolute evaluation of the harm caused.

Let us, then, grant that making compensation is not the same as paying interest. Still, must we not see the loss of purchasing power suffered by the lender due to inflation over the course of the loan as legitimate grounds for claiming compensation from the borrower? There is, in this case, a real harm suffered by the lender. Doesn't strict justice require the borrower to add to the repayment a compensation to repair this harm? — Not at all! The harm the borrower is obligated to compensate is the harm he himself causes. But he is in no way responsible for inflation. This is evident from the fact that, had the lender saved his money instead of lending it, inflation would have equally eroded its purchasing power. The situation is comparable to someone whose house, which he had lent or rented out, is damaged or destroyed by an earthquake; the owner cannot rightly demand that the borrower or tenant replace or pay for a house that would have been damaged or destroyed by the quake even if he himself had lived in it instead of lending or renting it out. The damage is real, and both the lender and the homeowner are truly to be pitied, but the borrower or tenant is in no way obligated to compensate for a misfortune for which he bears no responsibility—and of which he too is a victim.

## 2) Risk premium

The hesitant lender can also claim the danger of bad luck (*periculum sortis*), brandishing his right to some compensation for the risk he exposes himself to in lending. The more the borrower is in need, he says, the more I am rendering him a service, but I am also increasing the risk that he will be insolvent and will cause me to lose everything. Don't I, in justice, have a right to some recourse in the face of this danger? It has to be pointed out

here that this is not yet a matter of profit; it is still only a matter of indemnity. There is no doubt that the lender has a right to a guarantee of being paid back. St. Thomas permits the lender to impose on the borrower the condition of a deposit as guarantee, which will compensate the lender if in the end the borrower is unable to give back what he borrowed. But Aquinas doesn't see in this any legitimate *gain* for the lender; the lender retains the security only if repayment is not made; once repayment is made, he is obligated to return the entire security.<sup>21</sup>

### 3) Preparation costs

There's another situation where it seems that gain might be legitimate. It can happen that the thing someone wants to borrow—my house, my field, my tool, or even my money—is not available or accessible in the form it currently has or in the place it is currently located. Thus, putting the thing at the borrower's disposition may require that I make modifications, repairs, or the like that demand work on my part that I ordinarily would not engage in; and if it is a question of money, it may require me to subject it to foreign exchange transactions or the like. This expenditure of time, energy, and resources that are destined solely to make the loan possible is a service required by the borrower. One readily concedes that everything that is done for the borrower's benefit is to be paid for by him, in addition to giving back, at the fixed time, the amount borrowed. Perhaps, if the work needed to give the borrower access to the thing he wants to borrow is too expensive, he may judge that it is preferable to renounce borrowing it. But if he goes ahead, he must pay for the work that is required for his doing so. Nevertheless, once again, the lender does not gain anything. He must in the end find himself in the same situation as in the beginning or in

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21 See *ST* II-II, q. 78, a. 2, ad 6.

an equivalent situation; everything that turns to his advantage in the modifications made remain at his own expense. And what the borrower pays, in addition to restitution, *should only be a just salary for the work done, and not a net gain for the lender.*

It becomes more and more clear that nothing justifies a gain made on a loan. The more we consider it, the better we see the complete injustice of such a gain. If the legislator tolerates it, due to the incapacity to uproot it from custom, he nevertheless cannot make it due, or even permitted, any more than he can make prostitution virtuous under the pretext he never succeeds in eradicating it from custom. If we are to justify the demand of interest, at least for certain forms of loans, we must find some other legitimate claim, an intrinsic claim, that Aristotle and St. Thomas could not have noted. Let us continue to seek what this might be, without settling for the false appearances that have been resorted to.

*B. False claims:*

1) Lack of gain

Now, isn't there room to contend that lending involves a *lucrum cessans*: the loss of earnings occasioned by the loan? The tool, the field, the money one lends could have, if one had kept it, been used to advantage, producing fruits that the lender is now deprived of as a consequence of loaning it. Wouldn't it be just to compensate the lender for this harm? This is debatable, but one must still note that in any case it would not be a matter of paying for the loan as such, but again an indemnity for causing harm. Nevertheless, the harm is not all that obvious, and it remains very difficult to evaluate. St. Thomas does not subscribe to this view, considering the gain of doing business to be too uncertain:

Compensation for loss that is weighed from the fact that the money loaned is not making money cannot be put in the contract, since one ought not sell what one does not yet have and may be impeded in many ways from obtaining.<sup>22</sup>

Aquinas recognizes the legitimacy of this *lucrum cessans*, and with a lot of reservation, only in the case where the borrower does not return what was borrowed by the date fixed by agreement with the lender.

The lender can incur loss from the money loaned . . . when the money is not returned to him at the time agreed upon; and in this case the borrower is held to compensate for this.<sup>23</sup>

It should be noted in passing how poorly this title of *lucrum cessans* fits with the obligation that natural law imposes to keep common the use of goods. Nature produces everything with the intention of satisfying all human needs. Private property does not contradict this intention of nature, insofar as this private character allows for a more efficient administration and cultivation of natural resources, and as a result a more effective response to the needs of each, which implies that the owner remains aware of the common destination of the use of his private goods. St. John Chrysostom, St. Augustine, St. Thomas Aquinas, and many others insisted in very vigorous terms that everyone is bound in justice to distribute the superfluous part of his goods: to give it away if its superfluity is permanent, or

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22 *ST II-II*, q. 78, a. 2, ad 1: "Recompensationem vero damni quod consideratur in hoc quod de pecunia non lucratur, non potest in pactum deducere, quia non debet vendere id quod nondum habet et potest impediri multipliciter ab habendo."

23 *De malo*, q. 13, a. 4, ad 14: "[E]x pecunia mutuata potest ille qui mutuatur, incurrere damnum rei iam habitae . . . ex quo non redditur sibi pecunia statuto termino; et in tali casu ille qui mutuatum accepit, tenetur ad interesse."

to lend it if it is only temporarily not needed. If one is aware of this natural requirement of justice, one cannot feel comfortable making those in need pay interest on what one must in justice lend them, in addition to demanding full repayment.

## 2) Lack of enjoyment

Closely related to the claim that interest would be owed for *lucrum cessans* is the claim that money is owed to the lender for the time that he lacks possession of his money. I have explained above why the saying “time is money” holds true only in a limited sense. Time itself does not produce wealth. Placing money in a safe deposit box for a period of time is not going to make one richer. Time only affords the opportunity for activities that are capable of producing wealth. Aquinas maintains that if a person, instead of lending his money, takes the opportunity to spend it (be it independently or in a partnership) on more machines, fields, or the like, along with salaries for any workers needed for these things to become productive over time, there is no guarantee that he will become richer as a result. Thus, charging a borrower interest for the lender’s loss of time when the gain he could make during that time is merely hypothetical rather than real is unjust. Again, St. Thomas underlines the arrogance and injustice implied if one sells what he has no guarantee to ever possess: “One ought not sell what one does not yet have and may be impeded in many ways from obtaining.”<sup>24</sup>

Several recent economists, following the Austrian Eugen von Böhm-Bawerk, have nevertheless sought to give broader scope to this demand for compensation owed for the time during

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24 ST II-II, q. 78, a. 2, ad 1: “[N]on debet vendere id quod nondum habet et potest impediri multipliciter ab habendo.”

which a lender is deprived of the good he agrees to lend.<sup>25</sup> The lender, they argue, has every right to enjoy his property instead of lending it. He can spend it for personal enjoyment, to improve his quality of life, or to try to enrich himself by producing new goods. If, instead, he lends, he temporarily gives up all these opportunities, and so he deserves some compensation for this real sacrifice. As the saying goes, “A bird in the hand is worth two in the bush!” Böhm-Bawerk and others after him emphasize the natural tendency to prefer enjoying a good now rather than later—and all the more so because the very benefit the lender forgoes is enjoyed by the borrower. In their opinion, it would be rather inappropriate to take offense at the lender for asking compensation for an advantage he gives up in order to offer it to the borrower.

Once again, Aquinas rejects this claim—one that modern economists may cloak in different terms, yet which merely echoes the usurer’s age-old justification. Without addressing time in general as a pretext for placing a price on any loan, he considers the common case where time, in the form of a payment delay, serves as an occasion to attach a loan to a sale. Time, he states, does not in itself justify putting a price on a loan, whether that loan is disguised as a sale or purchase. A seller, he asserts, has no right to demand a higher amount simply because he grants his buyer a delay in payment:

If someone wants to sell his goods for more than the just price, when he waits for the buyer to pay, usury is clearly committed, because this waiting for the payment of the price has the character of a loan; whence anything beyond the just price that is demanded on account of the

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25 See Spicq, *Le prêt à intérêt*, 464: “The most modern theories of interest—those of the Austrian economist E. von Boehm-Bawerk, for example—define interest, on the contrary, as the price of time.”

wait is effectively a charge for a loan and thus constitutes usury.<sup>26</sup>

A buyer, likewise, he adds, is in no way justified in claiming a better price for a good he pays for in advance but which can only be delivered later:

Similarly, it is the sin of usury if a buyer wants to pay less than the just price because he pays the money before the thing is delivered to him; for this anticipated payment has the character of a loan, the price of which is the rebate on the just price of the thing purchased.<sup>27</sup>

Our economists would certainly reply that this is a rather *dogmatic* way of addressing the question, whereas they argue by grounding their theory in the nature of the things involved. Their emphasis on the natural preference that everyone has for an immediate good over a future one is entirely consistent with the facts and the reality of human nature. Sacrificing an immediate good for the sake of a greater future good is already a difficult choice for most human beings; how, then, can one not admit that it deserves compensation when it is a matter of giving up a good now only to receive the same good later?

St. Thomas would denounce this as blatant ignorance of refutation. The economists' argument overlooks the normal circumstances of a loan: What one is called to lend is one's

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26 ST II-II, q. 78, a. 2, ad 7: "[S]i aliquis carius velit vendere res suas quam sit iustum pretium, ut de pecunia solvenda emptorem expectet, usura manifeste committitur, quia huiusmodi expectatio pretii solvendi habet rationem mutui; unde quidquid ultra iustum pretium pro huiusmodi expectatione exigitur, est quasi pretium mutui, quod pertinet ad rationem usurae."

27 ST II-II, q. 78, a. 2, ad 7: "Similiter etiam si quis emptor velit rem emere vilius quam sit iustum pretium, eo quod pecuniam ante solvit quam possit ei tradi, est peccatum usurae, quia etiam ista anticipatio solutionis pecuniae habet mutui rationem, cuius quoddam pretium est quod diminuitur de iusto pretio rei emptae."

surplus—what one does not need at the moment. What one needs—whether to enjoy it, spend it, or use it in the production of other goods—one keeps and makes use of. But superfluous goods—those one would not be using anyway—must, in accordance with the common destination of the use of goods mentioned earlier, be given to someone in need if they are definitively superfluous, or lent for a limited time if they are only superfluous for that period. There is, in such a case, no “lack of immediate enjoyment” for the lender. Certainly, someone may choose to lend a good of which he has some immediate need; this is a generous choice that deserves gratitude. Similarly, the borrower may generously choose to express his gratitude by giving the lender money. But the lender cannot justly *demand* it. And if the lender suffers from the deprivation of his good because he failed to realize that he would need it, he is not thereby justified, as St. Thomas bluntly puts it, in making the borrower pay “for his stupidity”:

The lender can incur loss during the loan period; and in this case, the one borrower is not bound to compensate the lender. For the one who lends money ought to look out for himself, lest he sustain a loss. And the one who borrows should not incur loss for the stupidity of the lender.<sup>28</sup>

This recurring argument of usurers errs from ignorance of the refutation, as I said, because there is no sacrifice to claim when giving up one’s superfluity; it is even a duty of justice. Whoever keeps what he has not used for months steals from those in need, as several Church Fathers have emphatically

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28 *De malo*, q. 13, a. 4, ad 14: “[I]nfra tempus deputatum; et tunc non tenetur ad interesse ille qui mutuum accepit. Debebat enim ille qui pecuniam mutuavit, sibi cavisse ne detrimentum incurreret. Nec ille qui mutuo accepit, debet damnum incurrere de stultitia mutuantis.”

affirmed.<sup>29</sup> Who wouldn't feel ridiculous charging someone simply for not stealing from him?

The true conclusion to be drawn from the economists' rationalizations is not a "right" to be paid for a loan, but a *tolerance* toward those who demand it, in view of all the social benefits of which a strict condemnation of usury would deprive us. No society is virtuous enough to bear having every sin severely punished. Political prudence requires the legislator to tolerate faults that do not destroy the community, if the latter can provide the opportunity to gain greater goods. Such is the case of tolerating a certain amount of alcohol abuse, as the overly strict prohibition in the United States led to uncontrollable criminality. The same applies to cigarettes, where prohibition or excessive penalization invites smuggling. The same applies to usury: A measured tolerance of it can motivate those with financial means to put their surplus at the service of the common good—like by providing individuals the money they need to avoid hardships, like eviction or the loss of a home, and by helping struggling business

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29 Here are the words of a few of the Fathers of the Church on the injustice of not giving to others one's superfluous goods: St. Augustine teaches: "Take stock then: Not only can you manage on a few things only, but God himself asks very few from you. Ask yourself how much he has given you and then pick out what you need; all the rest of your things lie there as superfluities, but for other people they are necessities. The superfluity of the rich is necessary to the poor. If you hold on to superfluous items, then, you are keeping what belongs to someone else" (Exposition of Psalm 147 in *Exposition of the Psalms 121–150*, ed. John E. Rotelle, trans. Maria Boulding (New City Press, 1990), 454). The *Catechism of the Catholic Church* quotes St. John Chrysostom and St. Gregory the Great at n. 2446: "St. John Chrysostom vigorously recalls this: 'Not to enable the poor to share in our goods is to steal from them and deprive them of life. The goods we possess are not ours, but theirs. . . . The demands of justice must be satisfied first of all; that which is already due in justice is not to be offered as a gift of charity': 'When we attend to the needs of those in want, we give them what is theirs, not ours. More than performing works of mercy, we are paying a debt of justice.'" (The latter quotation is from St. Gregory the Great).

owners or farmers weather a bad year and preserve their livelihood, and so forth. But as we will see, tolerance does not turn an evil into a good.

### 3) Legality

The usurer's greed also claims a *titulus legis*, that is, it seeks a justification from the legislator of positive law, who sometimes expressly permits an interest rate on loans and also, on occasion, specifies the rate. The usurer maintains that this gives him the right to a gain on a loan, unless one dares to qualify what is perfectly legal as unjust.<sup>30</sup> Once again, this clearly fails as an argument. Positive law has as its role to complete and support natural law and has no authority to abrogate it or alter it. If prudence sometimes requires that the legislator tolerates an evil that he cannot punish without causing more harm than it will prevent, his tolerance never has as its effect justifying it, rendering an object that is naturally evil, good. The term *legal* then takes on a weakened meaning and can in no way support an obligation. Aquinas maintains that such is the case of usury:

Human laws leave certain sins unpunished on the account of the condition of the imperfect who would be deprived of many advantages if every sin was strictly prohibited by penalties and punishments being appointed for them. And therefore the law allows usury not as regarding it to be according to justice, but lest it impede the advantage of many. . . . So the Philosopher, led by natural reason, says in the *Politics*, Bk. I, *that the acquisition of money*

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<sup>30</sup> See *ST* II-II, q. 78, a. 1, obj. 3: "Justice in human affairs is determined by civil laws. But according to these laws, requiring interest for a loan is allowed. Therefore, it is not unjust."

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*by way of usury is what is in the highest degree contrary to nature.*<sup>31</sup>

The charging of interest on a loan being by nature unjust, its imposition—even if decreed by the state—could never have the force of law, any more than could ordering citizens to steal or to murder.

### B. Renting is not lending

In short, whichever way one looks at it, one is forced to acknowledge the undeniable gratuitousness of the service that a loan constitutes. The lender provides something for a certain period of time during which he judges that he does not need it, no longer needs it, or does not yet need it; the borrower, in turn, returns it to him at the agreed-upon time. That's all. Anything added would undermine the simple equality that defines elementary justice. However, whatever theoretical strength this conclusion may appear to have, it seems to hold up poorly against the facts and concrete experience. For must I conclude from this that I ought to lend my house, my car, my chalet, my tools for free? Certainly not! However, in spite of the extension of terms, to rent is not to lend. Maybe this is the avenue that we are seeking to justify interest. If it is licit to rent one's goods and to recuperate them with a cost added, doesn't the renting of money—even if we are accustomed to call it a loan—have the

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<sup>31</sup> *ST II-II*, q. 78, a. 1, ad 3 (emphasis added): “[L]eges humanae dimittunt aliqua peccata impunita propter conditiones hominum imperfectorum, in quibus multae utilitates impedirentur si omnia peccata districte prohiberentur poenis adhibitis. Et ideo usuras lex humana concessit, non quasi existimans eas esse secundum iustitiam, sed ne impedirentur utilitates multorum. . . . Et philosophus, naturali ratione ductus, dicit, in I Polit., quod usuraria acquisitio pecuniarum est maxime praeter naturam.”

same legitimacy? To answer, we need to examine more closely the nature of renting and the foundation of its legitimacy.

What is renting? It is not so much lending as selling. It is an incomplete sale, because it is temporary and only concerns the *use* of the good in question. When I rent out my house, I retain ownership of the property and transfer only its use by contract, for a fixed period. Once the period of the rental is over, the house, whose ownership I have never transferred, remains mine. But I have given something to the renter in handing over to him the use of the house for a period of time; this use is not nothing, it is a good for the one who has obtained it from me, and this good can be evaluated in kind or by money and be duly paid. In sum, I had the choice to come to an agreement on several forms of service to render. I could sell my house, rent it out, lend it, or give it away; I could even sell only its bare ownership while keeping the right to use it. Selling it would mean giving it up completely and permanently in exchange for a good or an equivalent sum of money. Renting it would mean granting someone temporary use in return for rent, whether paid in kind or in money. Lending it would mean allowing someone temporary use, with the sole condition that he return it at an agreed time. Giving it away would mean surrendering it completely and permanently without asking for anything in return. Parents could also sell or give away only the bare ownership of their house to their children while continuing to live in it for the rest of their lives, so that the new owner would acquire the right of use only after the parents' death.

That's the case of my house, but does this hold in the case of every material good I own? St. Thomas assures us that it does not. Everything can be sold, lent, or given, but not everything can be rented. An indispensable condition for renting, which cannot be satisfied by every good, is that one has to be able to

distinguish the thing from its usage; more precisely, it must not be the case that its usage consists in its consummation or destruction.

There are things whose usage does not constitute the consumption of the thing itself; as the use of a house is its habitation, not its dismantlement. And therefore, in regard to such things, one can concede both of these. For example, one can give to another ownership of a house, while reserving its usage for himself for a certain period of time; and, vice versa, someone may concede to another use of a house, while keeping its ownership for himself. And for this reason, a man can licitly receive a price for the use of the house and, besides this price, claim back the house that was made available, as is manifestly done in the renting and leasing of a house.<sup>32</sup>

Now, there are many things whose use cannot occur without the thing's destruction. To use food and drink, for example, is to consume them, and once used they no longer exist for a subsequent use. For such a good it makes no sense to sell separately the thing and its use, or to pretend that one retains ownership while selling or lending its use. I can sell a loaf for a just price. I can lend a loaf with the agreement that it will be returned to me—although there is already a difference here, since it is not the same numeric loaf that will be returned to me. It and other

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32 *ST II-II*, q. 78, a. 1, c.: “Quaedam vero sunt quorum usus non est ipsa rei consumptio, sicut usus domus est inhabitatio, non autem dissipatio. Et ideo in talibus seorsum potest utrumque concedi, puta cum aliquis tradit alteri dominium domus, reservato sibi usu ad aliquod tempus; vel e converso cum quis concedit alicui usum domus, reservato sibi eius dominio. Et propter hoc licite potest homo accipere pretium pro usu domus, et praeter hoc petere domum commodatam, sicut patet in conductione et locatione domus.” See also *De malo*, q. 13, a. 4, c.

*fungible* goods,<sup>33</sup> when loaned, can only be returned in kind. But I can't rent a loaf. The substance of the loaf was consumed in its use and renting it would be to sell and charge twice for the same thing. Here is the very essence of usury, and it renders its name intelligible, as it is a matter of paying in addition "usury," that is, the thing's usage, even when it cannot be dissociated from the thing used:

There are certain things whose use is the consumption of them, as we consume wine by using it for drink and we consume wheat by using it for food. Whence, in such things one ought not to reckon separately the use of the thing from the thing itself, for to whom the use is conceded, the thing itself, by that very fact, is also conceded. And for this reason, *in the case of such things, ownership is transferred by a loan*. Therefore, if someone wanted to sell the use of wine separately from the wine, he would sell the same thing twice, or he would sell what does not exist. Whence he would manifestly sin due to injustice. And for a similar reason, a person commits an injustice who sells wine or wheat while demanding a double compensation,

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33 "*Fungible*" is the technical word used to qualify a good whose use destroys it. The origin is *fungi*, which means "to discharge," "to accomplish," which can be understood by contrasting it with *facere*, "to produce": What is produced, once produced, exists, while what is discharged, once it has been discharged, no longer exists—it is over and done with. It is from the past participle of this verb that the word "defunct" comes: *Defunctus*, reports Ernout-Meillet (*Dictionnaire étymologique de la langue latine*, 4e éd. [Klincksieck, 1959], 262), is used "already in Cicero, in the sense of 'who has discharged life,' dead." The fungible good is therefore one 'that one can discharge, that is, something that one causes to cease to exist by using it. Curiously, current dictionaries seem to retain only the consequence of this fact: the aptitude to be easily exchanged for something else similar; thus, Webster's (*Random House Webster's College Dictionary*, McGraw-Hill Edition, 1990, 540): "exchangeable or replaceable, in whole or in part, for another of like nature or kind." Thus as its opposite they no longer see as non-fungible the good that is not destroyed by its use, but the good so special that no other can replace it exactly.

one a return equal to the thing, and another for the price of its use, which is called “usury.”<sup>34</sup>

Though this distinction doesn’t answer the question concerning whether interest on a loan is legitimate, it allows us to formulate it more precisely. It didn’t really make sense to ask whether charging interest on a loan is justified, since a loan essentially involves the *gift* of use, which is distinct from the substance of the good, and only requires the return of the good itself once the loan period has ended. But can a sum of money be rented? Can one temporarily grant its usage against a monetary price? And this question brings us to a prior and more precise question: Is money a fungible good? Does the use of money consume its substance, or does it leave it available for later use?

### *III. Interest, Always Usury? Always Immoral?*

#### A. Money, a fungible good

We have circled in on the question and reduced it to an apparently simple alternative: Either money dissolves upon being used, in which case it cannot be rented, or it subsists after its use, such that its owner can reuse it indefinitely. In the latter case, nothing would prevent one from granting its use to a renter for

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34 *ST II-II*, q. 78, a. 1 (emphasis added): “[Q]uaedam res sunt quarum usus est ipsarum rerum consumptio, sicut vinum consumimus eo utendo ad potum, et triticum consumimus eo utendo ad cibum. Unde in talibus non debet seorsum computari usus rei a re ipsa, sed cuicumque conceditur usus, ex hoc ipso conceditur res. Et propter hoc in talibus per mutuum transfertur dominium. Si quis ergo seorsum vellet vendere vinum et seorsum vellet vendere usum vini, venderet eandem rem bis, vel venderet id quod non est. Unde manifeste per iniustitiam peccaret. Et simili ratione, iniustitiam committit qui mutuat vinum aut triticum petens sibi duas recompensationes, unam quidem restitutionem aequalis rei, aliam vero pretium usus, quod usura dicitur.”

an agreed period of time, all the while retaining ownership and requiring a reasonable price for its usage, which would correspond to what we today call interest.

But this simple question seems to vanish when one tries to answer it. We notice the obvious fact that unlike bread and wine, money does not cease to exist when it is spent. It changes hands but continues to exist. One might believe, then, that it could be assimilated to non-consumable goods. However, for its original owner this transfer is rightly seen as a destruction, so much so that he will typically say that he *spends* his money, that it is *used up*, that it *flies away*, or *melts away in his hands*. In reality, while the money can serve other uses, it will not be for the benefit of the original owner. For him, what he spends no longer exists; he no longer has it, nor can he derive any more use from it. Effectively it is a fungible good as to its use. Where must we look to come to a definitive judgment on this question?

What we call goods are such for the sake of something else and only exists as goods in view of the complementarity or usefulness they provide to that other. To judge, then, the consumability of a good, one must ultimately look less to the existence and permanence of the beneficial substance than to its availability to complement or serve its owner. In short, after use, does the thing remain good and usable for the owner who has used it? Bread and wine do not; they are destroyed and can no longer be of service. The same goes for money—one must concede this point to Aristotle and Aquinas—for once its owner spends it by buying something, he can no longer use it for other expenditures.

Can we go to the essential source of this fungible nature of money? In the case of food and drink, this consequence follows from the fact that their use consists in the integration of their elements into the very substance of the user; it necessarily follows that they can only offer their elements to this end a single

time. But what is the cause of the dissolution of money upon its use? Aristotle and St. Thomas respond without hesitation: *from its nature as an instrument of exchange*. Seen in this context, their answer now seems less abstract. *The whole nature of money, as money, is to represent goods already engaged in an exchange and the right that these goods give one to receive in return other goods of equal value*. Once used, this buying power no longer exists as such; it can no longer serve its original owner. The only thing that remains for him is what it was exchanged for, which he can rely on for other eventual exchanges; but he can exchange the initial sum of money only once and then can no longer use it in this way, because it is not his anymore.

Money, however, according to the Philosopher (in book V of the *Ethics* and book I of the *Politics*) was principally invented for the purpose of making exchanges, and so the proper and principal use of money is also its consumption or disposal, as it is spent in exchanges.<sup>35</sup>

Indeed, as Aquinas notes: “Exchange constitutes a use that, in a sense, consumes the substance of the thing, insofar as it renders it absent from the one who exchanges it.”<sup>36</sup> Besides, every material good, every good that has a monetary value, partakes the same fungibility as money, however subsistent it may also be. As Aristotle observes, everything has two uses. It has a principal use that follows properly from its nature: to cover feet for shoes, to be lived in for a house, to transport people for a car. It has a secondary, conventional use that results from its appreciable

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35 *ST II-II*, q. 78, a. 1: “Pecunia autem, secundum philosophum, in V *Ethic.* et in I *Polit.*, principaliter est inventa ad commutationes faciendas, et ita proprius et principalis pecuniae usus est ipsius consumptio sive distractio, secundum quod in commutationes expenditur.”

36 *De malo*, q. 13, a. 4, ad 15: “in quantum facit eam abesse ab eo qui commutat.”

equivalence to some other good, that is, to be exchanged for it.<sup>37</sup> *And in regard to this commutative usage, every good is fungible*, as his owner can only exchange it a single time, after which he can no longer use it to obtain something else. This is the fate of all fungible goods: One must have ownership of them in order to make use of them because this use “destroys” the good owned, if not by literally destroying the good’s substance, at least by transferring its possession.

It is not only the case that goods that are non-fungible by nature may hold the rank of fungible, but also goods that are fungible by nature may hold the rank of non-fungible, due to a secondary use one can make of them. For example, the principal use of apples is their consumption. However, a secondary use of them is to serve as a model for a still life painting. Accordingly, one could lend or rent specific apples with the requirement that the very same apples be returned at term. Aquinas examines the licitness of exchanges of different kinds of things in light of their principal and secondary usages:

The principal use of silver vases is not the very consumption of them, and therefore one can licitly sell their use while still retaining ownership of them. The principal use of money is to be disposed of in exchanges. Whence it is not licit to sell its use in addition to wanting the restitution of what one has loaned.

It should be noted, however, that a secondary use of silver vases could be for exchange.<sup>38</sup> And in this case their use could not licitly be sold. And similarly, there can be some secondary use of silver money, for example,

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<sup>37</sup> See *Pol.* 1.9, 1257a6ff.

<sup>38</sup> The person who exchanges the vases does not use them according to their primary and most normal use, but rather exchanges them for other goods, bartering them or selling them. Thus, in this case, these non-fungible goods are treated in a fungible manner, and the one exchanging them cannot ask any separate price for their usage.

if someone would lend a specific piece of money for a display or to be used as a pledge. And a man can licitly sell such a use of money.<sup>39</sup>

We've returned to the case we started from and to the inescapable conclusion of the ancient and medieval thinkers: In justice, money is entirely unfit to generate interest, as its principal usage cannot be rented. "To collect interest for money loaned is by nature unjust."<sup>40</sup> And I still see no way of escaping this conclusion. It is because of money's fungibility that one must own the money to use it. This is unlike the case of a house or tool, where their use can be dissociated from their substance, so their use does not depend on ownership. To use a loaf is to destroy it. To use money is to buy something; it is to grant its ownership to someone else in exchange for another good that one wants. These acts fall under the category of "*abusus*" ("using up"), a privilege strictly reserved for the rightful owner of a good: One can destroy, give, or sell only what one legally owns. One cannot behave in such a way with something one has rented. Therefore, there is no way around recognizing that a fungible good, as such, cannot be rented, and that to loan it—or to loan a good in view of its use as a good ordered to exchange—is to transfer its ownership to the borrower, for it is only insofar as one is a thing's

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39 *ST II-II*, q. 78, a. 1, ad 6: "[U]sus principalis vasorum argenteorum non est ipsa eorum consumptio, et ideo usus eorum potest vendi licite, servato dominio rei. Usus autem principalis pecuniae argenteae est distractio pecuniae in commutationes. Unde non licet eius usum vendere cum hoc quod aliquis velit eius restitutionem quod mutuo dedit.

"Sciendum tamen quod secundarius usus argenteorum vasorum posset esse commutatio. Et talem usum eorum vendere non liceret. Et similiter potest esse aliquis alius secundarius usus pecuniae argenteae, ut puta si quis concederet pecuniam signatam ad ostentationem, vel ad ponendum loco pignoris. Et talem usum pecuniae licite homo vendere potest." See also *De malo*, q. 13, a. 4, ad 15.

40 *ST II-II*, q. 78, a. 1: "[A]ccipere usuram pro pecunia mutuata est secundum se iniustum."

owner that one can use it up or exchange it. “By the loan of such things, one transfers their ownership.”<sup>41</sup> The lender shall ultimately be entitled only to a reimbursement in kind, to receive at the agreed time the equivalent—an equal sum, if it is a matter of money—but must never claim to charge additionally for the use of what is no longer his property, even if that use brings significant profit to the borrower. No one other than the worker has a right of ownership over the fruit produced by him with what is his own.

*B. Partnership, neither loan nor rental*

This inescapable conclusion clashes with our contemporary mindset. Indeed, how could we accept the apparent corollary, which seems to be that the contemporary capitalist economy, whether familial, national, or international, is to be defined by injustice? How could it be acceptable to condemn every form of lucrative investment? Must we automatically blame the shareholders and stockholders who are indispensable for the operation of indispensable companies? Should we attack the entire banking chain, tracing mortgages and loans of all kinds to the initial deposits of ordinary depositors? To purify the banking system, must anyone who is involved in it renounce any profit? This seems too hard to swallow. One is perhaps tempted to entertain the idea when one thinks about the poor borrower who’s already broke and hoping a loan will ease the pressure, when instead it just drags him further into misery. One understands why preachers of old fulminated against usurers. Nonetheless, a like prohibition on interest also deprives the rich producer free access to the capital that he needs to enrich himself further and produce more. Can’t one, at least, lend at interest to

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41 ST II-II, q. 78, a. 1: “[I]n talibus per mutuum transfertur dominium.”

the rich? Can't the one who invests his savings in the business of a retailer or manufacturer demand in exchange some gain on this loan, if only on the condition of *a reasonable rate*? Doesn't St. Thomas himself seem to concede this when he affirms that "it is permitted to draw gain from money entrusted to a merchant or artisan?"<sup>42</sup>

Moreover, shouldn't we tone down the ancient notion that a fungible good is inevitably sterile? Is Aristotle really right about money being unable *to generate offspring*?<sup>43</sup> Isn't it rather our sad experience that *in order to make money one has to have money*? Don't we need to distinguish between *consumer goods* and *production goods*? And doesn't the person who lends a production good have a legitimate claim, at least a partial one, to the products that will be issued from it? Isn't it obvious that his contribution was essential to their production, no matter how brilliant, skilled, or hard-working the artisan-borrower may have been? If money is nothing more than an instrument of exchange, shouldn't we consider that its entire essence lies in the representation of the good for which it is exchanged? And consequently, mustn't one also attribute to it the latter's characteristics? In an exchange for a fungible good, money is fungible, but in an exchange for a non-fungible good, and particularly for

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42 *ST II-II*, q. 78, a. 2, obj. 5: "[L]icet lucrum accipere de pecunia commissa mercatori vel artifice."

43 See *Pol.* 1.10, 1258b4–5: "Money was instituted in order to facilitate exchange, but interest makes it become more." ("Μεταβολῆς γὰρ ἐγένετο χάριτι, ὃ δὲ τόκος αὐτὸ ποιεῖ πλέον.") Because of his brevity, Aristotle might seem not to condemn interest, but to point to the discovery of a valuable use of money that was not intended at the moment of its initial institution. But his intention is indeed to denounce a false pretense, an impossibility. To bring out what he means, I suggest this less literal translation: "Money was instituted in order to facilitate the exchange [of goods], but interest [pretends falsely that] it produces more of itself." Aristotle states clearly that he considers the latter impossible: "Interest is [allegedly] born as money from money, so that this mode of acquisition of wealth is contrary to nature in the extreme" (1258b6–8).

a production good, must it not be strictly considered as the production good for which it is exchanged? And at the end of the day, isn't it money that produces what this good produces, and doesn't this production constitute a use of money that neither consumes nor exhausts it? And isn't this productivity, being an undeniable source of enrichment, able to be legitimately rented by the capitalist, with the latter not losing in the process the ownership of the capital he has committed? Doesn't rejecting this chain of consequences deprive a person with savings of any motivation to support another's work by providing the necessary financial means? Doesn't it paralyze all production, all industry, all business?

All these arguments have been put forward, taken up again, and developed from one century to the next. Since the thirteenth century they have been nourished by the growing conviction that the major economic changes that have occurred since then require nuancing the austerity of the rulings pronounced by Aristotle and his commentators. Indeed, it's striking that we've gone from an ancient economy where lending was, for the most part, only for consumption purposes—surviving until harvest time, anticipating paternal inheritance, and so on—to an economy where lending is predominantly for production. And we would readily grant to production loans what we might feel obliged to withhold from consumer loans: interest in addition to their repayment. Doesn't St. Thomas seem to have foreseen the adjustment of equilibrium that would be brought about by an economic upheaval that was already beginning to make itself felt in his century? Shouldn't the legitimacy he granted to the secondary use of money for display or for a security deposit be adapted to the loan for production? Isn't this precisely the role of the capitalist: to guarantee commerce and industry? And doesn't this security give you the right to rent out your money?

Such are the views presented by Ceslas Spicq in one of the best commentaries on St. Thomas's teaching on usury. Spicq has clearly seen that the capitalist only has title to the gains made from the use of his capital insofar as he remains the owner at the time of its use; nonetheless, he points out that the nature of a loan seems to have evolved as a result of economic upheavals favoring production. He assimilates the loan of production to a rental and sees it as one of those secondary uses of money that St. Thomas illustrates in connection with a monetary security deposit. In regard to lending for production, Spicq tends to think that "from being a means of exchange, money has become an object of exchange, a commodity that can be sold or rented."<sup>44</sup> Spicq argues, albeit with a somewhat hesitant tone, that lending for production does not deprive the lender of the ownership of his capital and could be likened to renting:

To grasp the essential difference between a loan and the rent of money, it should be noted that the latter in no way transfers *dominium*, the right of ownership over the capital, to the debtor; nor is it comparable to a sale on credit. The money involved (metal, paper, credit) is considered as having to subsist, in itself, absolutely, as one rents a house to the tenant's use. There is no longer any difference to be made between the rent of land capital and that of money capital, contrary to ancient opinion.<sup>45</sup>

Spicq claims to have taken this opinion from St. Thomas himself, assuming money to be one of the species of things of which the latter remarks that the rich man, not needing them for his own subsistence, can rent them to others:

St. Thomas, as we can see, is clearly broader. He even writes that, unlike workers, who have only their labor

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44 Spicq, *Le prêt à intérêt*, 473.

45 Spicq, *Le prêt à intérêt*, 473.

to rent and are poor, the rich rent out all sorts of other things—and thus money—without relying on the resulting rent for their daily bread, since they have other means of subsistence (IaIIae, q. 105, a. 2, ad 6). An invaluable text on the rental of money, the right to live off one's income, and the legitimacy of a credit economy.<sup>46</sup>

1) Money, always sterile

It seems to me that this argumentation and its variants act as camouflage for the operations engaged in and their underlying intentions. There is, in fact, a perfectly legitimate operation behind the production loan, even for Aristotle and St. Thomas, but labelling it as a loan for production proceeds from *the desire to rid it of all its onerous aspects to keep only its benefits*. As I understand it, the principles proposed by Aristotle and St. Thomas confront the possessor of money with a choice, each alternative carrying its own advantages and disadvantages. However, it's easy to understand why those possessing money have always been eager to choose an in-between model that combines all the advantages while eliminating all the burdens.

A secure possibility presents itself to the one who has money: to lend his money, with the assurance that it will be returned to him at the agreed time. In the meantime, he demands a guarantee, to the extent that there is any doubt about the borrower's solvency.<sup>47</sup> There is in lending the security that, whatever happens, the lender will always be entitled to his capital, even if the borrower's misfortune were to cause him to lose it completely in the course of his operations. This is because the lender of a commodity, such as money, transfers ownership of it to the borrower, by virtue of the loan; the borrower in return

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46 Spicq, *Le prêt à intérêt*, 474.

47 See *ST II-II*, q. 78, a. 2, obj. 6: "For money lent, one can take a pledge."

enters into an obligation to return the equivalent at term. The borrower, now owner of the capital, can do what he wants with it. If the transactions he makes with it leads to the loss of capital, it is he who loses this capital, as it is his; but if he uses it to acquire production tools and hire workers and produce new goods, ending up with significantly increased wealth, that wealth is also his, and his lender has no right to share in it.

The one who lends money transfers the ownership of the money to the one to whom he lends it. Whence, the one to whom the money is loaned holds it at his risk and is bound to return the entire sum. Consequently, the one loaning it should not demand anything more.<sup>48</sup>

Any gain arises from the borrower's labor, from the use of tools acquired with money that has come into his exclusive possession, and from the assistance of laborers whose wages are paid with that same money. The argument that the capital lent represents what the borrower buys with it, and ultimately it is eventually a good of production that the lender lends, and therefore he can rent his money just as he could rent this good of production, is fallacious.

Money doesn't represent what we exchange it for, but rather the good that was exchanged for it, as entitling us to receive an equal good. Money is not a good in itself. It is a *sign* of a good that we previously owned, which sign could be exchanged for another good. When we are paid for a good, that exchange is half made, as we have yet to receive the equivalent good that we are entitled to by it. In the meantime, we are given a sum of money to testify to the value of the good that we have a right to claim in

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48 ST II-II, q. 78, a. 2, ad 5: "[I]lle qui mutuatur pecuniam transfert dominium pecuniae in eum cui mutuatur. Unde ille cui pecunia mutuatur sub suo periculo tenet eam, et tenetur integre restituere. Unde non debet amplius exigere ille qui mutuavit."

order to complete the exchange. Once we have chosen the exact good we want in order to complete the exchange, we hand over the money we had received. The person who gives us this new good now holds a sign that testifies that he has completed the first half of an exchange and awaits an equivalent good in return to complete the second half.

Saint Thomas does not deny the possessor of money the right to invest it so as to enrich himself further. However, justice will dictate a different way of proceeding. Instead of lending, the investor will partner with the merchant, artisan, or industrialist who intends to provide a service or fabricate a useful product that may result in increased wealth. Each will furnish what he can—one of them money, the other labor—and they will equip themselves with the proper tools and will produce together what may eventually generate significant earnings. Justice requires that these earnings be shared by the partners in proportion to their contribution to the enterprise. The principal agent, the one who furnishes the labor, should get more, and the material collaborator, the one providing the money—and thanks to it the materials and the tools—less. The proportion is to be weighed and is subject to an agreement open to judicial review. This is how Aquinas explains the partnership:

But the one who entrusts his money to a merchant or artisan *in the manner of forming a certain society* with him does not transfer the ownership of his money to him, but it remains his, so that at his risk the merchant does business with it, or the artisan uses it for his work. Therefore, he can licitly ask for part of the profit derived as a result, as from his own thing.<sup>49</sup>

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49 *ST II-II*, q. 78, a. 2, ad 5 (emphasis added): “Sed ille qui committit pecuniam suam vel mercatori vel artifice per modum societatis cuiusdam, non transfert dominium pecunie suae in illum, sed remanet eius, ita quod cum

One thing must remain clear, however: *it's out of the final profits that the money holder will be paid, not in proportion to the money he has invested.* He did not lend this money; rather, he invested it in the operations carried out with it; he paid for the instruments of production whose acquisition he approved; and he transferred these instruments to the entrepreneur in order to participate in the latter's productive labor. The investor has exchanged his capital for the company's goods and labor: This capital no longer exists as such; it has been spent and can no longer be used to generate new assets. What the investor owns from now on, along with his partner, are the instruments and the fruits of the company. If there is such fruit, he benefits from it, and all the more when there is more of it; if there is none, or of less value than the money he invested, it is he who loses the money invested, not his partner. The latter loses his labor, for he cannot demand to be paid in proportion to the amount of work he has invested, regardless of the existence or non-existence of profits. In short, *we are enriched by the creation of new goods, not by the simple quantity of work, which can be ineffective, or by paying for materials and tools, which can remain unuseful, or by the mere passage of time, which in itself produces nothing and, left on its own, would be a source of loss rather than gain.*

Note well that this partnership contract, which is perfectly legitimate in terms of Aristotelian and Thomistic economic principles, is not the same as renting money. In accordance with these principles, money is not rented, it is exchanged, and in the exchange is irretrievably consumed. The possessor of money may prefer to earn through renting, *but it is not the money itself that he rents.* Instead, he uses it to purchase means of production, which he subsequently leases. The owner will receive, in return for the rental of tools, a sum proportional to the time

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periculo ipsius mercator de ea negotiatur vel artifex operatur. Et ideo licite potest partem lucri inde provenientis expetere, tanquam de re sua.”

they are used—without any right to share in the fruits produced with them. Unless he enters into a formal partnership with the craftsman and shares in the company's risks, he has no legitimate claim to its profits. In the end, the distinction between consumer and production loans proves irrelevant: One either lends or does not. If one lends—whether to a borrower intending to consume or to produce—ownership of the capital is transferred to the borrower, who assumes all associated risks. The borrower's only obligation is to repay the capital in kind; he is under no obligation to share any gains that may result from what he spends it on.

When one recognizes that production loans don't legitimate a demand for interest any more than do consumer loans, another claim to usury also vanishes: the appeal to economic changes that would make the investment of money safer today and render the earning of profits by a business almost automatic. Setting aside the boldness of such a claim—especially at a time when bankruptcies and insolvencies continue to rise—there is no longer any justification for demanding interest on a consumer loan on the grounds that lending for production would easily yield a profit. This profit, as we've just seen, would also rob the borrower. This leaves a clear alternative: Either lend—ceding ownership of the capital and all associated risks—or join forces, retain ownership, share in the risks of the partnership, and claim your share of the profits. The adage “nothing ventured, nothing gained” cannot be denied without injustice.

## 2) The masks of sterility

I have to admit, at this point, that I still can't find any way of countering Aristotle's basic assertion, and I'm afraid we're going to have to agree once and for all: *Whatever the situation the economy is in, money is sterile*, it has no power to generate offspring. It remains strictly an exchange good and perishes in the exchange.

When you lend it out, provided that the loan is strictly a loan, not a partnership agreement, you acquire no right to anything other than repayment of the equivalent. When you invest it, you share proportionally in the company's profits. Yet in all of this, there appears to be no legitimate basis for collecting interest—no justification for demanding a percentage of the capital lent or invested, in addition to its repayment or a share in the profits, respectively. St. Thomas seems to really get to the heart of things when he describes any charge of interest as *selling the same thing twice* or as *selling what does not exist*. Rather than invalidating this view, current economic upheavals strongly confirm it. For there is a price to pay for treating a mere displacement of wealth as if it were the creation of new wealth; serious consequences follow from granting the usurer the privilege of acting as though he possessed a growing purchasing power. Every imaginary gain arising from usury is matched by a real loss suffered—perhaps we should say, a sacrifice consented to—by those who actually owned an asset. By pretending that money generates money, we create a situation where more and more money corresponds to fewer and fewer real goods. Exchanges can then only continue on the condition of a proportional increase in prices, which in reality amounts to, and ends up officially becoming, a devaluation of the currency.

This particular source of inflation seems the inevitable price of usury. I alluded earlier to more natural causes of rising prices: increased costliness of producing goods; scarcity of goods relative to demand, due to some disaster (like an epidemic, earthquake, or war). I also mentioned the fact that the borrower, being in no way responsible for the resulting decrease in purchasing power, cannot justly be required to compensate for it. We are now dealing with a more artificial source, which more properly deserves the name “inflation”—a term whose etymology points to a mere increase caused by wind, by nothing

substantial, by a payment that corresponds to no actual good. Isn't this what Aristotle was already warning about, in his reference to Midas?<sup>50</sup> Doesn't the wish of this mythical king of Phrygia that everything he touch would turn to gold provide an all too accurate representation of our capitalist ambition? And once it has been fulfilled, doesn't it lead to a situation similar to that of people or countries that have become so indebted by usury—namely, by paying for nothing—that all their resources, everything they touch that is real, must be converted into money to service the debt? Money is flowing, but people are starving.

Money passes for mere trifle, a thing not natural but purely conventional. Indeed, on its users' caprice it loses all value, and is not anymore useful for any of the necessities of life. Often, he who is rich in money may be in want of the food he needs. Absurd is the wealth whose abundance leaves you starving.<sup>51</sup>

Paying for nothing never enriches. Collecting interest simply displaces the wealth of those who work and produce to those who do nothing. We are very wrong to be so fond of the apparent enrichment that comes from it. Aristotle was right to hate it. As he has already noted, unlike true wealth—which arises from the gathering and transformation of natural resources—this apparent wealth claims to be born of naturally sterile parents. In reality, however, it amounts to robbing others of their savings, if not of their necessities, through unequal exchange:

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50 See *Pol.* 1.9, 1257b14–17.

51 *Pol.* 1.9, 1257b10–15: “ὅτε δὲ πάλιν λήρος εἶναι δοκεῖ τὸ νόμισμα, καὶ νόμος παντάπασι φύσει δ' οὐθέν, ὅτι μεταθεμένων τε τῶν χρωμένων οὐθενὸς ἄξιον, οὔτε χρήσιμον πρὸς οὐδὲν τῶν ἀναγκίων ἐστὶ καὶ νομίματος πλουτῶν πολλακίς ἀπορήσει τῆς ἀναγκαίας τροφῆς, καίτοι ἄτοπον τοιοῦτον εἶναι πλουτῶν οὐ εὐπορῶν λιμῶ ἀπολείται.”

The acquisition of goods takes two forms: commerce and economy.<sup>52</sup> The latter is necessary and praiseworthy, but the former is rightly blamed, for it does not conform to nature, but *people practice it at the expense of one another*. Usury, especially, is rightly detested, because the acquisition there comes from the money itself and not from what it was intended to represent. It was indeed created for the purpose of exchange, while interest multiplies it itself. This is where it takes its name, for children resemble their parents, and interest is money born of money. Consequently, it is the most unnatural way to acquire wealth.<sup>53</sup>

That is exactly what we are witnessing today: Like Midas, the greed of today's financier turns everything he touches into gold. He gets paid several times over for the same good, with the result that there is less and less of that good, and less and less food, for more and more money. Except that the financier still eats, and it is the producer of goods who eats less and less—even though he produces more and more.

### *Conclusion*

In my search for principles that would legitimize in justice the charging of interest on a monetary loan, I've reached a dead

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52 “Τῆς οἰκονομικῆς,” with the etymological meaning of “household management.”

53 *Pol.* 1.10, 1258a38–b8 (emphasis added): “Διπλῆς δ’ οὐσης αὐτῆς, ὥσπερ εἶπομεν, καὶ τῆς μὲν καπηλικῆς τῆς δ’ οἰκονομικῆς, καὶ ταύτης μὲν ἀναγκαίας καὶ ἐπαινουμένης, τῆς δὲ μεταβλητικῆς γεγομένης δικαίως (οὐ γὰρ κατὰ φύσιν ἀλλ’ ἀπ’ ἀλλήλων ἐστίν), εὐλογώτατα μισεῖται ἢ ὀβολοστατικῆ διὰ τὸ ἀπ’ αὐτοῦ τοῦ νομίσματος εἶναι τὴν κτῆσιν καὶ οὐκ ἐφ’ ὅπερ ἐπορίσθη· μεταβολῆς γὰρ ἐγένετο χάριν, ὃ δὲ τόκος αὐτὸ ποιεῖ πλέον (ὄθεν καὶ τοῦνομα τοῦτ’ εἴληφεν· ὅμοια γὰρ τὰ τικτόμενα τοῖς γεννώσιν αὐτὰ ἐστίν, ὃ δὲ τόκος γίνεται νόμισμα ἐκ νομίσματος). ὥστε καὶ μάλιστα παρὰ φύσιν οὗτος τῶν χρηματισμῶν ἐστίν.”

end. On the one hand, there is the contemporary economic reality, firmly anchored in what appears to constitute its most enduring foundation: credit at interest. On the other hand, I find in Aristotle and St. Thomas a flawless economic doctrine that, on the authority of the very definition of justice, unequivocally condemns the demand for interest as a flagrant injustice, a misrepresentation, and a double selling. While I have rejected the various tactics used by some who have thought they could bridge the gap between the two, I do not believe, however, that I have definitively compromised the legitimacy of everything that is *called* interest. We must look beyond the labels to discern the actual economic operations that are being carried out.

By examining the history of the justification of usury, I have not shed a definitive light on all the various concrete financial operations, whose nature often does not match their name. When usury was forbidden, greed found ways to disguise interest-bearing loans under a variety of names that seemed far removed from any requirement of interest, though the substance remained the same. Such nominal camouflage does not merit absolution from the injustice that taints the charging of interest. But can we not expect, on the other hand, that many gains that today a nominal or doctrinal laziness assimilates to the collection of interest come more or less close to genuine rental contracts or partnership contracts? We must learn to navigate the lexicological jungle of finance in order to pass sound judgment on each banking or financial transaction.

To what extent, for example, do bondholders, or even shareholders in certain cases, not associate themselves enough with the management, risks, and work of a company to enjoy the status of partners rather than lenders? It seems that bondholders practice usury, as they lend their money to companies with the expectation of fixed interest. On the other hand, shareholders become part-owners; therefore, they benefit only if the company

does well. In order to evaluate whether they associate themselves enough with the management, risks, and work of the company, one would need to check the degree of speculation behind their engagement.<sup>54</sup> What should we think about mortgages, other types of bank loans, checking and savings accounts, and certificates of deposit? The names given these latter often hide a reality other than that expected: the so-called “loan” may be a rental, the “rental” may be a partnership contract, the “interest” or “gain” an indemnity or a salary.<sup>55</sup> Of course, not everything can be justified—least of all the aberrations enabled by modern credit systems. Certainly not those stock market speculations that revolve entirely around artificial rises and falls in share prices, generating wealth with no regard for, and often to the lasting detriment of, the actual productive capacity of the companies involved. Nor the predatory behavior of financial speculators who trade in companies merely to capitalize on artificial price fluctuations, often to the serious detriment of their productive activity.<sup>56</sup>

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54 Do shareholders show genuine concern for the well-being of the company's leadership and employees and believe that the company offers something of real value to society? Or do they merely chase personal financial gain, frequently shifting their investments with no regard for the company's long-term success?

55 Consider, for example, home loans. One could regard the interest as rent paid for the part of the home that one does not own. As the principal increases, one owns more of the home, while renting less of it, until at term one owns it in its entirety. Some Islamic banks in fact make home “loans” using this model.

56 We not only want to avoid engaging in usury ourselves; we also want to avoid cooperating with usurers. St. Thomas gives us here a helpful rule of thumb: “If someone were to entrust his money to a usurer who otherwise has no means of practicing usury, or were to entrust it with the intention of enriching himself more abundantly by reason of the usury, he would be giving to another occasion for sin. Hence, he himself would also be a participant in the guilt. But if someone entrusts his money to a usurer who already has other means of practicing usury, in order that it may be kept more safely, he does not sin but makes use of a sinner for a good purpose” (*ST II-II*, q. 78, a. 4, ad 3).



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*Something for Nothing? An Explanation and Defence of the Scholastic Position on Usury.* By DAVID HUNT. Os Justi Press, 2024. Pp. xiii + 133. \$17.95 (paperback). ISBN: 978-1965303023.

As David Hunt notes in his book *Something for Nothing?*, nowadays usury is understood to be charging excessive interest for a loan, whereas in antiquity and the Middle Ages it was understood to be charging any interest at all on a loan. Hunt defends the latter view and explores whether there are moral ways of investing. In his final chapter, he argues that usury is a limited form of chattel slavery.

In the introduction, Hunt gives the basic Thomistic argument against usury (1–2). There are things that are consumed when they are used, such as food, and things that are not consumed when they are used, such as a house. In the case of the latter, ownership and use can be separated. A person can rent to another the use of a house he owns. In the case of the former, ownership and use cannot be separated. Consequently, a person who sells apples cannot licitly add a separate charge for the use of the apples in addition to the charge for ownership of the apples themselves, as this would be charging for something that doesn't exist. Money, however, is a thing that is consumed when it is used (i.e., spent). Thus, charging a borrower interest for the use of the money lent him is charging him for nothing.

Hunt accurately paraphrases Aquinas's argument but then goes on to make a claim that is not drawn from St. Thomas:

*This book aims to show that essential to usury is the idea of recourse in contracts. Where there is recourse to assets distinct from the contracting parties, this points away from a mutuum. Interest in this context may or may not be justified, legitimate, and moral, but it is not usury. A personal guarantee and recourse to the borrower implies a mutuum. (10, emphasis added)*

Exactly what Hunt means by this will become clearer later on.

To explain what he means by a *mutuum*, Hunt quotes Thomas Dickson: “A *mutuum* loan is not, strictly speaking, a loan of a fungible thing: It is a loan

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of a thing treated as fungible” (19). This is a happy formulation. A fungible good is a good that is of such a nature as to be destroyed when it is used.<sup>1</sup> However, as Aquinas explains, fungible goods can serve a secondary non-fungible purpose.<sup>2</sup> If you lend coins for display, you are lending a fungible thing, but not as fungible. If you lend those coins so that the other can spend it and later return the same amount, you are treating it as fungible (which is money’s principal or “natural” use). If you lend goods, say shoes, to another person who is going to sell them and then return to you other like shoes, you are lending a non-fungible good as fungible. If you lend your shoes to someone who will wear them and then return those very same shoes, then the non-fungible good is being treated as non-fungible.

Hunt takes up the question of whether one has to repay a fungible good treated as fungible in quantity or in value. Does justice demand that one return a bushel of wheat only for a bushel of wheat or must one return a quantity equal to the market value of that bushel of wheat at the time it was loaned? Here Hunt maintains that

the only objective basis for establishing equality between fungible goods is the measure inherent to itself. . . . Wheat is measured in bushels, wine in bottles, money in number. To hold that there is an equality between ten and eleven units of any of these goods *solely on the basis of the goods themselves* has no rational basis. (24–25)

However, are things so simple in the case of money?

When I borrow money from you, I’m not merely borrowing a certain number of tokens but rather tokens that have a certain purchasing power. Is it just to return to you tokens with less purchasing power? There is a lack of equality if the money you lent me bought a shopping cart of typical consumer goods but an equal sum I later return to you only buys half a cart of the same goods. A certain quantity of wheat has an inherent ability to provide those who consume it a fixed amount of nutriment regardless of when it is consumed. A

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<sup>1</sup> On the change in meaning that “fungible” has undergone, see Yvan Pelletier, “Has Money Become Fecund?” *The Aquinas Review* 29.1 (2026) (in this issue), note 33.

<sup>2</sup> See *ST II-II*, q. 78, a. 1, ad 6.

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certain quantity of money does not have an inherent power to pay for the same amount of goods; it depends on when it is consumed, that is, spent.

There is another way, however, to look at the exchange. As Yvan Pelletier notes,

money doesn't represent what we exchange it for, but rather the good that was exchanged for it, as entitling us to receive an equal good. Money . . . is a *sign* of a good that we previously owned, which could be exchanged for another.<sup>3</sup>

Consequently, one could look at the loan in terms of the labor needed to earn the money loaned. The lender had to do a certain amount of work to earn the money which buys the full shopping cart of goods at the time he lends it. If there is to be equality, the borrower should not have to do more than the equivalent amount of work to return a full shopping cart of goods. But if there is inflation, the borrower typically must work more than the time equivalent to what the lender worked to fill the shopping cart.<sup>4</sup> Less work is being exchanged for more work, whence inequality and injustice.

I think that the reason we arrive at contradictory conclusions is because inflation is *incidental* to a loan and as such is not something the borrower has an obligation to compensate for. The same inflation would reduce the money's purchasing power if the potential lender were to save the money. While the loss of purchasing power is a real harm, it is not one that the borrower must compensate for, since it is not his act of borrowing that causes inflation—something that is further clear from the fact that inflation does not always occur when someone borrows money. In any case, if one were to maintain that the

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3 Pelletier, "Has Money Become Fecund?," 199.

4 I say "equivalent" to take into account that work is not equally remunerated. For example, it may take the janitor ten hours of work to earn what a lawyer earns in one hour. Thus, if the lawyer in one hour earned money that will fill the shopping cart, the janitor he lends this money to should not have to work more than ten hours to repay him. But if there is inflation, the janitor will have to work more than ten hours to fill the shopping cart. It is possible that the janitor would get a raise that keeps up with inflation, but this is not the general rule, and inflation typically affects lower wage earners more than higher wage earners.

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borrower should compensate for inflation that did in fact occur, this would not be interest; it would be recompense for damage the lender has undergone.

Hunt goes on to consider extrinsic claims for demanding money over and above what is loaned. The first two are legitimate claims, one being a penalty for failing to return what was borrowed at the agreed-on time and the other, costs attached to administering loans. Neither of them is interest. The third extrinsic claim is “*lucrum cessans*,” or ceasing to be able to enrich oneself from one’s money because one has loaned it, which is invoked to justify interest on a loan. Nowadays this is referred to as “opportunity cost.” Though the concept of *lucrum cessans* dates back to the Middle Ages, we are sometimes told that today’s economic systems are different and that at present there is no shortage of opportunities to make money, and so a lender needs to be compensated for missing out on these opportunities. Hunt points out, following Aquinas, that the lender’s loss of a future profit is not the loss of anything real, and so there is no need for the borrower to compensate for it. We might also ask here: How many of the supposed multitude of opportunities to make money do not involve usury or a risk of losing money that people do not want to take?

Hunt then looks at two other arguments concerning usury. The first he calls the “barren metal argument.” Hunt notes Aristotle’s view is that to charge for the use of money is to treat a thing contrary to its nature. Money does not give birth to itself. He then conflates Aristotle’s view with that of John Calvin, who says that money left in a bag does not multiply itself (34). Hunt then gives the position of those who oppose the view that money is sterile, which is that money may stand for production goods that give rise to a profit, so it is not sterile.

Hunt strangely goes on to say that

both ways of describing money are unproblematic on their own. The nature of money and the extent to which it can be thought of as either transparent (convertible with goods for which it can be exchanged) or opaque (merely a physical object) runs throughout the debate. (34)

Hunt misses Aristotle’s point, which is not that coins do not produce other coins, but that money itself is not productive of wealth, as it is only a means of

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exchange. It is consumed by its use, and therefore it is unjust to try to charge separately for a loan of money and its use. While Hunt agrees with the latter argument, he strangely denies that the sterility of money is essential to the Scholastic case against usury (66). He seems here to give a free pass to the idea that money stands for production goods and so is not sterile. He goes on to present Hilaire Belloc's view that loans for purposes of consumption should not be charged interest, whereas it is licit to do so on loans for means of production. Hunt finally walks back the idea that money can stand for production goods by pointing out that the loan of a thing treated as fungible transfers ownership of the thing loaned to the borrower, who can then do what he wills with it, be that exchanging it for production goods or for goods for consumption. To charge interest would be to charge for the use of a thing separate from its ownership.

In chapter two, Hunt asks whether there are reasons to charge interest that do not amount to a separate charge for the use of the money loaned. He takes up the objection that the interest charge is not for the borrower's use of the money but rather to compensate the lender for his lack of use of it, which is the *lucrum cessans* claim. Hunt responds by pointing out that the lack of use of what you've loaned is an essential part of lending. Trying to charge for your lack of use would be similar to an owner charging rent then adding an additional charge for his lack of use of the dwelling rented (41–42).

Hunt considers the claim that an interest charge is legitimate in order to equalize the valuation of goods according to time preference, as the enjoyment of current goods is more highly valued than the potential enjoyment of future goods. For this reason, people are not going to lend unless they believe they will get more later on, aside from reasons of charity. Hunt's ultimate response is that charity is the only licit motive for lending (49). Yet, as Pelletier notes,<sup>5</sup> lending is often required to meet the demands of simple justice, in keeping with the universal destination of the use of material goods. Pelletier also defeats the time preference argument by pointing out that the lender

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5 See Pelletier, "Has Money Become Fecund?," 178–79.

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typically does not deprive himself of anything in lending, because he lends what he does not need at the moment, and so there is nothing to compensate him for.<sup>6</sup>

Hunt considers the argument that interest is rightfully charged to compensate for the risk of not being repaid (50). He first notes that the lender can rightfully claim a pledge from the borrower. This pledge is not interest, since it is returned once the loan is paid. If the borrower has no pledge to offer, he could rightfully be required to purchase insurance from a third party who will pay the lender in the event of a loan default. Hunt explains that for insurance to be genuine, the insurer must have assets that will cover the borrower's default. The lender himself can act as insurer if he has such assets. If he lacks them, he is not offering genuine insurance and thus would be charging the borrower for nothing. If he is offering genuine insurance, he can't charge more than a third party would charge. The price of genuine insurance offered by the lender to the buyer is something other than interest on a loan.

In chapter three Hunt investigates what moral course of action is left for investors, given that interest can never be charged. Following Aquinas, Hunt responds that a person with money can form a *societas* or business partnership with someone who buys the necessary instruments (fields, machines, tools, etc.), provides the labor (and/or hires labor), and handles the daily management of the company. If the company is productive, the investor and his partner will both get a share of the profit. If it is not, then both investor and his partner lose. If the business fails, the investor has no right to reclaim all the money he invested from his partner, whereas if he simply loaned that person the money, he would.

Hunt raises John T. Noonan's objection to the notion that a partnership is a legitimate way of investing money. Noonan's claim is that Aquinas contradicts himself by saying that the use of money is inseparable from its ownership and yet in a partnership a person turns over his money to another's use and so has no right to any gain made by the latter's activity. Hunt answers that there is a difference between lending money and giving someone money to use on your behalf. I can lend you five dollars, or I can give you five dollars

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6 See Pelletier, "Has Money Become Fecund?," 181–82.

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to go buy me milk. If I lent you the money and you are robbed, you would still owe me the five dollars, whereas if I gave you the money to buy me milk, then you wouldn't owe me the five dollars. As Hunt notes, Aquinas speaks about the investor in a business partnership as *entrusting* his money to his partner, who uses it on his behalf, not as lending it (56).

Hunt then considers whether the “census or contract of rent” is a legitimate way of investing. This section is very hard to follow. Hunt defines a census contract as “a contract of purchase of the right to receive an annual payment from some property or person” (59). Initially the payment was part of the fruits of the good on which the census was raised but later was in money. Hunt says that a typical example of a census contract is

that of a landowner selling a stream of annual payments, derivable from the produce and fruit of some part of his land. For example, for ten thousand pounds, he gives the purchaser five hundred pounds a year until the contract is redeemed. In order to redeem the contract, the landowner must buy himself out of it by returning the initial sum. So, at the term of the census, the purchaser has received both the principal (the initial sum) and the interest, the annual payments. (60)

This is confusing because that is not the same thing as simply selling a percentage of the future fruits of some portion of one's land, paid as the cash equivalent. Nor does there seem to be a sale at all of the latter. If there were a sale, the purchaser would not require ten thousand pounds back, but ten thousand pounds minus the purchase price of the cash payments for a percentage of future fruits.

It seems that there are a number of ways of analyzing this situation. The first is that the purchaser lends a sum of money and simply claims a percentage of fruits in addition to the return of the sum lent. Aquinas identifies this as usury:

Everything whose price can be measured by money is considered as money. And therefore, just as someone for money loaned . . . takes money by tacit or stated agreement sins against justice, so also anyone

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who, by tacit or stated agreement, takes some other thing whose price can be measured by money incurs a like sin.<sup>7</sup>

It seems an alternate arrangement would avoid usury, namely, if the census owner sold part of his land on the condition that he be allowed to buy it back by fixed payments over an agreed-on period of time. During this period, he would rent the land from the census purchaser and pay as rent the monetary equivalent of a percentage of the fruits of that land. This seems to be a non-usurious arrangement.

Hunt, however, says that the census is not a sale of the property but only of the “right to a certain share in the usufruct,” (63) which he calls limited rights over the property.<sup>8</sup> He says that: “It is *as if* the seller is paying rent . . . on the good in proportion to the share of the purchaser’s claim on the underlying asset” (63, emphasis added). One problem, mentioned above, is that the purchaser hasn’t paid for a percentage of the future fruits of some portion of the land. The other problem is understanding how there can be such a thing as “as if” rent, as that requires “as if” ownership; but it seems either one owns a thing, in whole or part, or one does not own it.

A mortgage to buy a house seems to be similar to the census contract in that it does not give the bank ownership of the house. The bank cannot sell the house that it gives you a mortgage for, whereas you could do so yourself, granted that you would have to pay off the mortgage in doing so. But if the bank doesn’t own it, it can’t charge the borrower rent. The bank has a right to seize and sell the property only if the borrower defaults on the repayment of the loan, and even then, it does not have the right to collect all the proceeds, but only those that equal what the borrower owes the bank (which may, in some cases, be more than the sale price). Strangely, Hunt does not think that the interest charge in this case is necessarily usury. He thinks that a mortgage

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7 ST II-II, q. 78, a. 2: “[O]mne illud pro pecunia habetur cuius pretium potest pecunia mensurari. Et ideo sicut si aliquis pro pecunia mutuata, vel quacumque alia re quae ex ipso usu consumitur, pecuniam accipit ex pacto tacito vel expresso, peccat contra iustitiam, ut dictum est; ita etiam quicumque ex pacto tacito vel expresso quodcumque aliud acceperit cuius pretium pecunia mensurari potest, simile peccatum incurrit.”

8 “Usufruct” here refers to the fruits or profits of something belonging to another.

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is partially usurious only when the house itself is not sufficient collateral to compensate the lender in the case where the borrower defaults (77, note).

There is an alternative arrangement to the traditional mortgage that seems morally viable—one that some Islamic banks offer with the express intention of avoiding usury. The bank could buy the house you want with the conditions that you will then buy it from the bank piece by piece over a fixed amount of time and that it will not sell it to anyone else so long as you do not default on your payments, while in the meantime it rents you the parts you have not yet purchased; the house itself serves as collateral. Yet Aquinas appears to reject this arrangement:

If someone wants to sell his goods for more than the just price, when he waits for the buyer to pay, usury is clearly committed, because this waiting for the payment of the price has the character of a loan; whence anything beyond the just price that is demanded on account of the wait is effectively a charge for a loan and thus constitutes usury.<sup>9</sup>

Even if a bank had to wait thirty years to get full payment for the house it is selling to someone in installments, any additional charge is usury!

I think, though, that in light of Thomistic principles, we may further examine the notion of just price in this case. Aquinas maintains that if a borrower does not pay back the money on time, he may licitly be charged a penalty. Aquinas also judges it licit for a person to sell something for more than it is worth in the case where

someone has great need of a thing, and the other [the seller] would be harmed if he were to lack the thing. And in such a case, the just price

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9 *ST II-II*, q. 78, a. 2, ad 7: “[S]i aliquis carius velit vendere res suas quam sit iustum pretium, ut de pecunia solvenda emptorem expectet, usura manifeste committitur, quia huiusmodi expectatio pretii solvendi habet rationem mutui; unde quidquid ultra iustum pretium pro huiusmodi expectatione exigitur, est quasi pretium mutui, quod pertinet ad rationem usurae.” In this scenario the seller hands over his good to the buyer who has not paid the purchase price. According to Aquinas, the seller, in effect, is lending the buyer the money for the purchase. The buyer owns the good that he has “paid for” with money loaned to him by the seller. The buyer only needs to return this sum to the seller according to the agreed-upon time (or times, if there are multiple payments). Any charge beyond the purchase price is usury.

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will take into account not only the thing which is sold but the harm that the seller incurs from selling.<sup>10</sup>

If we put those two things together, it would seem that in the case of a lender who would suffer harm if his money was not paid back by a time earlier than, say, thirty years—a harm such as lacking money to pay for a foreseeable need of increased medical care with age or having to leave productive land idle, and the like—some charge could legitimately be imposed on the borrower to compensate for it. Such a charge would not be interest but compensation for harm, and as such it would be part of the just price. How this harm is to be calculated remains a question. Another question is whether such a situation would be an exception rather than the rule. On the one hand, it seems that just as sellers generally do not sell things they have need of, so too lenders generally do not lend money that they have need of. On the other hand, how many individuals, without detriment to themselves, can lend over a long period of time the substantial amount of money needed to buy a house or start a business? This in turn leads to questions about banks. What is a bank? Is there more than one kind? And how do the teachings on usury apply to them?<sup>11</sup>

We might also question Aquinas's analysis of the situation. Contrary to how Aquinas envisages the situation, it seems reasonable to maintain that the buyer who has yet to pay the full purchase price is *not full owner* of the good in question and *only has use* of the part that he does not own, until such time as the full purchase price is paid. This would legitimate the seller charging some rent. It is hard to say which analysis is more accurate.

Returning to Hunt, he argues that loans made to juridical persons do not involve usury. According to Hunt, "a juridical person" is "a bundle of rights and duties associated with particular pieces of property which in law it owns qua juridical person" (65). He says that since there

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10 *ST II-II*, q. 77, a. 1: "[C]um aliquis multum indiget habere rem aliquam, et alius laeditur si ea careat. Et in tali casu iustum pretium erit ut non solum respiciatur ad rem quae venditur, sed ad damnum quod venditor ex venditione incurrit."

11 It would be a worthy undertaking to see if any of the numerous sixteenth to eighteenth century theologians who addressed usury takes up questions concerning banks.

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are real assets behind the personal guarantee which can be recovered to make good the debt, . . . this means that a juridical person cannot enter into a *mutuum* loan. Rather, *mutuum* loans personally guaranteed by a juridical person ought to be thought of as census contracts raised on the assets owned by the organization. (65)

This latter is something Hunt regards as licit. However, the situations of the individual and the juridical person in regard to collateral do not always differ. First, when a company goes out of business, its assets are not always sufficient to cover the debt. Secondly, sometimes owners of a failed business are held personally liable for paying any debt that remains once the assets are sold. Hunt might say that this is because they didn't legally transform their business into a juridical person. But that raises questions as to whether forming a juridical person is moral, and what bearing it has on loans. How does being a juridical person morally justify not paying back what one borrowed, given the failure to do so involves blatant inequality? Thirdly, private persons sometimes have assets that could cover their default on a loan. For example, a lien may be put on their home. According to Hunt, this would make charging the equivalent of interest licit as per the census arrangement, as "there are real assets behind the personal guarantee" (65). Also, if private persons work, they will acquire assets in the future, namely, their wages. Why does Hunt deny in their case that there are "real assets behind the personal guarantee," when he accepts the government's future tax returns as an underlying asset?

Hunt gives as an example of a census raised on a juridical person "the receipt of money in exchange for a claim of the fruits of the underlying asset, such as government bonds giving rise to a return from future tax returns" (65). Should we consider the government's ability to collect taxes to be an underlying asset if those tax dollars have been allocated for purposes other than paying bondholders? Moreover, there have been cases where an underlying asset was lacking in part. When Greece restructured its debt in 2012, the "net present value loss accepted by private sector bondholders was around 75 per cent based on market pricing immediately following the bond exchange."<sup>12</sup> The

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<sup>12</sup> "The Greek Private Sector Debt Swap," <https://www.rba.gov.au/publications/smp/2012/may/pdf/box-b.pdf>.

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bigger problem, however, with Hunt's claim about bonds is that he has failed to establish that the presence or absence of an asset that can cover the default on a loan is a factor for determining whether a loan is usurious. Government bonds seem to amount to nothing other than a loan with interest, which is usury.<sup>13</sup>

Hunt then evaluates whether the "triple contract" involves usury. An investor could enter into a partnership with one person, buy insurance against the loss of his capital from a second person, and buy insurance against fluctuations in profit from a third person. Is it licit to enter into all these contracts with the same person? Hunt considers two scenarios. The first is when the partner can offer genuine insurance, that is, backed by real assets. According to Hunt, such a contract is not usurious. If the business fails, the assets in question will be liquidated and the investor will get his money back, plus his lost dividend. Noonan objects that the investor in this case runs no risk and so is not genuinely a partner. Hunt responds that the investor may still lose if the business goes under. The very reason the investor obtained insurance was to compensate for a potential loss of this sort. The risk that the business invested in may go under remains unchanged by the presence or absence of insurance. There is also a risk that the asset backing the insurance contract may be destroyed. (One wonders whether the investor is paying for the insurance. If he is not, while this may not be usury, it is still unjust.)

Hunt also considers the scenario where the investor's partner is not offering genuine insurance. In this case, if the business fails, it is his personal responsibility to repay the investor the money loaned, plus the lost dividends, which, according to Hunt, makes this triple agreement usurious. I fail to see that that follows. Two out of three of the contracts involved were fraudulent. The partner's dishonesty about the insurance he had offered means that, in the event the business fails, he must now find some other way of repaying the

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13 Pope Innocent IV, in *Cum Onus* (1245) cautions us: "[I]f a dispute should arise, when some contracts are discussed, let no insults be hurled at those who hold the contrary opinion; nor let it be asserted that it must be severely censured, particularly if it does not lack the support of reason and of men of reputations" (quoted by Hunt, 112). I think, in keeping with this warning, that differences in the status of the borrower (individual vs. business) and of the lender (individual vs. bank vs. government) are worth examining to see more concretely how usury applies in the different cases and whether there exist morally viable workarounds.

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investor the money advanced, along with the lost profits. This consequence, however, does not make the triple contract usurious. (Unlike the usurious situation where the lender adds to the loan a charge for fake insurance, in this case the investor's partner is the one offering the fake insurance.)

Part of Hunt's interest in the triple contract is that it provides him an occasion to repeat his view that usury is only possible when the borrower has not pledged an asset sufficient to cover a potential default on the loan. This, however, is not essential to usury. Usury is a charge for nothing, demanded over and above the return of the money borrowed. Aquinas acknowledges the legitimacy of the lender requiring a pledge for a loan, but in no wise sees the borrower's doing so as permitting the lender to charge him interest.<sup>14</sup> Hunt acknowledges that the "idea of recourse does not at first appear as central in the history of usury and its related arguments" (10). Indeed, this is because the essence of usury is to require, in addition to the return of money loaned, payment for nothing, regardless of whether a pledge or collateral equal to the loan is offered.

Chapter four, "Usury as a limited form of slavery," is not at all convincing, due to Hunt's reliance on his notion of recourse to the person of the borrower. Selling a person or a business nothing or the same thing twice is clearly a form of theft. Hunt argues:

Interest on a *mutuum* is an attempt to profit directly from the personal guarantee . . . and the personal guarantee is recourse to the borrower himself. Therefore, to profit on a *mutuum* is to profit from a person. Now, it is self-evident that one can only profit from the use of one's thing. . . . Therefore, in profiting from a person, the lender is treating the person as his property. (70–72)

What does it mean "to profit from a person?" It means to derive some benefit from them, be it justly or unjustly. A talent manager may profit monetarily from a young singer who goes on to become a star. That obviously doesn't make the singer the manager's property or slave, contrary to what Hunt claims

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<sup>14</sup> ST II-II, q. 78, a. 2, ad 1: "The one who makes a loan can without moral offense stipulate in the contract with the borrower a compensation for any damage that would deprive him of some part of his due good, for this is not to sell the use of money, but to avoid harm."

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("it is self-evident that one can only profit from the use of one's thing"). The same holds true for unjust forms of profiting from people: A thief by stealing "profits from a person," yet theft is not a form of slavery; nor is cheating someone by selling defective goods, nor is charging exorbitant rent, and the like. The fact that a person may have to work or sell goods to replace something that has been stolen from him does not render him a slave of the thief, nor does the overcharged tenant become a slave, even in a limited way, of the exploitative landlord, though he will have to work more hours to pay the extra rent money. And the same holds for paying interest to a usurer. While it is true that usurers cause some people to end up working endlessly to dig themselves out of debts acquired as the result of usurious loans, this is not universally true, and for some these usurious loans are overall beneficial; the latter are being taken advantage of, but they have not been made slaves. The situation of those working endlessly to repay the usurer resembles to a limited extent that of chattel slavery, insofar as the slave's labor belongs to his owner and the borrower's labor belongs to the usurer, although in the former case, it does so in its entirety, which is not true of the latter. Those trapped by ever increasing interest charges are unlike chattel slaves in that they cannot be sold by the lender nor are they deprived of their human rights (to marry, to travel where they want, etc.). Consequently, Hunt says that usury results in *limited* chattel slavery. However, removing crucial parts of what defines chattel slavery renders it a metaphor. Hunt should have limited himself to pointing out the resemblance to chattel slavery in some cases of usury, instead of trying to force usury into the genus of slavery, when it is clearly a kind of theft. (Proverbs 22:7 affirms that "the borrower is slave to the lender," but, as argued above, "slave" here is a metaphor.)

In addition, there is an ambiguity in saying that "the personal guarantee gives the lender recourse to the borrower himself, and anything he does own or could own, for principal and interest." What exactly does that mean, "recourse to the borrower himself?" The borrower's promise legitimates attempts by the usurious lender to extract from a delinquent borrower interest in addition to the principal, by means such as adding penalties, sending continual reminders, having the borrower's paycheck garnished, a lien put on his home, and so on.

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The lender only has a claim on the borrower's goods, not on his very person. The *non-usurious lender* has a right to get the entire sum that he loaned back on time as a result of the borrower's promise, and this lender would be well in his rights if he had a delinquent borrower's paycheck garnished; but this would not make the borrower his slave. The same holds true of any monetary contract, be it renting something or paying for a service. The injustice of usury lies in a dishonest claim to the borrower's goods and not to his very person.<sup>15</sup>

The book concludes with appendices that include passages from Justinian, Aquinas, and a number of Catholic church documents concerning usury.<sup>16</sup> In some cases, a little commentary would have been helpful. For example, the excerpt from *Inter Multiplices* speaks of a "moderate rate of interest" as being licit in certain cases. Here it would have been helpful to note that charges that do not involve usury are sometimes called interest. The interest *Inter Multiplices* is referring to is the cost of administration for an entity that makes interest-free loans to the poor.

The excerpt from *Regimini Universalis* can also be misleading. The concluding paragraph of the section on usury is incomplete, and so it is not entirely clear what the "aforesaid contracts" are. Left out is the part of the

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15 There are so many ways of bringing out the gravity of usury. For example, the *Catechism of the Catholic Church* (1992), n. 2269, teaches: "The fifth commandment forbids doing anything with the intention of indirectly bringing about a person's death. . . . Those whose usurious and avaricious dealings lead to the hunger and death of their brethren in the human family indirectly commit homicide, which is imputable to them." This does not mean that usury, as such, is murder. Usury does not always lead to a person's death. Its genus is not murder but theft. Theft, however, can lead to a person's death, in which case the thief is also a murderer. Also, as Pelletier points out, we should be concerned about usury because it impoverishes everyone since it inevitably leads to inflation. Yet another reason for concern is the negative effect usury has on people's souls, as fueling greed.

16 It would have been helpful to have included CCC, n. 2449, as it appears to sustain the biblical condemnation of usury: "Beginning with the Old Testament, all kinds of juridical measures (the jubilee year of forgiveness of debts, prohibition of loans at interest and the keeping of collateral, the obligation to tithe, the daily payment of the day-laborer, the right to glean vines and fields) answer the exhortation of *Deuteronomy*: 'For the poor will never cease out of the land; therefore I command you, "You shall open wide your hand to your brother, to the needy and to the poor in the land." Jesus makes these words his own: 'The poor you always have with you, but you do not always have me.' In so doing he does not soften the vehemence of former oracles against 'buying the poor for silver and the needy for a pair of sandals' . . . but invites us to recognize his own presence in the poor who are his brethren."

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document that mentions: “those customs that have taken root in Upper and Lower Germany and other places, whereby some, for money received, encumber their goods and later redeem them by paying more, with no labor, risk, or loss to the lender.” The language here certainly gives the impression that the document regards this particular contract as usurious.

Hunt is to be commended for taking up an important moral issue that has been neglected and misunderstood for all too long. He offers some ingenious responses to those arguing in favor of interest, and he also brings out that some of the charges that sixteenth through eighteenth century theologians argued could be legitimately added over and above the money loaned were not interest, but rather were charges for something, such as insurance to cover the risk of default on the loan or payment for damages caused to the lender due to late payment. My overall assessment of his work is that Hunt is successful when he stays close to Aquinas, and unsuccessful when he ventures out on his own, particularly when he treats recourse to a person as essential to the understanding of usury and when he ranks usury as a form of chattel slavery.

It is my hope that the Magisterium revisits the question of usury and addresses the extrinsic title of *lucrum cessans*.<sup>17</sup> It is sometimes claimed that Church has accepted this title because it did not censure the theologians who argued for its legitimacy.<sup>18</sup> Yet, if Hunt and Pelletier are right, it is a charge for nothing, and hence usurious.

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17 What are we to make of Pope St. Paul VI's words concerning loans in *Popularum Progressio* (1967), n. 54?: “A dialogue between those who contribute aid and those who receive it will permit a well-balanced assessment of the support to be provided, taking into consideration not only the generosity and the available wealth of the donor nations, but also the real needs of the receiving countries and the use to which the financial assistance can be put. Developing countries will thus no longer risk being overwhelmed by debts whose repayment swallows up the greater part of their gains. *Rates of interest* and time for repayment of the loan could be so arranged as not to be too great a burden on either party, taking into account free gifts, interest-free or *low-interest loans*, and the time needed for liquidating the debts.” (Emphasis added.)

18 St. Alphonsus Liguori, among other, maintains that *lucrum cessans* is a legitimate extrinsic claim. See St. Alphonsus Liguori, *Theologia Moralis*, vol. 2 (Marietti, 1891), 762 (Bk. III, tract. 5, cap. 3, dub. 7, n. 662). “Item licet convenire de lucro cessante, quando creditor probabili modo privatur lucro ex eo quod pecuniam mutuo dedit.” (“Further, it is licit to agree with [the claim of] ‘ceasing gain’ when the one providing credit is, in a probable manner, deprived of gain due to having loaned money.”)

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It is also my hope that Catholic economists who understand the reasons for the Church's constant condemnation of usury would examine the different kinds of monetary transactions that the average person typically engages in to provide us non-economists with guidelines as to which, if any, of them make us complicit in usury.<sup>19</sup> Lastly, I hope that more Catholics found banks and credit unions whose practices respect natural law teaching on usury.<sup>20</sup>

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19 As to whether it is licit to get a loan from a usurer, see *ST II-II*, q. 78, a. 4.

20 See Simone Weil House, <https://simoneweilhouse.org/mutual-community/>. "The Simone Weil Catholic Worker is anchoring a community of mutuality built on shared membership in Notre Dame Federal Credit Union. This partnership, piloting the Living Communion initiative, allows us each access to 0% interest loans backed by fellow community members, regardless of credit score."



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