

*'Materia ex qua' and 'Materia circa quam' in Aquinas*¹

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The distinction that St. Thomas makes between the *materia ex qua* and the *materia circa quam* is relevant from the perspective of the moral specification of the human act. This binomial enriches and complements the concepts St. Thomas uses to speak of the human act; specifically, it furnishes conceptual tools for making important distinctions within the moral object of the act.

1. THE IMPORTANT TEXTS

For the Angelic Doctor “there is a two-fold matter: the *materia ex qua* (matter from which), or in which, and the *materia circa quam* (matter about which), and the matter referred to in the first way does not in itself coincide with the end, but in the second way it is identified with the end, because the object is the end of the act.”² Therefore, “[a]lthough the object is the *materia circa quam* an act is concerned, yet it has the character of an end, in so far as the intention of the agent is fixed on it.”³ In fact, “Objects, in relation to external acts, have the character of *materia circa quam*; but, in relation to the interior act of the will, they have the character of end; and it is owing to this that they give the act its species. Nevertheless, even considered as the *materia circa quam*, they have the character of term, from which movement takes its species...; yet even terms of movement specify movements, in so far as term has the character of end.”⁴ It is clear, then, that “the object is not the *materia ex qua* (a thing is made), but the *materia circa quam* (something is done), and stands in relation to the act as its form, as it were, through giving it its species.”⁵

Many times when Aquinas refers to the *materia circa quam* – which as we have just seen

¹ This essay was originally the sixth chapter of my doctoral dissertation, *A especificação moral dos actos humanos segundo são Tomás de Aquino*, (Rome: Edizioni Università Santa Croce, 2008). I offer special thanks to Dr. Joseph T. Papa for his excellent translation, and to Dr. William F. Murphy, Jr., who arranged for the translation.

² *Super Sent.*, lib. 2, d. 36, q. 1, a. 5, ad 4: “est duplex materia: ex qua, vel in qua, et materia circa quam: et primo modo materia dicta non incidit in idem cum fine: sed secundo modo est idem cum fine: quia objectum finis actus est.”

³ *Summa theologiae*, I-II, q. 73, a. 3, ad 1: “obiectum, etsi sit materia circa quam terminatur actus, habet tamen rationem finis, secundum quod intentio agentis fertur in ipsum.”

⁴ *Ibidem*, q. 72, a. 3, ad 2: “obiecta, secundum quod comparantur ad actus exteriores, habent rationem materiae circa quam, sed secundum quod comparantur ad actum interiorem voluntatis, habent rationem finium; et ex hoc habent quod dant speciem actui. Quamvis etiam secundum quod sunt materia circa quam, habeant rationem terminorum; a quibus motus specificantur, ut dicitur in V Physic. et in X Ethic. Sed tamen etiam termini motus dant speciem motibus, in quantum habent rationem finis.”

⁵ *Ibidem*, q. 18, a. 2, ad 2: “obiectum non est materia ex qua, sed materia circa quam, et habet quodammodo rationem formae, in quantum dat speciem.”

coincides with the proximate end and with the moral object of the act – he simply uses the expression *materia*. And frequently in his early writings he refers to the moral species that derives from the object of the choice as its moral “genus.” According to St. Thomas “as I have said, moral acts take their species from their objects as the latter are related to reason. And so we commonly say that some acts are generically good or evil, and that generically good acts concern *materia debitam*, such as feeding the hungry, and generically evil acts concern *materia indebitam*, such as stealing what belongs to another, for we call the *materia* of acts their object.”⁶ When the *materia circa quam* is according to the order of right reason, as with “giving food to the hungry,” then St. Thomas says that the human act falls on a *materia debitam*.⁷ When, on the contrary, the *materia circa quam* is against the order of right reason, as with “taking another’s property,” then St. Thomas says that the human act falls on a *materia indebitam*.⁸ This is only possible because, for Aquinas, the “*materia [circa quam]* of the act is its object. And the object has the nature of an end.”⁹

The *materia circa quam*, in the moral context, is not used by St. Thomas to refer to the material element of the object – which is the *materia ex qua* – but to the material element of the human act that is the object chosen in view of the realization of a specific further intention of the

⁶ *De malo*, q. 2, a. 4, ad 5: “Actus autem moralis, sicut dictum est, recipit speciem ab obiecto secundum quod comparatur ad rationem; et ideo dicitur communiter, quod actus quidam sunt boni vel mali ex genere; et quod actus bonus ex genere, est actus cadens supra debitam materiam, sicut pascere esurientem; actus autem malus ex genere est qui cadit supra indebitam materiam, sicut subtrahere aliena; materia enim actus, dicitur obiectum ipsius.”

⁷ Cf. *Quodlibet IV*, q. 9, a. 1, c.: “dicitur esse actus bonus ex eo quod actus cadit supra debitam materiam” [“it is said good the act that falls upon a due matter”]; *Super Sent.*, lib. 2, d. 42, q. 1, a. 4, c.: “Genus autem ipsius actus sumitur ex materia et obiecto; unde sicut dicitur bonum ex genere propter debitam materiam” [“The species of the act itself is driven from the matter and object, and therefore it is said good in its species because of the due matter”].

⁸ Cf. *Summa theologiae*, II-II, q. 100, a. 1, c.: “actus aliquis est malus ex genere ex eo quod cadit super materiam indebitam” [“an act is evil generically when it bears on undue matter”]; *ibidem*, q. 110, a. 3, c.: “Mendacium autem est malum ex genere. Est enim actus cadens super indebitam materiam”; *De malo*, q. 2, a. 4, ad 5: “actus autem malus ex genere est qui cadit supra indebitam materiam, sicut subtrahere aliena; materia enim actus, dicitur obiectum ipsius” [“generically evil acts concern improper matter, such as stealing what belongs to another, for we call the matter of acts their object”].

⁹ *Super Sent.*, lib. 2, d. 36, q. 1, a. 5, arg. 5: “materia actus est obiectum ejus. Obiectum autem habet rationem finis.”

agent.¹⁰ That object, already has the character of a form.¹¹ The “object is the *materia* of the act,”¹² and therefore it can be said that for St. Thomas, the moral species of a human act derives from its *materia circa quam*.¹³

What does St. Thomas say about the *materia ex qua* in reference to the human act? In fact, very little. Much less than we find concerning the *materia circa quam*. Firstly, as the expression itself indicates, the *materia ex qua* is spoken of with respect to the material element out of which the object is formed, but “the object is not the *materia ex qua* (the matter from which), but the *materia circa quam* (the matter around which).”¹⁴ As we saw earlier, a material element and a formal element can be distinguished in the object of the act. The *materia circa quam* corresponds to the object, which is to say that it includes both of these dimensions, the material and the formal. This would seem to suggest that the *materia ex qua*, by a process of elimination, would have to correspond to the material dimension of a given moral object. This also seems to be the meaning that St. Albert the Great attributed to it in his *Commentary on the Ethics*, edited by the young Thomas.¹⁵ If this is the case, one now better understands the reason why the *materia ex qua*, considered in itself, is not yet susceptible of moral evaluation: it is only the material dimension of the object of the act. For Aquinas, the first moral goodness of the act depends on the *materia circa*

¹⁰ Cf. *ibidem*, lib. 4, d. 38, q. 2, a. 2, qc. 2, c.: “actus aliquis determinatur ad speciem moris dupliciter. Uno modo ex parte objecti, sicut fornicatio ex hoc quod est circa delectabilia tactus; et haec determinatio est materialis, et respicit habitum elicentem actum. Alio modo ex parte finis; et haec est formalis specificatio, et respicit habitum imperantem” [“any act is morally specified in a double manner. The first way is on the behalf of the object, like fornication is specified by that which refers to tactual pleasure; and this determination is material, and refers to the habit that produces the act. The other way is on the behalf of the end, and this is the formal specification and concerns the habit that commands the action”].

¹¹ Cf. *ibidem*, lib. 1, d. 48, q. 1, a. 2, c.: “Actus autem voluntatis humanae potest imitari actum voluntatis divinae dupliciter. Vel quantum ad esse naturae; et sic non loquimur hic: quia hoc convenit actui voluntatis secundum quod exit a potentia, cujus conformitatem dimisimus. Vel quantum ad perfectionem superadditam, secundum quam dicitur actus talis vel talis; et hanc conformitatem hic quaerimus, quae est quasi secundum speciem moris. Haec autem conformitas quadrupliciter potest considerari secundum habitudinem quatuor causarum: scilicet secundum causam materialem, sicut quando est idem volitum quod se habet ut materia circa quam est actus voluntatis; et ideo ista conformitas est secundum quid tantum, et non simpliciter: *quia esse simpliciter non est a materia, sed a forma*” [“The act of human will can imitate divine will in a double way. Either in the order of being, and this is not the sense that we use here, because this concerns the act of will as exiting from potency, and this similarity we abandon. Either in relation to a added perfection, through which the act becomes of this or that type, and its about this type of similarity that we ask, that is almost according to the moral species. This similarity can be considered in four ways according to the four causes, i. e., according to the material cause, like when the same thing that is willed as *materia circa quam* is the act of the will, and therefore there is a similarity only in a certain way and not in an absolute way because being in an absolute way doesn't belong to the matter but to the form”]. Emphasis added.

¹² *De veritate*, q. 25, a. 5, ad 10: “obiectum est materia actus.”

¹³ Cf. *ibidem*, q. 20, a. 3, ad 3: “unus actus potest dici similis alteri dupliciter. Uno modo quantum ad speciem actus, quam trahit a materia circa quam est” [“one act may be said similar to another act in two ways. One way is that which concerns the species of the act, which is derived from the *materia circa quam*”].

¹⁴ *Summa theologiae*, I-II, q. 18, a. 2, ad 2: “obiectum non est materia ex qua, sed materia circa quam.”

¹⁵ Cf. ALBERT THE GREAT (St.), *Super Ethica*, lib. 4, lect. 8, n. 297: “materia ex qua est aliquid materialiter ut pars” [“the *materia ex qua* is something material like a part”]; *ibidem*, lib. 5, lect. 2, n. 367: “materia ex qua numquam incidat cum forma vel finem in idem, tamen ‘materiam circa quam’ efficitur finis voluntatis et sic quodmodo est principium formale in moribus” [“the *materia ex qua* never happens to be the same with the form or the end, yet the *materia circa quam* becomes the end of the will and in doing so is in a certain way the formal principle in moral things”].

quam, the object of the act.¹⁶

2. INTERPRETATION

This conceptual binomial of St. Thomas receives very little attention from the majority of his interpreters. Suárez, emphasizing the necessity of considering not only material objects, says that “the material diversity alone is not sufficient for the specific distinction of goodness.”¹⁷ The Salamancans, in turn, emphasize that “the *materia circa quam* upon which the act is focused is its object.”¹⁸

Kevin Flannery acknowledges the importance of the role that St. Thomas attributes to the *materia circa quam* in the specification of the moral act. The North-American philosopher, however, though explicitly recognizing the distinction Aquinas makes between the *materia ex qua* and the *materia circa quam*, does not investigate this conceptual distinction. Rather, he develops the concept of *practical matter*,¹⁹ which he identifies with the *materia circa quam*. “This matter [*materia circa quam*] – says Flannery – is the individuating principle in Thomas’s metaphysics – ‘that which contacts,’ allowing one to speak, for instance, not of murder in general but of one particular murder. This is what allows this type of matter to have also a formal aspect: it *specifies* the act, just as the specific form of Socrates specifies him as distinct from man in general.”²⁰ The *materia circa quam* thus includes a formal element in virtue of which it specifically determines the act, making it “this act that falls on this concrete matter.” “The matter of an action is *not* like bricks and stones, matter *from* which we might produce a house. In human action, the material is bound up with the object. It is the thing at which we aim, not that from which we produce what we will.”²¹ Based on this brief statement, it seems valid to infer that for Flannery the *materia ex qua* are in fact

¹⁶ Cf. *Super Sent.*, lib. 2, d. 36, q. 1, a. 5, c.: “Prima enim bonitas, quae est ex essentia actus, communis est omnibus actibus: unde ipsa substernitur omnibus aliis bonitatibus; inter quas primo supervenit sibi bonitas quae est ex debita materia; super quam iterum inducitur alia bonitas quae est ex fine, et aliis circumstantiis, et ex forma habitus” [“The first goodness, which is the essence of the act, is common to all acts, and from where all the other types of goodness are built on, among which in first place comes that goodness that concerns the proper matter, upon which are placed the goodness that concerns the end and the other circumstances and that which comes from the form of the habit”].

¹⁷ F. SUÁREZ, *De bonitate et malitia humanorum actuum*, cit., p. 334: “sola materialis diversitas non sufficit ad distinctionem specificam bonitatis.”

¹⁸ SALMANTICENSIS, *Cursus theologicus*, cit., t. 6, p. 69: “materia circa quam actus versatur, est ejus objectum.”

¹⁹ Cf. K.L. FLANNERY, *Acts Amid Precepts*, cit., pp. 157-158: “practical reason involves, at every step of the way, what we might call ‘practical matter,’ since there cannot be individuation without matter of some type (which is always, of course, tied to the appropriate type of form). This is not to say, however, that the matter in practical reason is physical matter. I am not espousing ‘physicalism,’ such as various authors of the Roman Catholic “manualistic tradition” are accused of doing. Practical matter is more like logical matter, according to which conception one can say that ‘the table is blue’ and ‘the stove is hot’ are of the same form but of a different matter. The matter here is neither a blue table nor a hot stove but that which differentiates the one position from the other – i.e., the fact that the one *speaks* about the table’s being blue, the other about the stove being hot, although they are of the same ‘shape’ (or form).”

²⁰ *Ibidem*, p. 158.

²¹ *Ibidem*, pp. 160-161.

the material *inputs* of a specific action, such as the bricks and stones for the action of the construction of a house, while the *materia circa quam* is not necessarily “material” nor can it be separated from the object of the action, and is understood as a thing toward which we tend.²² To exemplify, he says that the action of “to feed someone” has as a possible *materia debita* “an indigent,”²³ or that “to commit adultery” is a *materia indebita*.²⁴

If we are interpreting him correctly, it seems to us that for Flannery, to state that the *materia circa quam* is intimately linked to the object²⁵ is tendentially to identify it with the material element of the object of the human act. Our reading seems to be confirmed by the fact that Flannery associates “an indigent” *tout court* with the *materia debita*, even if right afterward he gives the example of “to commit adultery,” which is contrary to this interpretation. An unintentional inconsistency on the author’s part? This is not clear. In any case, it seems to us that Flannery tends to not simply identify the *materia circa quam* with the object, but seems to reduce it to the material element of the latter.

Steven Brock asserts that “for Thomas as for Aristotle, it is not the matter but the form which gives the species to a thing; and similarly with an action. But this does not mean that the matter and its dispositions are merely accidental to the thing. In things composed of matter and form, the matter too, up to a point, enters into the full definition of the thing. It does so to the extent that it is proportioned to the form. In so doing, it also adds certain secondary – but not accidental – determinations to the thing, e.g. necessary qualitative predispositions, the distinction and

²² It is important to note that for Flannery the object of the act is understood as a *res aliqua* upon which the act falls, and not as the chosen act itself, which is to say that he aligns himself with those authors that we classified in the first group when we dealt with the object of the human act in our paper *Aquinas on the Object of the Human Act: A Reading in Light of the Texts and Commentators*, in «Josephinum Journal of Theology» 15 (2008), pp. 243-276. Cf. IDEM, *What Is Included in a Means to an End?*, cit., p. 512: “The practice of medicine has as its sole legitimate object, it seems to me, the health of the individuals it turns its attention to. But in the craniotomy case this is not its object: the fetus, who is clearly the object of the operation, is killed”; IDEM, *The Multifarious Moral Object of Thomas Aquinas*, cit., p. 98: “actions, not being physical substances, receive their species not from a form but from an object. To be complete, therefore, even in the most basic sense, they must it a target such as corresponds to what is being done. Take, for instance, the linguistic act of assertion. A man manages to assert something only if he succeeds in offering up a linguistic entity that holds together syntactically; but it is also necessary that he intend that what he says should correspond to the truth, for that is what assertion is (its species). Even if he chooses to lie, he must, at least for a moment, will to assert *something*, which assertion is a sort of leaning out toward that something as if it were true.”

²³ Cf. *ibidem*, p. 100: “Such experiences of basic goodness and badness point to some of the basic building blocks of the moral universe. In the tradition leading up and including Thomas, this approach is often associated with the phrase ‘to fall upon appropriate/inappropriate matter’ (*cadere super debitam/indebitam materiam*). An act is *bonum in genere* if it ‘falls upon appropriate matter’; it is *malum in genere* if it ‘falls upon inappropriate matter.’ Thus, when one feeds a hungry person, one’s action (feeding) falls upon appropriate matter; when one appropriates the property of another, one’s action (‘using’) falls upon inappropriate matter.”

²⁴ IDEM, *Acts Amid Precepts*, cit., p. 163: “Thus, to speak of an action along the way to a goal as matter and the goal as form (to say, e.g., as in Thomas’s example, that, if a person robs in order to commit adultery, the matter is robbery, the form adultery), is Thomas’s way of excluding neither the idea that the adultery gives species (form) to robbery nor the idea that the matter *circa quam* one commits adultery is, at one stage in the process, an act of robbery.”

²⁵ Cf. *ibidem*, p. 161: “In human action, the material is bound up with the object.”

distribution of the thing's parts, etc."²⁶ Unfortunately, Brock has not explicitly distinguished between the *materia ex qua* and the *materia circa quam*. In the passage we have cited, it would seem valid to suppose that Brock is treating of that reality which Aquinas simply calls *materia*, that is, of the *materia circa quam*.

Brock emphasizes that the *materia (circa quam, I think we can reasonably assume)* is a co-principle of the act and therefore *essential* for determining its species. Like Flannery, he seems to attribute only a material role to the *materia circa quam*, but as an essential co-principle of the act it "determines," "conditions" the form, being able in this way, indirectly, to influence the specification. It can be said that for Brock, the form of the act cannot "do what it likes," but must accommodate itself to the restrictions imposed on it by the matter.

Joseph Pilsner believes that the *materia circa quam* is for the human act just as the human body is for the soul.²⁷ For him, therefore, the *materia circa quam* is necessarily a matter proportioned to receive a specific form, just as the human body is a matter proportioned to being "informed" by a human soul. Just as the matter is an essential co-principle in a material being, the same must be said of the *materia circa quam* of a human action.²⁸ The *materia ex qua*, on the other hand, must be understood along the lines of prime matter, as for example the prime matter of the human body.

The North-American philosopher acknowledges, however, that St. "Thomas sometimes says that matter specifies a human action and frequently uses matter as an alternative term for object,"²⁹ a fact that seems to create objective difficulties for his interpretation. Pilsner does not abandon the interpretation, however, attempting to resolve the question by saying that "the reality bearing the name 'matter' is shown to be specifying, not in so far as it is matter, but rather in so far as it can be engaged by the will as a good to be sought through action; in short, the matter here is specifying precisely by virtue of its being an end."³⁰

Pilsner's position seems to us to contain assertions that are not entirely coherent among themselves. On the one hand, similar to Flannery and Brock, he tends to identify the *materia circa quam* with the material element of the object of the human act, as becomes evident by the

²⁶ S.L. BROCK, *Action and Conduct*, cit., p. 90.

²⁷ Cf. J. PILSNER, *The Specification of Human Actions in St. Thomas Aquinas*, cit., p. 158: "The [human] soul requires a certain special kind of matter (flesh, bones, etc.) of a certain acceptable quantity. Flesh and bones, then, is matter specially proportioned to human soul, and other kinds of matter will not suffice."

²⁸ Cf. *ibidem*, p. 160: "Aquinas sometimes is considering matter, not in so far as it a primary potency, but in so far as it has attained a certain state of development through the influence of form(s). This state of development in matter predetermines to a certain extent what kind of form can subsequently be introduced as a new co-principle in substantial change."

²⁹ *Ibidem*, p. 5.

³⁰ *Ibidem*, p. 167.

association of the *materia circa quam* with the human body. On the other hand, faced with the clarity of certain statements of St. Thomas, he admits that the *materia circa quam* has the character of an end. Wouldn't it be much easier to simply say that the *materia circa quam* is not only the material element of the human act, but precisely the object, "body and soul"? In this way it would become more obvious why St. Thomas uses the concept *materia ex qua*, which seems to be a bit superfluous in Pilsner's interpretation. If the *materia circa quam* is the "body and soul" – a specifically determined reality – the *materia ex qua* is the body alone, awaiting a "soul" that will specify it.

Martin Rhonheimer, for his part, emphasizes that "the 'matter' does not necessarily have to do with what is 'physical-material,' but indicates a reality which is 'further determinable,' 'actualizable,' 'formable,' and therefore refers to a thing that has the power of receiving a further form"³¹ Concretely – according to the Swiss philosopher – regarding the human act, the "end of the will is the *materia circa quam*, presented by the reason as *materia debita*."³² That is, the *materia circa quam* already includes in itself a specific formal element, a *ratio boni* capable of moving the will. Let us examine his interpretation more closely:

"St. Thomas, [...] emphasizes that: '*Species moralium actuum constituuntur ex formis, prout sunt a ratione conceptae*.' This '*forma a ratione conceptae*' is nothing other than the object of the action in its *genus moris*. For this reason Thomas emphasizes that this object is not a *materia ex qua*, which latter is in fact at the basis of a natural process of *generatio* as a co-principle in view of the *forma substantialis*; it is, independent of the *forma*, still undetermined, and is like the *materia prima*, pure potentiality.

The objects of actions, rather, are called *materia circa quam*: this matter is not a co-principle of the global object still under the aspect of its material determination. Rather, it is already configured by practical reason and therefore – contrary to the *materia ex qua* – '*habet quomodo rationem formae in quantum dat speciem*.' In the *Commentary on the Sentences*, Thomas goes so far as to call the *materia circa quam* the *finis actus*, which is none other than the *obiectum*.

The equation of the moral object (the object of practical reason, '*actus exterior*

³¹ M. RHONHEIMER, *La prospettiva della morale*, cit., p. 129: "The 'materia' non ha necessariamente a che fare con ciò che è 'fisico-materiale,' ma indica qualcosa di 'ulteriormente determinabile,' di 'attualizzabile,' di 'formabile' – dunque qualcosa che riguardo ad una ulteriore formazione è in *potenza*."

³² IDEM, *Legge naturale e ragione pratica*, cit., p. 117: "fine della volontà è la 'materia circa quam' offertale dalla ragione come 'materia debita'."

ordinatus a ratione,' and as such proposed to the will as an object proportioned to the end desired by it), with the *materia circa quam* can at times be confusing. The confusion disappears if we bear in mind that for Thomas, in each object – as in each *bonum* in general – a material aspect and a formal aspect must be considered, which do not simply add up to two 'things,' nor do they relate to each other in the sense of two hylomorphic co-principles, but, in a wonderful metaphor, they are related as colors relate to light. The *materia circa quam* objectified by the *ratio* is not a *materia informis* or a *materia commensurata a ratione*, but already a matter ordered and forged by reason. Or, as Thomas says, a *materia debita* or *materia commensurata a ratione* on the basis of the *finis rationis*; without the formal light of the *ordo rationis* – which is an *ordo ad finem* – the *materia circa quam* cannot even be thought of."³³

In synthesis, for Rhonheimer, the *materia circa quam* must be interpreted as a synonym for the moral object of the human act, given that it already includes a deliberate proposal which puts it in the *genus moris* and permits a first evaluation of its moral goodness – which is why Thomas uses the expression *materia debita* or *materia indebita*. The *materia ex qua* would seem to not properly belong to the moral discourse, i.e., it is situated outside of the *genus moris*, given that it is a metaphysical category that expresses the material element along the lines of prime matter, i.e. as uninformed potentiality.

It seems to us that Rhonheimer's interpretation of the concept of *materia circa quam* is a valid

³³ *Ibidem*, pp. 115-117: "San Tommaso, come già citato, sottolinea: 'Species moralium actuum constituuntur ex formis, prout sunt a ratione conceptae' [*Summa theologiae*, I-II, q. 18, a. 10, c.]. Questa 'forma a ratione concepta' non è nient'altro che l'oggetto di un'azione nel suo 'genus moris.' Perciò Tommaso sottolinea che questo oggetto non è una 'materia ex qua'; questa sta in effetti alla base di un processo naturale di 'generatio' come co-principio in vista della 'forma substantialis'; essa è, indipendentemente dalla 'forma,' ancora indeterminata e come 'materia prima' addirittura in pura potenzialità.

Gli oggetti d'azioni vengono chiamati invece una 'materia circa quam': questa non è un co-principio dell'oggetto globale ancora sotto l'aspetto della sua determinatezza materiale. Essa è configurata già dalla ragion pratica e perciò – contrariamente alla 'materia ex qua' – 'habet quodammodo rationem formae in quantum dat speciem' [*Summa theologiae*, I-II, q. 18, a. 2, ad 2]. Nel 'Commento alle Sentenze' Tommaso chiama la 'materia circa quam' addirittura 'finis actus,' che non è nient'altro che l' 'obiectum' [*Super Sent.*, lib. 2, d. 36, q. 1, a. 5, ad 4].

L'equiparazione dell'oggetto morale (oggetto della ragion pratica, 'actus exterior ordinatus a ratione,' e come tale preposto alla volontà in quanto oggetto proporzionato come fine del suo desiderio) con la 'materia circa quam' può talvolta confondere. La confusione si dissolve se si tiene conto che per Tommaso in ogni oggetto – come in ogni 'bonum' in generale – è da considerare un aspetto materiale e un aspetto formale, che non si sommano semplicemente come due 'cose,' e nemmeno si rapportano l'uno all'altro nel senso di co-principi ilemorfici, ma piuttosto, con una felice metafora, come i colori si rapportano alla luce. La 'materia circa quam' oggettualizzata dalla 'ratio' non è una 'materia informis,' ma già una materia ordinata, forgiata dalla ragione. O come dice Tommaso: una 'materia debita' o 'materia commensurata a ratione' in base al 'finis rationis'; senza la luce formale dell' 'ordo rationis' – che è un 'ordo ad finem' – anche la 'materia circa quam' non può nemmeno venire pensata.'

one, since it manages to integrate Aquinas's statements into a coherent whole.³⁴ Conversely, the claim that the *materia circa quam* is only the material element of the object unquestionably leads to not a few interpretive difficulties.³⁵

We are less enthusiastic about Rhonheimer's interpretation of the *materia ex qua*. Even if he says little about this, it seems to us erroneous to exclude the possibility of an analogous use of this concept, outside of the metaphysical context. Such a use would have the result that, applied to the human act, the *materia ex qua* would not be simply a pure potentiality, but would coincide with the material element of the object of the act, i.e. it would be the action considered in its *genus naturae*, prescindendo from the intentional proposal that animates it. Seen in this way, it also becomes easier to relate the *materia circa quam* to the *materia ex qua*. The first is like the body of the second, as the intentional proposal that animates the human act.

3. FINAL CONSIDERATIONS

If the *materia circa quam* is identified with the material element of the moral object of the human act, then it is necessary to admit that the *materia circa quam* of an act of fornication between an engaged couple, and that of a conjugal act of the same couple now recently married, would be the same in both cases. This fact would oblige us to conclude, however – contrary to Aquinas – that the specification of the act does not depend on its *materia circa quam*. If, on the other hand, we opt for identifying the *materia circa quam* with the object of the human act (with its material and formal dimensions), then the fornication of the engaged couple presents itself as a *materia indebita*, whereas the conjugal act of the recently-married couple is a *materia debita*. And the *materia ex*

³⁴ Cf. IDEM, *La prospettiva della persona agente*, cit., p. 184: “Materialmente parlando, possiamo dire che i diversi elementi che compongono l’atto esteriore sono come una ‘materia circa quam,’ una materia intorno alla quale l’azione si svolge e che la specifica come un determinato *tipo* di azione. Considerata, però, *formalmente*, vale a dire come oggetto di un atto umano e come fine – come oggetto cioè di un atto volontario – questa ‘materia circa quam’ è lo stesso atto esteriore in quanto *bonum apprehensum et ordinatum per rationem*. Soltanto così, la *materia circa quam* può essere compresa come oggetto morale e soltanto in questa maniera, come San Tommaso afferma esplicitamente, essa specifica l’atto *moralmente*” [“Materially speaking, we can say that the various elements that compose the exterior act are like a ‘materia circa quam,’ a matter with respect to which the action takes place, and which specifies it as a specific *type* of action. Considered *formally*, however, which is to say as the object of a human act and as an end – as the object, that is, of a voluntary act – the ‘materia circa quam’ is the exterior act itself as a *bonum apprehensum et ordinatum per rationem*. Only in this way can the *materia circa quam* be understood as a moral object, and only in this way, as St. Thomas explicitly states, does it *morally* specify the act”].

³⁵ Cf. *ibidem*, p. 184, nota n. 46: “Questa ‘flessibilità’ della ‘materia circa quam’ si spiega anche per il fatto che essa non è, appunto, una ‘materia ex qua,’ vale a dire la materia *di cui* qualcosa è fatta (cf. I-II, q. 18, a. 2, ad 2). La ‘materia circa quam’ ha delle caratteristiche diverse a seconda che è considerata soltanto materialmente – nel suo rapporto all’atto esteriore –, oppure come fine prossimo di un atto volontario (I-II, q. 72, a. 3, ad 2 [...]); in quest’ultimo caso, essa è precisamente ciò che si chiama l’oggetto” [“This ‘flexibility’ of the ‘materia circa quam’ can also be explained by the fact that it is precisely not a ‘materia ex qua,’ i.e. it is not the matter *of which* something is made (cf. I-II, q. 18, a. 2, ad 2). The ‘materia circa quam’ has different characteristics depending on whether it is considered only materially – in its relationship to the exterior act –, or as the proximate end of a voluntary act (I-II, q. 72, a. 3, ad 2 [...]); in this latter case, it is precisely what is called the object”].

qua? The *materia ex qua* in this case would be the sexual union considered in itself, which forms as it were the material element of the act of fornication or of the conjugal act. This is like the “body” of the action, which cannot be evaluated morally if it is taken in isolation. Conversely, if joined to a concrete “soul,” it is already susceptible of moral evaluation.³⁶

The *materia ex qua* is therefore not a pure potentiality capable of receiving a form, but, quite to the contrary, it is a matter capable of receiving *only* those forms that are proportionate to it.³⁷ In our example, the sexual union is a *materia ex qua* capable of receiving only three forms: specifically, those of the conjugal act, fornication and adultery. From this identical *materia ex qua* can derive three specifically distinct *materia circa quam*, and three only; it is not susceptible of receiving other intentional proposals beyond these, as for example the robbery of a bank. The material element of the moral object “to rob a bank” is not a sexual union, and it is not possible that it be so. It is another thing to say that someone commits fornication *so as* to rob a bank. In that case we would have two distinct moral objects – two *materia circa quam* – each having its *materia ex qua*.

The intentional proposal conceived by practical reason, which is the formal element of the object of the act, must necessarily be proportioned to the *materia ex qua*, which latter frequently coincides with the externally observable dimension of the action. There are cases in which the *materia ex qua* leaves practically no room for doubt – to an external observer – about what proposal animates the action. When I see a person buy a newspaper, I correctly deduce that that externally observable behavior, i.e. that *materia ex qua*, cannot *not* have as its form the intentional proposal to want “to buy a newspaper,” and in the vast majority of these cases my inference would turn out to be true. But even in these cases in which the *materia ex qua* is more “rigid,” almost determined *ad unum*, it is always possible to conceive of another purpose that “actualizes” that matter. In our example, it could perhaps be that of wanting to “pretend to be buying a newspaper so as to deceive an external observer.” In summary we can say that according to St. Thomas the *materia ex qua* has the potential of being informed by *some* specifically distinct proximate ends; it is thus rightly called

³⁶ Cf. E. COLOM - A. RODRÍGUEZ LUÑO, *Scelti in Cristo per essere santi*, cit., p. 177: “la azione morale non è un semplice evento esterno al quale seguono certi effetti. L'evento e gli effetti sono solo la componente fisica dell'azione, il corpo dell'azione, ma l'azione volontaria è costituita anche, e in senso formale, dalla volontarietà, che è come la sua anima” [“moral action is not a simple exterior event which is followed by certain effects. The event and the effects are only the physical component of the action, the body of the action, but the voluntary action is also constituted, and in a formal sense, by its voluntariness, which is like its soul”].

³⁷ Cf. *Super Sent.*, lib. 2, d. 38, q. 1, a. 5, c.: “non quaelibet materia est disposita ad quamlibet formam, nec quodlibet instrumentum ad quemlibet effectum, nec quodlibet medium ad quamlibet conclusionem; ita nec quilibet actus ad quemlibet finem” [“not any mater is disposed to receive a certain form, neither any instrument to produce a certain effect, nor a mean to achieve a certain conclusion, and in the same way not any act leads to a certain end”]. Even if in this passage Aquinas does not refer directly to the case of the *materia ex qua*, we think that nevertheless this idea fully applies to it as well.

a proportionate matter. This does not mean that this same type of relation cannot exist between the *materia circa quam* and the *finis operantis*. One could then also speak of the *materia circa quam* as being, or as not being, a matter proportionate to a given *finis operantis*.

The distinction between the *materia ex qua* and the *materia circa quam* is often useful in cases in which there can exist different intentional proposals, each with a different morality. An example would be the famous case of voluntary homicide and legitimate self-defense, which we will have occasion to examine in more detail below. It seems clear that for St. Thomas this case involves very different *materia circa quam*, even though the *materia ex qua* would be very similar.

Just as a given *intentio* cannot be realized by just any *electio*, but only by those having a *debita proportio* to it, in the same way it can also be said that between the *materia ex qua* and the *materia circa quam*, i.e. the object of an *electio* (*finis proximus*), there must exist a *debita proportio*.³⁸ For example, the *materia ex qua* “to cause the death of a man” is proportioned to various *electio*: to the choice of administering a just punishment, to the choice of satisfying one’s anger, to the choice of taking another’s life, and to the choice of defending one’s own life.³⁹ Sometimes there are complex acts in which it is not clear if the *finis intentus* by the agent is a *finis proximus* or a *finis operantis*. In these cases the critical point is to determine if a *debita proportio* exists or not between a given *materia ex qua* and a given *finis intentus*. If it does exist, then the end in question is a *finis proximus* and those two realities form a *materia circa quam*, that is, a moral object already capable of being evaluated in its morality. If not, then this means that in fact the *finis intentus* is not immediately realizable by means of this *materia ex qua*, that is, it is not in fact

³⁸ Cf. *ibidem*: “non quaelibet materia est disposita ad quamlibet formam” [“not any matter is capable of being informed by any form”].

³⁹ Cf. *Summa theologiae*, I-II, q. 1, a. 3, ad 3: “Possibile tamen est quod unus actus secundum speciem naturae, ordinetur ad diversos fines voluntatis, sicut hoc ipsum quod est occidere hominem, quod est idem secundum speciem naturae, potest ordinari sicut in finem ad conservationem iustitiae, et ad satisfaciendum irae. Et ex hoc erunt diversi actus secundum speciem moris, quia uno modo erit actus virtutis, alio modo erit actus vitii. Non enim motus recipit speciem ab eo quod est terminus per accidens, sed solum ab eo quod est terminus per se. Fines autem morales accidunt rei naturali; et e converso ratio naturalis finis accidit morali. Et ideo nihil prohibet actus qui sunt iidem secundum speciem naturae, esse diversos secundum speciem moris, et e converso” [“It is possible, however, that an act which is one in respect of its natural species, be ordained to several ends of the will: thus this act ‘to kill a man,’ which is but one act in respect of its natural species, can be ordained, as to an end, to the safeguarding of justice, and to the satisfying of anger: the result being that there would be several acts in different species of morality: since in one way there will be an act of virtue, in another, an act of vice. For a movement does not receive its species from that which is its terminus accidentally, but only from that which is its ‘per se’ terminus. Now moral ends are accidental to a natural thing, and conversely the relation to a natural end is accidental to morality. Consequently there is no reason why acts which are the same considered in their natural species, should not be diverse, considered in their moral species, and conversely”]; *ibidem*, q. 88, a. 6, ad 3: “sicut Augustinus dicit, in libro contra mendacium, ea quae sunt secundum se mala, nullo fine bene fieri possunt. Homicidium autem est occisio innocentis, et hoc nullo modo bene fieri potest. Sed iudex qui occidit latronem, vel miles qui occidit hostem reipublicae, non appellantur homicidae, ut Augustinus dicit, in libro de libero arbitrio” [“As Augustine says (Contra Mendacium vii), ‘those things which are evil in themselves, cannot be well done for any good end.’ Now murder is the slaying of the innocent, and this can nowise be well done. But, as Augustine states (De Lib. Arb. i, 4,5), the judge who sentences a thief to death, or the soldier who slays the enemy of the common weal, are not murderers”].

proximus, but is only attainable through another action. This further action would have a distinct *finis proximus*, which can be purely instrumental in view of the intended end – which is in reality a *finis operantis*. The fact that one is dealing here with a merely instrumental *finis proximus* does not remove it from the *genus moris*, because we are still dealing with an act that proceeds from reason and will and is thus susceptible of being evaluated in its morality.

Bearing these considerations in mind, Aquinas's argumentation regarding legitimate defense becomes particularly clear. On the one hand St. Thomas explicitly says that "it is not lawful for a man to intend killing a man in self-defense,"⁴⁰ emphasizing in this way that *intendere occidere* is a *finis proximus indebitum*, due to its evident contrast with the *ordo rationis*; specifically, it is gravely opposed to the virtue of justice. This *finis proximus* always and necessarily gives origin to a *materia circa quam indebita*, i.e. to a disordered moral object.

Aquinas, however, admits the possibility that *under certain conditions* a *materia ex qua* that is similar, or even the same, as that of the act *intendere occidere* could have a *debita proportio* with the *finis proximus* of *seipsum defendere*, and that when this occurs, the intention of *seipsum defendere* is immediately realizable by means of the *materia ex qua* in question, meaning that it is truly the *finis proximus* of the act of the will. In this case, the *materia circa quam* which is formulated is specifically different than the act that has for its *finis proximus* the intention of *intendere occidere*, and this *materia circa quam* is a *materia debita* because it is *secundum ordinem rationis*. An implicit assumption of St. Thomas, in this case, is that a single *materia ex qua* can give origin to different *materia circa quam* depending on the *finis proximus* that informs it, though it can also happen that a small change in the *materia ex qua* would again make it proportioned to only one *finis proximus*, and not to two as before. Along these lines Aquinas emphasizes that "though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end. Wherefore if a man, in self-defense, uses more than necessary violence, it will be unlawful."⁴¹ If the *materia ex qua* ceases to be proportioned to being informed by the *finis proximus* of *defendere seipsum* because, for example, when *utatur maiori violentia quam oporteat*, then this means that *defendere seipsum* is actually the *finis operantis*, because it is no longer immediately realizable, having lost the *debita proportio* to the *materia ex qua*. This is what Aquinas means when he asserts that if the *materia ex qua* manifests some transitive characteristics of the action (such as *utatur maiori violentia quam oporteat*), then it loses its capacity to be informed by the *finis proximus* of *defendere seipsum*. St. Thomas's comment here fully accords with moral experience.

⁴⁰ *Ibidem*, II-II, q. 64, a. 7, c.: "illicitum est quod homo intendat occidere hominem ut seipsum defendat."

⁴¹ *Ibidem*: "Potest tamen aliquis actus ex bona intentione proveniens illicitus reddi si non sit proportionatus fini. Et ideo si aliquis ad defendendum propriam vitam utatur maiori violentia quam oporteat, erit illicitum."

One who deliberately exceeds the measure of an act of self-defense cannot claim that he *only* wanted to defend himself. That deliberate “excess” is not compatible with, nor is it susceptible of being intentionally caused by, an exclusively defensive *finis proximus*. In this context, this *materia ex qua* is only proportioned to being “animated” by the *finis proximus* of *intendere occidere*.⁴²

A confirmation of our interpretation can be found, we believe, in the response to the fourth objection, when Aquinas says that acts of fornication or adultery are of necessity not ordered to the preservation of one’s life.⁴³ Here, it seems to us that what Aquinas wants to emphasize is that it is not possible for the *materia ex qua* of fornication or of adultery to be informed by the *finis proximus* of *seipsum defendere*. This implies that in the case where one commits fornication with the intention of saving his own life, the object of the act can only be that of “to fornicate,” and the *finis intentus* of *seipsum defendere* is not immediately realizable with this *electio*, which is to say that it is always *necessarily* a *finis operantis*. Something different occurs with the *materia ex qua* of the defensive act, which, as Thomas teaches, *per se* can immediately produce two effects, that of preserving one’s own life and that of causing the death of the aggressor. It is, so to speak, a “more elastic” *materia ex qua*, which can be informed both by an exclusively defensive *finis proximus* and by a homicidal *finis proximus*.

Another example, in which the articulation of the conclusions we have reached in our study is quite clear, is the case of fornication, adultery and the conjugal act. It is unanimously accepted that these are three specifically distinct acts from the moral point of view.⁴⁴ In fact the *obiectum* of each is related (*commensuratio*) in a different way with the *ordo rationis*, as we have had occasion to study in more detail in my article *The ‘Ordo Rationis’ and the Moral Species*⁴⁵. Fornication is contrary to chastity, adultery is contrary to chastity and justice, and the conjugal act is in accord with charity and conjugal chastity. Any of these acts can be the end of an *electio*, i.e. each can be an immediately realizable *finis proximus*. When this occurs, each of these acts assumes the nature of the *materia circa quam* of the act. St. Thomas would say that both fornication and adultery are a *materia indebita*, but that the conjugal act is a *materia debita*. What we want to emphasize here,

⁴² Cf. *ibidem*, q. 33, a. 2, c.: “Actus autem peccatorum sunt secundum se mali, et nullo modo bene fieri possunt, nec aliquo tempore aut loco, quia *secundum se sunt coniuncti malo fini*” [“Now sinful acts are evil in themselves, and cannot become good, no matter how, or when, or where, they are done, because *of their very nature they are connected with an evil end*”]. Emphasis added. Here Aquinas seems to emphasize precisely that by the *materia ex qua*, some acts cannot be joined other than to a disordered *finis proximus*.

⁴³ Cf. *ibidem*, q. 64, a. 7, ad 4: “actus fornicationis vel adulterii non ordinatur ad conservationem propriae vitae ex necessitate, sicut actus ex quo quandoque sequitur homicidium [“The act of fornication or adultery is not necessarily directed to the preservation of one's own life, as is the act whence sometimes results the taking of a man's life”].

⁴⁴ Cf. *ibidem*, I-II, q. 19, a. 1, c.: “voluntas bona et mala sunt actus differentes secundum speciem. Differentia autem speciei in actibus est secundum obiecta” [“good and evil will are acts differing in species. Now the specific difference in acts is according to objects”].

⁴⁵ Cf. D. SOUSA-LARA, *The ‘Ordo Rationis’ and the Moral Species*, in «Josephinum Journal of Theology» 17 (2010), pp. 80-125.

however, is how three different *materia circa quam* can have in common a single *materia ex qua*. In this case the *materia ex qua* is capable of being informed by three *finis proximus* with different moral species, and consequently of giving origin to three specifically distinct acts according to the *genus moris*, though having a single species according to the *genus naturae*.

Once again we see that to adequately determine the moral species of a human act, it is fundamental to adequately distinguish the *materia ex qua* – that is, the species of the act considered according to its *genus naturae*, which in this case we could call “sexual union” – from the *materia circa quam*, which includes the movement of the *electio* toward its *obiectum*, i.e. to the *finis proximus* of the act. The *materia ex qua* does not possess an intrinsic morality, for the simple reason that it is not a *human* act, but only an abstraction from the material dimension of an act. Nonetheless, even if the *materia ex qua* does not possess an intrinsic morality, this does not mean that it makes no sense whatsoever to consider it in the moral evaluation of a concrete human act. As has already become clear, in not a few cases the question arises of whether a given intentional proposal is a *finis proximus* or a *finis operantis*. In such cases the solution to this question is arrived at by determining whether the *materia ex qua* of the act is proportioned to the *finis intentus*, in the sense of knowing whether or not the former is capable of being informed by the latter. If it is, as we saw in the case of legitimate defense, then the *finis* in question is a *finis proximus* that specifically determines the moral species of the act. If it is not, then there is actually another *finis proximus*, which could even be purely instrumental, and the *finis* that moves the subject to the action is actually at the second level, i.e. it is a *finis operantis*. Without distinguishing the *materia ex qua* from the *materia circa quam*, this discernment concerning the object of the act becomes very difficult and confused.

We offer here a final reflection, in response to the question of why St. Thomas uses the expression *materia* to refer to a reality – the object of the human act – which already includes in itself a formal principle. We think the answer is found in Aquinas’s conception of the way different actions are ordered among themselves. The fact that action X is ordered to action Y results, according to Thomas, in these actions forming a unity, given that the reason for wanting X is Y. Thomas emphasizes this fact using hylomorphic analogy. X is material in relation to Y, and Y is form in relation to X, and as such they form an intentional unity. Therefore, when Thomas applies the term *materia* to the object of the human act, he does so not to say that we are dealing with a material reality in a metaphysical sense, but to indicate that that object is wanted by the will in view of an ulterior end, which is like its form.