

Chapter 1 : Kennedy Funding Closes \$ Million Loan To Maryland Engineering Firm - NBC2 News

Motorcyclist hit by car Chico Highway 99 3/2 Archives.

Many properties some philosophers would say all properties are such that in order for an object to possess them, that object must exist. According to the basic modal characterization, any such property, if possessed by a contingently existing object, will be counted as an accidental property of that object. But this seems wrong. Consider the property of being a dog. It is plausible and for present purposes we assume it is true that an object must exist in order to possess this property. There is a possible world in which Emma does not exist. And in this world given our assumption Emma is not a dog, since Emma does not exist there. So, according to the basic modal characterization, being a dog is an accidental property of Emma. But however we characterize the distinction between essential and accidental properties, the characterization should not by itself rule out the intuitively compelling claim that Emma is essentially a dog. So the basic modal characterization seems flawed. But this formulation too is less than satisfactory. A widely noted problem for this way of drawing the distinction is that it makes existence into an essential property of each object, since no object could lack existence and yet exist. But a good characterization of the distinction should not rule on a substantive matter in this way. Arguably neither of these problems is devastating. Those who favor the basic characterization can say that typically when someone claims, for example, that Emma is essentially a dog, what is really meant is not that Emma has essentially the property of being a dog, but instead that Emma has essentially the property of being a dog if existent. Existence will be treated specially on this approach: Those who favor the existence-conditioned characterization can say that when someone says that only God has existence as an essential property, what is really meant is that only God has existence as a necessary property, where a necessary property of an object is a property that the object possesses in all possible worlds. According to the basic modal characterization, an essential property is the same as a necessary property. Both approaches may be faulted for making a special case of the property of existence. But that is not perhaps such a great fault, given that existence does seem to be a special case and that it is treated specially in other areas of philosophy as well. It is perhaps worth pointing out that according to many philosophers—Kant, Russell, and Frege to name three—existence is not a property at all. If this is right, then existence is indeed a very special case. In what follows, we shall not be concerned with the details arising from the need for some sort of existence condition—either in the statement of the definition of an essential property as on the existence-conditioned modal characterization or in the properties that are taken to be essential as on the basic modal characterization. Together, usually indiscriminately, these amount to what we call the modal characterization. If one claims that something is possible, it is sometimes natural to take this to mean that one does not know it to be false. For example, suppose that you ask someone whether Socrates ever went to Sparta and she answers that it is possible. It is natural to understand her as saying that she does not know that Socrates did not go to Sparta. This notion of epistemic possibility is clearly distinct from the notion of metaphysical possibility, since there are cases of epistemic possibilities that are not metaphysical possibilities. And there are cases of metaphysical possibilities that are not epistemic possibilities. That there are only two planets in our solar system is metaphysically possible but not epistemically possible for most of us, given that most of us know that there are not only two planets in our solar system. This is not to deny that there may be some notions of epistemic possibility—for example, maximally complete ways the universe can coherently be conceived to be—for which it is at least plausible to suppose that every metaphysical possibility is also an epistemic possibility. Even if this is so, the notions of metaphysical possibility and epistemic possibility are distinct. In addition to various notions of epistemic possibility, philosophers have been concerned with three particular notions of possibility that are generally regarded as non-epistemic: On one common view, the physical possibilities are a subset of the metaphysical possibilities, which in turn are a subset of the logical possibilities. But see Fine for an opposing view. Here are a couple of examples of things that are logically possible but neither metaphysically nor physically possible: To supplement these examples, it would be nice to give characterizations of the three notions that are free from controversy. That is easier said than done.

Nonetheless, we offer some characterizations that are relatively uncontroversial. Metaphysical possibility is often taken as a primitive notion that figures into the idea of a physical possibility: Other nomological possibilities, such as chemical or biological possibility, can be understood similarly. Assuming that the notion of a logical truth is understood, then the logical necessities are simply the logical truths, so that the logical possibilities are those things whose negations are not logical truths. It is easy to confuse the notion of an essential property—“a property that a thing could not lack”—with the notion of a property that a thing could not lose, so it is worth taking a minute to reflect on the difference. Of course, any property that a person could not lack is one that that person could not lose, since by losing a property the person comes to lack it. There are properties that a person could not lose—like the property of having spent Christmas in Tennessee—that are nevertheless not essential to that person. To say that something is essential for something else is typically just to say that the first is necessary for the second. But however well this account fits with this aspect of our everyday understanding of essentiality, it has some consequences that may be surprising: Socrates must have this property for the simple reason that it is necessary that there are infinitely many primes. Some philosophers, most prominently Kit Fine, have found these results disturbing. Fine thinks that the notion of an essential property of a thing should be bound up with the notion of what it is to be that thing, but, Fine thinks, being such that there are infinitely many primes intuitively has nothing to do with what it is to be Socrates. This is a difficult question. At first sight, it seems to be a category mistake: But other objects—such as Socrates—do not seem to admit so readily of definition. So even if the notion is understood well enough for some objects never mind that not everyone would allow that the number 2, for example, is an object, a major challenge for the advocate of the definitional characterization is to provide a respectable general understanding of the notion of a definition for an object. Edward Zalta was among the first. He distinguishes between abstract objects such as numbers and fictional characters and ordinary objects such as Socrates. According to Zalta, every object necessarily exists whether abstract or ordinary, but ordinary objects are not necessarily concrete. Indeed, an ordinary object such as Socrates is concrete in some possible worlds but non-concrete in others. Zalta suggests two separate accounts of essence, one corresponding to abstract objects and the other corresponding to ordinary objects. In all possible worlds, Socrates is such that there are infinitely many primes whether Socrates is concrete or non-concrete. Thus, condition 2 is not satisfied. Only abstract objects are capable of encoding properties, according to Zalta. To say that an abstract object encodes a property is to say that the property is included in our conception of the object. Thus, the fictional character Sherlock Holmes encodes the property of being a detective, even though Sherlock Holmes does not have this property. Sherlock Holmes exemplifies properties such as being created by Arthur Conan Doyle and having been portrayed by Jeremy Brett. Fabrice Correia suggests a different version of the modal characterization, based on a non-standard conception of modality: Philosophers typically regard possible worlds as giving a complete description of a possible state of the universe. These are what Correia calls globally possible worlds. Locally possible worlds form a broader class. They include all the globally possible worlds, but also strictly locally possible worlds, which are incomplete and do not include facts about certain objects. Correia suggests that there are strictly locally possible worlds in which there are facts about Socrates but no facts about prime numbers. Thus, it is not locally necessary that Socrates has the property of being such that there are infinitely many primes. In a series of papers, Berit Brogaard and Joe Salerno a, b, have defended a version of the modal characterization that relies on their non-standard conception of counterfactuals: For example, Brogaard and Salerno would say that the following counterfactual is false: If nothing had the property of being such that there are infinitely many primes, then Socrates would not exist. Since this counterfactual is false, condition 2 is not satisfied. Thus, Socrates is not essentially such that there are infinitely many primes. As Wildman and Cowling point out, there are several ways of cashing out the distinction between sparse properties and abundant properties see Schaffer for a thorough discussion. What is important is that on any plausible account of the distinction, the properties invoked by Fine will not count as sparse properties. Thus, condition 2 will not be satisfied. David Denby defends a similar version of the modal characterization, appealing to the more familiar distinction between intrinsic properties and extrinsic properties: Roughly, an intrinsic property is a property that an object possesses in isolation, while an extrinsic property is a property that an object possesses

only in relation to other objects. Again there are different ways of cashing out this distinction. But again the important point is that on any plausible account of the distinction, the properties invoked by Fine will not count as intrinsic properties. It agrees with the definitional characterization that the modal characterization is too liberal in what it counts as essential, but it avoids appeal to the notion of a definition of an object. For example, having six protons might count as an essential property of a carbon atom because this property figures fundamentally into explanations of its possession of other properties, like its bonding characteristics. Just as the advocate of the definitional characterization is challenged to provide a respectable understanding of the relevant notion of definition, the advocate of the explanatory characterization is challenged to provide or to borrow from the philosophy of science a respectable understanding of the relevant notion of explanation. The distinction between accidental and essential properties is, at least on the most basic version of each account, both exclusive and exhaustive. On some more refined versions of these accounts, the distinction remains exclusive, but not exhaustive. In addition, it seems that the root of each of the characterizations goes back at least to the work of Aristotle. For the modal characterization, see *Topics* b5ff; for the definitional, see *Metaphysics* a12; and for the explanatory, see *Posterior Analytics* 74b5ff. It is not clear whether these three characterizations should properly be thought of as competing characterizations of a single notion or instead as ways of trying to capture three related, but different, and equally legitimate, notions. Since the modal characterization has been the most common in the last fifty years, the modal characterization will dominate the concerns of this entry.

Four Ways of Characterizing Essentialism There are at least four fairly standard ways of characterizing essentialism, and by considering two extreme views, we can easily see the differences among these four characterizations. Should so-called minimal essentialism really count as a form of essentialism? And should so-called maximal essentialism really count as a form of essentialism? There are four positions in logical space with respect to these questions: Each of these positions is occupied by some reasonably prominent characterization of essentialism. We are inclined to think that this simple and straightforward characterization is the most common understanding of essentialism, although it is rarely explicitly stated.

Chapter 2 : Motorcyclist hit by car Chico Highway 99 3/2 Archives - Johnson Attorneys Group

The distinction between essential versus accidental properties has been characterized in various ways, but it is currently most commonly understood in modal terms: an essential property of an object is a property that it must have, while an accidental property of an object is one that it happens to.

Ontological status[edit] In his dialogues Plato suggests that concrete beings acquire their essence through their relations to " Forms "â€”abstract universals logically or ontologically separate from the objects of sense perception. These Forms are often put forth as the models or paradigms of which sensible things are "copies". When used in this sense, the word form is often capitalized. Typical examples of Forms given by Plato are largeness, smallness, equality, unity, goodness, beauty and justice. Aristotle moves the Forms of Plato to the nucleus of the individual thing, which is called ousia or substance. Essence is the ti of the thing, the to ti en einai. Universals are words that can to call several individuals; for example the word "homo". John Locke distinguished between "real essences" and "nominal essences". Real essences are the thing s that makes a thing a thing, whereas nominal essences are our conception of what makes a thing a thing. However, ideal means that essence is an intentional object of consciousness. Essence is interpreted as sense E. Husserl, Ideas pertaining to a pure phenomenology and to a phenomenological philosophy, paragraphs 3 and 4. Instead of "is-ness" generating "actuality," he argued that existence and actuality come first, and the essence is derived afterward. For Kierkegaard , it is the individual person who is the supreme moral entity, and the personal, subjective aspects of human life that are the most important; also, for Kierkegaard all of this had religious implications. For Kierkegaard, however, the emphasis was upon essence as "nature. First, he or she exists, and then comes property. Thus, in existentialist discourse, essence can refer to physical aspect or property to the ongoing being of a person the character or internally determined goals , or to the infinite inbound within the human which can be lost, can atrophy, or can be developed into an equal part with the finite , depending upon the type of existentialist discourse. Marx said human nature was social, and that humanity had the distinct essence of free activity and conscious thought. Within the Madhyamaka school of Mahayana Buddhism , Candrakirti identifies the self as: The non-existence of that is selflessness. It is the absence of essence. Unskilled persons whose eye of intelligence is obscured by the darkness of delusion conceive of an essence of things and then generate attachment and hostility with regard to them. However, the Madhyamaka also rejects the tenets of Idealism , Materialism or Nihilism ; instead, the ideas of truth or existence, along with any assertions that depend upon them are limited to their function within the contexts and conventions that assert them, possibly somewhat akin to Relativism or Pragmatism. For the Madhyamaka , replacement paradoxes such as Ship of Theseus are answered by stating that the Ship of Theseus remains so within the conventions that assert it until it ceases to function as the Ship of Theseus. These samskaras create habits and mental models and those become our nature. Dharma is derived from the root dhr "to hold. That is, Dharma is that which gives integrity to an entity and holds the core quality and identity essence , form and function of that entity. Dharma is also defined as righteousness and duty.

Chapter 3 : The Road Accident Fund and serious injuries: the narrative test [] PER 23

CHAPTER 3 ESSENCE AND ACCIDENT I. SUBSTANCE AND ACCIDENT 'Substance' is a term traditionally opposed to 'accident' or 'attribute'. Particulars are contrasted with properties.

Section 3 of the Act explains the objective of the Fund as the payment of compensation in accordance with the Act for loss or damage wrongfully caused by the driving of motor vehicles. This article deals only with the concept of "serious injury" and not with the other limitations in the Act. According to the Act a medical practitioner has to determine whether or not the claimant has suffered a serious injury by undertaking an assessment prescribed in the Regulations to the Act. When compiling the report, the medical practitioner must first have regard to a list of non-serious injuries. In this case the medical practitioner should apply the "narrative test". According to this test the medical practitioner should consider if the injury has resulted in any of the following consequences: In an apparent attempt to compensate for these inadequacies the narrative test has been designed as an alternative method of assessing serious injuries. The need for the narrative test arises particularly under two groups of circumstances; namely when the nature of the impairment cannot be dealt with adequately by the methodology of the AMA Guides, and when the circumstances of the injured result in serious disability even though the impairment taken in isolation may not have been seen as serious. This article discusses reasons why the Regulations do not fulfil the requirements of the Act; reasons why the AMA Guides is not adequate to the task; the impact of the circumstances of an injured person on disability; problems with the existing wording of the narrative test; shortcomings on the RAF 4 form; the administrative process and the appeals tribunals. Reference is also made to court cases in which the narrative test was analysed. In conclusion, recommendations are made in relation to the effective use of the narrative test and the completion of RAF 4 reports in line with the requirements of the Act, how the Regulations and RAF 4 form could be improved, and more relevant training of doctors, lawyers and administrators. Firstly, the Amendment Act stipulates in section 17 1A a that the "Assessment of a serious injury shall be based on a prescribed method adopted after consultation with medical service providers and shall be reasonable in ensuring that injuries are assessed in relation to the circumstances of the third party". In highlighting the importance of "the circumstances of the third party", the Act therefore prescribes an assessment of "disability" as opposed to an assessment of "impairment". Contrary to this important and just provision of the Act, the Regulations prescribe the use of the AMA Guides, which in turn prescribes an "impairment" rating system. For practical purposes this system excludes consideration of the circumstances of the injured person. As clearly stated in the AMA Guides, they do not purport to be and cannot on their own be considered to be guides to permanent disability rating. Permanent impairment is only one of many components that contribute to permanent disability. The seriousness of an injury relates to the degree of disability far more than to the degree of impairment alone. This is because of the major contributions to the seriousness of the permanent sequelae of injuries that are made by geographical, economic, housing, transport, employment and other factors, all of which are contemplated in the meaning of disability but not in the meaning of impairment. Section 17 1A a of the RAF Act specifically requires that "Assessment of a serious injury shall be based on a prescribed method adopted after consultation with medical service providers and shall be reasonable in ensuring that injuries are assessed in relation to the circumstances of the third party" own emphasis. According to social justice relevant external factors in addition to impairment should be taken into consideration as well. Professional experience abounds with examples of major differences between the impact of the same injury and the same impairment on different persons in different social and geographical circumstances, on the ability to function, on the ability to perform the activities of daily life, and therefore on the quality of life. To ignore these important contributing factors will exclude from the system of compensation the major suffering of countless impoverished and otherwise disadvantaged victims of road accidents. Many such victims are necessarily more susceptible to environmental obstacles than wealthier persons who have access to mechanical or domestic amenities that poor people lack. Many poor persons have limited educational or other vocational skills and they are limited to performing manual work. That means that the same physical impairment percentage will

have a greater impact on a poor person who is qualified to perform manual labour only and who has limited resources, than on persons with a wider range of skills, facilities, transport and access to healthcare. What is socially unjust is the provision in the Regulations that prescribes the use of an inappropriate instrument to measure serious injury. The Regulations prescribe an instrument in the AMA Guides that measures only one of the major elements that contribute to the seriousness of an injury, namely "impairment". In some instances it is addressed by way of grade modifiers, but in such a minute way as to be practically ineffective. If the intention of awarding compensation for "general damages" is to compensate victims for "non-pecuniary damages" such as "pain and suffering and losses of amenities and enjoyment of life", it is scientifically misguided and socially unjust to determine those victims who should receive compensation for "general damages" by use of an instrument that according to its own description fails to award any more than a token percentage to chronic pain in the vast majority of cases. This is because it has thus far proved to be impossible to apply consensus-based percentages to the suffering associated with pain. The second reason that the AMA Guides is not adequate to the intended task relates to inherent inadequacies in the Guides in terms of their usage for the assessment of "general damages" as contemplated in South African practice. General damages are intended to provide compensation for "pain, suffering and losses of amenities and enjoyment of life". The suffering of any injured person is an intensely personal and subjective experience. Whereas the Guides is good at the assessment and comparison of concrete elements of impairment that are amenable to objective measurement, such as the degrees of loss of motion of an injured joint, they fall short in the assessment and comparison of equally important but more abstract and subjective impairment associated with suffering. In the result the Guides does make provision for small and inconsistent impairment percentages for pain and loss of amenities, but these are ineffectual in meeting the 30 per cent of WPI benchmark provided for in the Regulations. Chapter 3 of the AMA Guides, "Pain-Related Impairment", provides that when pain has been identified by the patient as a major problem, and when a number of other criteria have been met, the degree of pain-related impairment is to be assessed according to the prescribed "Pain Disability Questionnaire". Further to the above, internal inconsistencies are apparent in other sections of the Guides. Certain specific severe pain syndromes are awarded different percentages. The worst class of migraine headache, described as "severe disability", is awarded 5 per cent of WPI. All victims with "severe" and the majority of victims with "very severe" complex regional pain syndrome in the lower extremities, and who meet stringent diagnostic criteria, are awarded ratings between 10 and 28 per cent of WPI depending on grade modifiers 26 to 70 per cent lower extremity impairment rating, while only the two worst grades of the class 4 "very severe" are awarded ratings above 30 per cent, namely ratings of 32 or 36 per cent of WPI 80 or 90 per cent lower extremity impairment rating. It is inconceivable that this unconscionable effect could have been the intention of the Act. The third reason that the AMA Guides is not adequate to the intended task relates to inherent difficulties in the measurement of the more abstract though objectively evident impairments associated with brain damage on the one hand and the psychological sequelae of injuries on the other. The "neurocognitive" and "psychiatric" sections of the Guides are less scientifically clear and less consistent than the "orthopaedic" and "neurophysical" sections of the Guides. If a person suffers a brain injury, for example, physicians assessing the injured are to use the Mental Status Exam for the Neurologically Impaired Patient. There is no indication as to the criteria for rating a mental impairment as "mild", "moderate" or "severe", which is the determination upon which classifications should be made in Classes 1, 2 and 3. Chapter 14 of the Guides, entitled "Mental and Behavioural Disorders", deals with psychiatric conditions, while chapter 13, which is entitled "Central and Peripheral Nervous System", deals with neurological conditions. There is an unfortunate potential ambiguity in the choice of words in that the neurological sequelae of traumatic brain injury typically include mental and behavioural disorders. A doctor compiling a report for an individual with mental and behavioural disorders due to traumatic brain injury can therefore end up using the psychiatry chapter instead of the neurology chapter. Adding to the problem, table of the psychiatry chapter, which deals with "GAF" Global Assessment of Functioning is reproduced as in the neurology chapter, therefore prescribing a psychiatric instrument for a neurological condition. The application of the impairment percentages in tables or to survivors of traumatic brain injury leads to significant under-assessment of the seriousness of the injury. For example, a person with

major and permanent life-altering sequelae, including the loss of employability, amenities and independence, defined in the Guides as "serious symptoms e. A person with even worse sequelae, defined in the Guides as "some impairment in reality testing or communication e. The effect is that such individuals may be denied any compensation for general damages. This could not have been the intention of the legislature. The above comments are not intended as criticism of the authors of the Guides, who have performed an admirable task in compiling a comprehensive impairment rating system, but are intended to highlight the serious problems and inter-observer discrepancies of a system in which observers are required to apply a percentage-based system to impairments that are objective but abstract, and even more so to impairments that are both subjective and abstract. The ideal is that only doctors who have attended a course presented by the author s of the Guides should be authorised to compile an RAF 4 report. To date not enough doctors have completed the course and therefore any medical practitioner who is registered in terms of the Health Professions Act 56 of is at this stage "qualified" to fill in the form or compile a report without necessarily knowing how to employ the AMA Guides. In normal clinical practice doctors have no reason to perform assessments under the Guides, which would serve no purpose when treating a patient. There is no external postgraduate training in the Guides in South Africa except for the occasional courses provided under the auspices of the RAF. The effect is that not enough doctors are proficient in the use of the Guides. Without training in the AMA Guides medical practitioners would not be able to make complex assessments in terms of the Guides. In fact, many medical practitioners who have undergone the standard training in using the Guides still need further experience and study before becoming able to make adequate independent impairment assessments in terms of them. This adds counterproductive complexity and cost to the prescribed assessments. Although it is the intention of the AMA Guides that a single qualified medical practitioner should perform a comprehensive assessment according to the methodology of the Guides, in practice even medical practitioners who are qualified CIMEs 29 are sometimes unwilling to transgress into other speciality fields and give opinions in areas of medicine in which they do not have sufficient knowledge. In *Mngomezulu v RAF* 30 the court held that with regard to assessing the injury after an accident as serious in terms of the amendments to the RAF Act , 31 the two alternatives tests that can be used are: The narrative test is a safety net providing an alternative assessment where the AMA Guides would not result in a finding of serious injury according to the prescription of the Regulations. He instituted action against the RAF. Various reports and RAF 4 forms had been completed by medical specialists confirming that the injuries he sustained were serious as per the narrative test. The RAF opposed the action. The RAF contended that the medical practitioners had not completed the RAF 4 form correctly in that they failed to assign a "whole person impairment" rating and instead chose to rely on the narrative test, yet the court pointed out that there was nothing in the Regulations which prevented the plaintiff from being assessed in terms of the narrative test. Either of these tests may be used. In *Daniels and 2 Others v RAF* 33 , a woman was struck down by a motor vehicle and sustained severe injuries to her lower leg. As a result of this she was unable to resume her work as her previous employment required her to run about physically. She claimed her injuries were serious within the meaning of section 17 1 of the RAF Act and she claimed compensation for general damages. She could not afford to pay the R7 required for a serious injury assessment report and submitted a request to the Fund for financial assistance. The Fund refused this request and contended that it was liable to pay the costs of a serious injury assessment only in the event that the claimant had sustained serious injuries that resulted in not less than 30 per cent WPI. The Fund did not consider the narrative test adequate to ascertain the seriousness, or lack thereof of the injury. In the court papers the Fund explained that they will assist a person financially only if there is a prima facie indication of a serious injury. It further stated that the narrative test is there only to cover the isolated and rare cases where the whole person impairment test fails. It is thus a fallback position. There is nothing in the Regulations which suggest that the narrative test should be applied only in "rare and isolated cases". The whole person impairment test is largely based on the table of activities of daily living, 35 which includes basic activities such as grooming, toileting, feeding, dressing and bathing, as well as advanced activities such as driving a car, sexual function, money management, shopping, housework and moderate activities. It is submitted that a person should be tested not only against activities of daily living when using the narrative test, but also

according to the roles he or she plays in life. By way of example, life roles include being a mother, a husband, a friend, an accountant, a professor, a politician, a sportsperson and so on. For example, if an academic or a professional practitioner with a pre-accident IQ of 140 has been reduced to an IQ of 100 by a head injury, the impairment may seem minor as many people excel on an IQ of 100. However, for the head-injured academic or professional practitioner the injury results in serious disability as the loss of intellectual capacity renders him or her unable to work or engage in other life roles as before. In many cases the result is that the individual suffers permanent and distressing losses of status, dignity and respect.

Problems with the RAF 4 form and the narrative test

The Act stipulates in Section 24(2)(a) that "The medical report shall be completed on the prescribed form by the medical practitioner who treated the deceased or injured person for the bodily injuries sustained in the accident from which the claim arises, &€". The form referred to in Section 24 is the RAF 4 report form. The form states at the beginning, amongst other things, that a claim for non-pecuniary "general damages" or "pain and suffering" will not be considered unless the report is duly completed and submitted. The RAF 4 form must be completed by a medical practitioner registered in terms of the Health Professions Act 56 of 1974. Finally the report must be compiled by using the tables and page numbers from the AMA Guides.

Problems arise in relation to the loose use of the word "injury" where the context appears to relate to complications, impairment or disability. This can easily lead to confusion. Point 3 on the form, which relates to non-serious injuries, currently serves no purpose. According to the RAF Act and Regulation 3(1)(b)(i) the Minister may publish in a Government Gazette, after consultation with the Minister of Health, a list of injuries which for the purposes of section 17 of the Act will not to be regarded as serious injuries. The Minister of Transport has to date not published a list of non-serious injuries. Until such a list is published, medical practitioners performing assessments in terms of the assessment method prescribed in Regulation 3(1)(b) must disregard Regulation 3(1)(b)(i), and therefore point 3 on the form.

Chapter 4 : Connecticut Car Accident Reports

ELK GROVE, Calif. (KCRA) — Three people were injured in a crash involving multiple vehicles on Highway 99 in Elk Grove during the Friday afternoon commute.

The Nature of Metaphysics Saint Thomas, that is, Aquinas, clarifies the nature of metaphysics through ascertaining its particular subject-matter, its field of investigation. In order to ascertain the subject-matter of any particular science, Thomas distinguishes between the different intellectual operations that we use when engaged in some particular scientific endeavor. Broadly speaking, these fall into two categories: There are thus correspondingly two distinct classes of science: Speculative sciences are those that contemplate truth whereas practical sciences are those that apply truth for some practical purpose. The sciences are then further distinguished through differentiating their various subject-matters. Insofar as the speculative sciences merely contemplate truth but do not apply it for some practical purpose, the subject-matter of the speculative sciences is that which can be understood to some extent. Working within the Aristotelian tradition, Thomas holds that something is understood when it is separated from matter and is necessary to thing in some respect. For instance, when we understand the nature of a tree, what we understand is not primarily the matter that goes to constitute the tree in question, but what it is to be a tree, or the structuring principle of the matter that so organizes it and specifies it as a tree rather than a plant. Furthermore, assuming our understanding is correct, when we understand a thing to be a tree, we do not understand it to be a dog, or a horse, or a cat. Thus, in our understanding of a tree, we understand that which is necessary for the tree to be a tree, and not of anything that is not a tree. Hence, our understanding of a thing is separated from its matter and is necessary to it in some respect. Now, what is in motion is not necessary, since what is in motion can change. Thus, the degree to which we have understood something is conditional upon the degree to which it is separated from matter and motion. It follows then that speculative objects, the subject-matter of the speculative-sciences, insofar as they are what are understood, will be separated from matter and motion to some degree. Any distinctions that obtain amongst speculative objects will in turn signify distinctions amongst the sciences that consider those objects; and we can find distinctions amongst speculative objects based upon their disposition towards matter and motion. There are three divisions that can apply to speculative objects, thereby permitting us to differentiate the sciences that consider such objects: Given these three classes of speculative objects, the speculative sciences that consider them can be enumerated accordingly: Before going on to consider the subject-matter of metaphysics in a little more detail, it is important to point out that Thomas takes this division of the speculative sciences as exhaustive. For Thomas, there could be no fourth speculative science; the reason for this is that the subject-matter of such a science would have to be those things that depend on matter and motion for their being understood but not for their being, for all other combinations have been exhausted. Now, if a thing depends on matter and motion for its being understood but not for its being, then matter and motion would be put into its definition, which defines a thing as it exists. Hence, all things that include matter and motion in their definitions are dependent on matter and motion for their being, but not all things that depend on matter and motion for their being depend on matter and motion for their being understood. There could be no fourth speculative science since there is no fourth class of speculative objects depending on matter and motion for their being understood but not for their being. Thomas thus sees this threefold division of the speculative sciences as an exhaustive one. The third class of speculative objects comprises the objects of metaphysics or theology. Now Thomas does not equate these two disciplines, but goes on to distinguish between the proper subject-matter of metaphysics and the proper subject-matter of theology. Recall that this third class of speculative objects comprises those things depending on matter and motion neither for their being nor for their being understood. Such things are thus immaterial things; however, Thomas here draws a distinction. There are things that are immaterial insofar as they are in themselves complete immaterial substances; God and the angels would be examples of such things. To give the latter a title, let them be called positively immaterial. On the other hand there are things that are immaterial insofar as they simply do not depend on matter and motion, but can nevertheless be sometimes said to be found therein. In other words,

things of the latter category are neutral with respect to being found in matter and motion, and hence they are neutrally immaterial. Thus, the neutrally immaterial seem to signify certain aspects or modes of being that can apply equally to material and to immaterial things. The question then arises: Nevertheless, direct knowledge of the positively immaterial is possible, but this will not be on the basis of unaided human reason; it will require that the positively immaterial reveal themselves to us in some way, in which case direct knowledge of the positively immaterial will be dependent on some sort of revelation. As it is a purely rational science, not dependent on or presupposing the truths of revelation, metaphysics will be a study of the neutrally immaterial aspects of things, that is, a study of those modes of being that apply to all beings, whether they are material or immaterial. Such a study will be in accord with the Aristotelian conception of metaphysics as a study of being qua being, insofar as the neutrally immaterial apply to all beings and are not restricted to a certain class of beings. However, Thomas does not adopt the Aristotelian phrase being qua being as the subject-matter of metaphysics, he offers his own term. According to Thomas, *ens commune* common being is the proper subject-matter of metaphysics. Through an investigation of *ens commune*, an investigation into the aspects of being common to all beings, the metaphysician may indeed come to a knowledge of the causes of being and might thereby be led to the affirmation of divine being, but this is only at the end of the metaphysical inquiry, not at the beginning. Thus, metaphysics for Aquinas is a study of *ens commune* where this is understood as the common aspects of being without which a thing could not be; it does not presuppose the existence of divine being, and may not even be led to an affirmation of divine being though Thomas of course offers several highly complex metaphysical arguments for the existence of divine being, but this should not be taken to be essential to the starting point of Thomistic metaphysics. Metaphysics then is a study of the certain aspects common to all beings; and it is the task of the metaphysician to uncover the aspects of being that are indeed common and without which a thing could not be. There are certain aspects of being that are common insofar as they are generally applicable to all beings, and these are essence and existence; all beings exist and have an essence, hence metaphysics will be primarily concerned with the nature of essence and existence and their relationship to each other. Having completed an investigation into essence and existence, the metaphysician must investigate the aspects of being that are common to particular instances of being; and this will be a study of i the composition of substance and accident, and ii the composition of matter and form. The format of Thomistic metaphysics then takes a somewhat dyadic structure of descending generality: The format of the remainder of this article will be an investigation into these dyadic structures. **Essence and Existence** A general notion of essence is the following: Quite generally then, the essence of a thing is signified by its definition. The immediate question then is how the essence of a thing relates to its existence. The context is a discussion of immaterial substances and whether or not they are composed of matter. In that passage, Thomas is concerned with a popular medieval discussion known as universal hylemorphism. Thus, creatures, even immaterial creatures, must be material in some respect, even if this materiality is nothing like our corporeal materiality. Thomas takes up this issue in *De Ente* Chapter 4, pointing out that the Jewish thinker Avicenna seems to have been the author of this position. Thomas takes the notion of universal hylemorphism to be absurd. Not only does it conflict with the common sayings of the philosophers, but also it is precisely as separated from matter and all material conditions that we deem separate immaterial substances separate, in which case they cannot be composed of matter. But if such substances cannot be composed of matter, what accounts for their potentiality? Such substances are not God, they are not pure act, they are in potentiality in some respect. So, if they are not material, then how are they in potency? Thomas is thus led to hold that they have an element of potentiality, but this is not the potency supplied by matter; rather, immaterial substances are composed of essence and existence, and it is the essence of the thing, standing in potency to a distinct act of existence, that accounts for the potentiality of creatures and thereby distinguishes them from God, who is not so composed. In the first stage Thomas argues as follows. Whatever does not enter into the understanding of any essence is composed with that essence from without; for we cannot understand an essence without understanding the parts of that essence. But we can understand the essence of something without knowing anything about its existence; for instance, one can understand the essence of a man or a phoenix without thereby understanding the existence of either. Hence, essence and existence are distinct. This little paragraph

has generated considerable controversy, insofar as it is unclear what sort of distinction Thomas intends to establish at this stage. Is it merely a logical distinction whereby it is one thing to understand the essence of a thing and another to understand its existence? On the other hand, does Thomas attempt to establish a real distinction whereby essence and existence are not only distinct in our understanding, but also in the thing itself? Commentators who hold that this stage only establishes a logical distinction focus on the fact that Thomas is here concerned only with our understanding of essence and not with actual real things; such commentators include Joseph Owens and John Wippel. In the second stage of argumentation, Thomas claims that if there were a being whose essence is its existence, there could only be one such being, in all else essence and existence would differ. This is clear when we consider how things can be multiplied. A thing can be multiplied in one of three ways: Thomas claims that a being whose essence is its existence could not be multiplied in either of the first two ways he does not consider the third way, presumably because in that case the thing that is received or participated in is not itself multiplied; the individuals are multiplied and they simply share in some single absolute reality. A being whose essence is its existence could not be multiplied i through the addition of some difference, for then its essence would not be its existence but its existence plus some difference, nor could it be multiplied ii through being received in matter, for then it would not be subsistent, but it must be subsistent if it exists in virtue of what it is. Overall then, if there were a being whose essence is its existence, it would be unique, there could only be one such being, in all else essence and existence are distinct. Notice that Thomas has once again concluded that essence and existence are distinct. John Wippel takes this to be the decisive stage in establishing that essence and existence are really distinct. He argues that insofar as it is impossible for there to be more than one being whose essence is its existence, there could not be in reality many such beings, in which case if we grant that there are multiple beings in reality, such beings are composed of essence and existence. On the other hand, Joseph Owens has charged Wippel with an ontological move and claims that Wippel is arguing from some positive conceptual content, to the actuality of that content in reality. Owens argues that we cannot establish the real distinction until we have established that there is something whose essence is its existence. A thing cannot be the cause of its own existence, for then it would have to precede itself in existence, which is absurd. Everything then whose essence is distinct from its existence must be caused to be by another. Now, what is caused to be by another is led back to what exists in itself per se. There must be a cause then for the existence of things, and this because it is pure existence *esse tantum* ; otherwise an infinite regress of causes would ensue. It is here that Owens believes that Thomas establishes the real distinction; since Thomas establishes to his own satisfaction that there exists a being whose essence is its existence. Consequently, we can contrast the existence of such a being with the existence of finite entities and observe that in the latter existence is received as from an efficient cause whereas in the former it is not. Thus, essence and existence are really distinct. Having established at some stage that essence and existence are distinct and that there exists a being whose essence is its existence, Thomas goes on to conclude that in immaterial substances, essence is related to existence as potency to act. The latter follows insofar as what receives existence stands in potency to the existence that it receives. But all things receive existence from the being whose essence is its existence, in which case the existence that any one finite thing possesses is an act of existence that actuates a corresponding potency: Thomas has thus shown that immaterial substances do indeed have an element of potency, but this need not be a material potency. Notice that here Thomas correlates essence and existence as potency and act only after he has concluded to the existence of a being whose essence is its existence God. One wonders then whether or not essence and existence can be related as potency and act only on the presupposition of the existence of God. Regardless of his preferred method in the *De Ente* Chapter 4, Thomas could very well have focussed on the efficiently caused character of existence in finite entities as he does in the opening lines of the argument for the existence of God , and argued that insofar as existence is efficiently caused whether or not this is from God , existence stands to that in which it inheres as act to potency, in which case the essence that possesses existence stands in potency to that act of existence. As a definition of participation, Thomas claims that to participate is to take a part in *partem capere* something. Following this definition, Thomas goes on to explain how one thing can be said to take a part in and thereby participate in another; this can happen in three ways. Secondly, a subject is

said to participate in the accidents that it has for instance, a man is a certain colour, and thereby participates in the colour of which he is , and matter is said to participate in the formal structure that it has for instance, the matter of a statue participates in the shape of that statue in order to be the statue in question. Thirdly, an effect can be said to participate in its cause, especially when the effect is not equal to the power of that cause. The effect particularises and determines the scope of the cause; for the effect acts as the determinate recipient of the power of the cause. The effect receives from its cause only that which is necessary for the production of the effect. It is in this way that a cause is participated in by its effect.

Chapter 5 : SUMMA THEOLOGIAE: The simplicity of God (Prima Pars, Q. 3)

Completeness for Various Logics of Essence and Accident 95 2. Axioms Systems for LEA B K is the following axiom system: All propositional tautologies, substitution of equivalents, MP, and.

God is the Same as his Essence Catholic Teaching: In the Aristotelian thought of St. Thomas Aquinas, essence is synonymous with nature and substance. Whereas all living things have a substance the primary mode of being and accidents the secondary modes of being, God is only a substance. This teaching may be confusing to those who are unfamiliar with the philosophic terminology of Aristotle and Aquinas. Essentially, Aristotle held that all created beings are defined not by their constituent parts such as atoms but by substance. Substance is the nature of the being. Additionally, all created beings have accidents which inhere in the substance. An accident is a secondary mode of being which involves change. Typical accidental modes of being are quantity, quality such as color, texture etc, action, posture, time, state and relation to something else. In this sense we can say that a man is composed of a substance humanity and a list of accidents which make him a unique person such as height, weight, color, position, time of existence, etc. In this light, we can see that the phrase, "God is the same as his essence" implies that God has no accidental modes of being and is defined only by his substance his Godhead. Definition of the Dogma: This teaching is not a defined dogma of Catholicism, but rather a speculative theological teaching of St. Heresies which reject or confuse this teaching: Philosophical Proof from St. Things of matter and form must have a nature and a suppositum which differ because other qualities are predicated to the suppositum e. God is incorporeal and has no form or matter. A being is his suppositum. Thus, God is his nature. Therefore, God is not the same as his nature Reply: Our finite intellects require us to speak of simple things as though they are composite, so we speak of God as having parts i. In reality, God is entirely simple. Since the effect is assimilated to its cause, this must mean that created beings the effect are analogous to the cause God. Therefore, God is not the same as his Godhead. The effects of God do not imitate him perfectly. This is because a perfectly simple being like God can only be represented by many things. Therefore, an imperfection exists in created effects of God and composition is accidental to their substance.

Chapter 6 : God is the Same as his Essence

The NTSB issues an accident report following the investigation. The reports listing is sortable by the event date, report date, city, and state.

Does He enter into composition with other things? Whether God is a body? It seems that God is a body. For a body is that which has the three dimensions. But Holy Scripture attributes the three dimensions to God, for it is written: He is deeper than Hell, and how wilt thou know? The measure of Him is longer than the earth and broader than the sea" Job Therefore God is a body. Further, everything that has figure is a body, since figure is a quality of quantity. But God seems to have figure, for it is written: Now a figure is called an image, according to the text: Further, whatever has corporeal parts is a body. Now Scripture attributes corporeal parts to God. Further, posture belongs only to bodies. But something which supposes posture is said of God in the Scriptures: Further, only bodies or things corporeal can be a local term "wherefrom" or "whereto. On the contrary, It is written in the Gospel of St. First, because no body is in motion unless it be put in motion, as is evident from induction. Now it has been already proved I: Therefore it is clear that God is not a body. Secondly, because the first being must of necessity be in act, and in no way in potentiality. For although in any single thing that passes from potentiality to actuality, the potentiality is prior in time to the actuality; nevertheless, absolutely speaking, actuality is prior to potentiality; for whatever is in potentiality can be reduced into actuality only by some being in actuality. Now it has been already proved that God is the First Being. It is therefore impossible that in God there should be any potentiality. But every body is in potentiality because the continuous, as such, is divisible to infinity; it is therefore impossible that God should be a body. Thirdly, because God is the most noble of beings. Now it is impossible for a body to be the most noble of beings; for a body must be either animate or inanimate; and an animate body is manifestly nobler than any inanimate body. But an animate body is not animate precisely as body; otherwise all bodies would be animate. Therefore its animation depends upon some other thing, as our body depends for its animation on the soul. Hence that by which a body becomes animated must be nobler than the body. Therefore it is impossible that God should be a body. Reply to Objection 1. As we have said above I: Hence, when it attributes to God the three dimensions under the comparison of corporeal quantity, it implies His virtual quantity; thus, by depth, it signifies His power of knowing hidden things; by height, the transcendence of His excelling power; by length, the duration of His existence; by breadth, His act of love for all. Or, as says Dionysius Div. Reply to Objection 2. Man is said to be after the image of God, not as regards his body, but as regards that whereby he excels other animals. Hence, when it is said, "Let us make man to our image and likeness", it is added, "And let him have dominion over the fishes of the sea" Genesis 1: Now man excels all animals by his reason and intelligence; hence it is according to his intelligence and reason, which are incorporeal, that man is said to be according to the image of God. Reply to Objection 3. Corporeal parts are attributed to God in Scripture on account of His actions, and this is owing to a certain parallel. For instance the act of the eye is to see; hence the eye attributed to God signifies His power of seeing intellectually, not sensibly; and so on with the other parts. Reply to Objection 4. Whatever pertains to posture, also, is only attributed to God by some sort of parallel. He is spoken of as sitting, on account of His unchangeableness and dominion; and as standing, on account of His power of overcoming whatever withstands Him. Reply to Objection 5. We draw near to God by no corporeal steps, since He is everywhere, but by the affections of our soul, and by the actions of that same soul do we withdraw from Him; thus, to draw near to or to withdraw signifies merely spiritual actions based on the metaphor of local motion. Whether God is composed of matter and form? It seems that God is composed of matter and form. For whatever has a soul is composed of matter and form; since the soul is the form of the body. But Scripture attributes a soul to God; for it is mentioned in Hebrews Hebrews Further, anger, joy and the like are passions of the composite. But these are attributed to God in Scripture: Therefore God is composed of matter and form. Further, matter is the principle of individualization. But God seems to be individual, for He cannot be predicated of many. Therefore He is composed of matter and form. On the contrary, Whatever is composed of matter and form is a body; for dimensive quantity is the first property of

matter. But God is not a body as proved in the preceding Article ; therefore He is not composed of matter and form. I answer that, It is impossible that matter should exist in God. First, because matter is in potentiality. But we have shown I: Hence it is impossible that God should be composed of matter and form. Secondly, because everything composed of matter and form owes its perfection and goodness to its form ; therefore its goodness is participated, inasmuch as matter participates the form. Now the first good and the bestâ€”viz. God â€”is not a participated good , because the essential good is prior to the participated good. Thirdly, because every agent acts by its form ; hence the manner in which it has its form is the manner in which it is an agent. Therefore whatever is primarily and essentially an agent must be primarily and essentially form. Now God is the first agent, since He is the first efficient cause. He is therefore of His essence a form ; and not composed of matter and form. A soul is attributed to God because His acts resemble the acts of a soul ; for, that we will anything, is due to our soul. Hence what is pleasing to His will is said to be pleasing to His soul. Anger and the like are attributed to God on account of a similitude of effect. Forms which can be received in matter are individualized by matter , which cannot be in another as in a subject since it is the first underlying subject; although form of itself, unless something else prevents it, can be received by many. But that form which cannot be received in matter , but is self-subsisting, is individualized precisely because it cannot be received in a subject; and such a form is God. Hence it does not follow that matter exists in God. Whether God is the same as His essence or nature? It seems that God is not the same as His essence or nature. For nothing can be in itself. But the substance or nature of God â€”i. Therefore it seems that God is not the same as His essence or nature. Further, the effect is assimilated to its cause ; for every agent produces its like. But in created things the "suppositum" is not identical with its nature ; for a man is not the same as his humanity. Therefore God is not the same as His Godhead. On the contrary, It is said of God that He is life itself, and not only that He is a living thing: Now the relation between Godhead and God is the same as the relation between life and a living thing. Therefore God is His very Godhead. I answer that, God is the same as His essence or nature. To understand this, it must be noted that in things composed of matter and form , the nature or essence must differ from the "suppositum," because the essence or nature connotes only what is included in the definition of the species ; as, humanity connotes all that is included in the definition of man, for it is by this that man is man , and it is this that humanity signifies, that, namely, whereby man is man. Now individual matter , with all the individualizing accidents , is not included in the definition of the species. For this particular flesh, these bones, this blackness or whiteness, etc. Therefore this flesh, these bones, and the accidental qualities distinguishing this particular matter , are not included in humanity; and yet they are included in the thing which is man. Hence the thing which is a man has something more in it than has humanity. Consequently humanity and a man are not wholly identical; but humanity is taken to mean the formal part of a man, because the principles whereby a thing is defined are regarded as the formal constituent in regard to the individualizing matter. On the other hand, in things not composed of matter and form , in which individualization is not due to individual matter â€”that is to say, to "this" matter â€”the very forms being individualized of themselvesâ€”it is necessary the forms themselves should be subsisting "supposita. Since God then is not composed of matter and form , He must be His own Godhead, His own Life, and whatever else is thus predicated of Him. We can speak of simple things only as though they were like the composite things from which we derive our knowledge. Therefore in speaking of God , we use concrete nouns to signify His subsistence, because with us only those things subsist which are composite; and we use abstract nouns to signify His simplicity. In saying therefore that Godhead, or life, or the like are in God , we indicate the composite way in which our intellect understands, but not that there is any composition in God.

Chapter 7 : Aquinas: Metaphysics | Internet Encyclopedia of Philosophy

An accident, in philosophy, is an attribute that may or may not belong to a subject, without affecting its essence. [1] Aristotle made a distinction between the essential and accidental properties of a thing.

Chapter 8 : 3 injured in crash on Highway 99 in Elk Grove

F. Brooks: No Silver Bullet "Essence and accident in software engineering () 2 The familiar software project has something of this character (at least as seen by the.

Chapter 9 : Accident (philosophy) - Wikipedia

Sacramento, CA: adera County fatal crash at Avenue 21 east of Highway 99 on Sunday, 21st October The California Highway Patrol is on the scene of a fatal traffic collision at Avenue 21 east of Highway