

QUESTION 100

The Moral Precepts of the Old Law

We next have to consider each of the types of precept in the Old Law—first, the moral precepts (question 100); second, the ceremonial precepts (questions 101-103); and third, the judicial precepts (questions 104-105).

On the first topic there are twelve questions: (1) Do all the moral precepts of the Old Law belong to the law of nature? (2) Do the moral precepts of the Old Law have to do with the acts of all the virtues? (3) Are all the moral precepts of the Old Law traced back to the ten precepts of the Decalogue? (4) What about the way in which the precepts of the Decalogue are distinguished? (5) What about the number of precepts? (6) What about their order? (7) What about the way in which they are set down? (8) Is it possible to be dispensed from the precepts of the Decalogue? (9) Does the mode of practicing a virtue fall under a precept? (10) Does the mode of charity fall under a precept? (11) How are the other moral precepts distinguished? (12) Do the moral precepts of the Old Law give justification [before God]?

Article 1

Do all the moral precepts of the Old Law belong to the law of nature?

It seems that not all the moral precepts [of the Old Law] belong to the law of nature:

Objection 1: Ecclesiasticus 17:9 says, “He gave them teaching, and the law of life for an inheritance.” But teaching (*doctrina*) is distinct from the law of nature, since the law of nature is not taught, but is instead had by natural instinct (*ex naturali instinctu*). Therefore, not all the moral precepts [of the Old Law] belong to the law of nature.

Objection 2: Divine law is more perfect than human law. But human law adds some things pertaining to good morals to what belongs to the law of nature; this is clear from the fact that the law of nature is the same for everyone, whereas diverse moral practices have been instituted among diverse peoples. Therefore, *a fortiori*, it was fitting for divine law to add some things pertaining to good morals over and beyond the law of nature.

Objection 3: Just as reason induces men to good morals, so too does faith; hence, Galatians 5:6 says, “Faith works through love” (*per dilectionem*). But faith is not included in the law of nature, since what belongs to the Faith lies beyond natural reason. Therefore, not all the moral precepts of divine law belong to the law of nature.

But contrary to this: In Romans 2:14 the Apostle says, “The Gentiles, who have not the Law, do by nature those things that are of the Law.” This has to be understood as referring to things that have to do with good morals. Therefore, all the moral precepts of the Law belong to the law of nature.

I respond: The moral precepts—as opposed to the ceremonial and judicial precepts—concern things that in their own right (*secundum se*) have to do with good morals.

Now since human morals are set apart by their relation to reason, which is the proper principle of human acts, morals are called good when they are consonant with reason and bad when they are at variance with reason. And just as every judgment of speculative reason stems from the natural cognition of first principles, so too, as was explained above (q. 94, a. 2), every judgment of practical reason stems from naturally known principles on the basis of which one can proceed to make judgments in various ways about various matters.

For instance, among human acts there are some so clear that they can immediately, with very little consideration, be approved of or disapproved of on the basis of these general first principles.

By contrast, there are others such that judging them requires an extensive consideration of various

circumstances that only the wise, and not just anyone, can carefully investigate—in the way that the role of investigating the particular conclusions of the sciences falls only to the philosophers and not to just anyone.

Lastly, there are some acts such that in order for a man to pass judgment on them, he needs to be assisted by divine teaching. This is the case with the things that have to be taken on faith (*credenda*).

So, then, it is clear that since (a) the moral precepts concern matters that belong to good morals, and (b) these good morals are consonant with reason, and (c) every one of human reason's judgments stems in some way or other from natural reason, it must be the case that all the moral precepts belong to the law of nature—though in different ways.

For some precepts are such that every man's natural reason judges immediately on its own (*statim per se*) that such-and-such should be done or should not be done, e.g., "Honor your father and your mother," "You shall not kill," and "You shall not steal" (Exodus 20:12-15). Precepts of this sort belong to the law of nature absolutely speaking.

But other precepts are such that it is the wise who, after a more subtle investigation by reason, judge that they should be observed. And these precepts belong to the law of nature, but in such a way that they require the sort of teaching by which the young are instructed by the wise—e.g., "Stand up in the presence of a hoary head, and honor the elderly person" (Leviticus 19:32), and others of this sort.

Finally, there are other precepts such that in order to make a judgment about them, human reason needs divine instruction, through which we learn about divine things, e.g., "You shall not make for yourself a graven image, nor any likeness ... nor shall you take the name of your God in vain" (Exodus 20:4,7).

Reply to objection 1 and objection 2 and objection 3: The replies to the objections are clear from has been said.

Article 2

Do the moral precepts of the Law have to do with all the acts of the virtues?

It seems that the precepts of the Law do not have to do with all the acts of the virtues:

Objection 1: The observance of the precepts of the Old Law is called 'justification'—this according to Psalm 118:8 ("I will keep Your justifications"). But a justification is an execution of justice. Therefore, the moral precepts have to do only with acts of justice.

Objection 2: Whatever falls under a precept has the character of something owed (*debitum*). But the character of what is owed belongs not to the other virtues but only to justice, whose proper act is to render to each person what is owed to him. Therefore, the moral precepts of the Law have to do only with acts of justice and not with acts of the other virtues.

Objection 3: As Isidore says, every law is made for the common good. But as the Philosopher points out in *Ethics* 5, among the virtues it is only justice that has to do with the common good. Therefore, the moral precepts have to do only with acts of justice.

But contrary to this: Ambrose says, "Sin is a transgression of divine law and disobedience against the heavenly commandments." But all the acts of the virtues are such that sins are opposed to them. Therefore, divine law has to give directives about the acts of all the virtues.

I respond: Since, as has been established (q. 90, a. 2), the precepts of the Law are ordered toward the common good, the precepts of the Law must be distinguished in a way corresponding to the different types of communities. Hence, in his *Politics* the Philosopher teaches that in a city ruled by a king it is

necessary to establish laws different from those established in a city ruled by the people or by certain people who are in charge of the city.

Now the type of community to which human law is ordered is different from that toward which divine law is ordered. For human law is ordered toward the civil community (*ad communitatem civilem*), which is a community of men with respect to each other. Now men are ordered toward one another through the exterior acts by which men share a common life (*communicant*) with one another, and it is a common life of this sort that is relevant to the nature of justice, which properly directs the human community. And so human law proposes precepts having to do only with acts of justice; and, as is clear from the Philosopher in *Ethics 5*, if human law commands acts of the other virtues, this is so only to the extent that those acts take on the character of justice.

By contrast, the community directed by divine law is the community of men with God, whether in the present life or in the future life. And so divine law sets forth precepts having to do with all the things through which men are well-ordered toward their common life with God (*ad communicationem cum Deo*). Now man is joined to God by his reason (*ratio*), or mind (*mens*), in which the image of God resides. And so divine law sets forth precepts having to do with all the things through which man's reason is well-ordered. But this ordering occurs through the acts of all the virtues; for the intellectual virtues render acts of reason well-ordered in themselves, whereas the moral virtues render the acts of reason well-ordered with respect to interior passions and exterior operations. And so it is clearly fitting for divine law to set forth precepts having to do with the acts of all the virtues—yet in such a way that those acts without which the order of virtue (i.e., the order of reason) cannot be maintained fall under the obligation of a *precept*, whereas others that have to do with the flourishing of perfect virtue (*bene esse virtutis perfectae*) fall under the admonition of a *counsel*.

Reply to objection 1: The fulfillment of the commandments of the Law, even of those commandments having to do with the acts of the other virtues, has the character of justification insofar as it is just that man should obey God—or, alternatively, insofar as it is just that everything having to do with man should be subject to reason.

Reply to objection 2: Justice, properly speaking, has to do with what one man owes to another (*debitum unius hominis ad alium*), whereas with all the other virtues there is a 'debt' (*debitum*) that the lower powers owe to reason. And corresponding to the notion of this latter sort of debt, the Philosopher in *Ethics 5* speaks of a sort of metaphorical justice.

Reply to objection 3: The reply to the third objection is clear from what has been said about the different kinds of community.

Article 3

Are all the moral precepts of the Old Law traced back to the ten precepts of the Decalogue?

It seems that not all the moral precepts of the Old Law are traced back to (*reducantur*) the ten precepts of the Decalogue:

Objection 1: As Matthew 22:37,39 puts it, the first and principal precepts of the Law are “You shall love the Lord your God” and “You shall love your neighbor.” But these two precepts are not contained in the precepts of the Decalogue. Therefore, not all the moral precepts are contained in the precepts of the Decalogue.

Objection 2: The moral precepts are not traced back to the ceremonial precepts, but rather vice versa. But among the precepts of the Decalogue there is one ceremonial precept, viz., “Remember to

keep holy the Sabbath day” (Exodus 20:8). Therefore, the moral precepts are not traced back to all the precepts of the Decalogue.

Objection 3: The moral precepts have to do with all the acts of the virtues. But only precepts having to do with acts of justice are found among the precepts of the Decalogue—as is clear from running through them one by one. Therefore, the precepts of the Decalogue do not contain all the moral precepts.

But contrary to this: A Gloss on Matthew 5:11 (“Blessed are you when they shall revile you ...”) says, “After Moses had proposed the ten precepts, he afterwards explained them through their parts (*per partes*).” Therefore, all the precepts of the Law are, as it were, parts of the precepts of the Decalogue.

I respond: The precepts of the Decalogue differ from the other precepts of the Law in the fact that the precepts of the Decalogue are such that God Himself (*Deus per seipsum*) is said to have presented them to the people, whereas He presented the other precepts to the people through Moses. Therefore, the precepts belonging to the Decalogue are those that man has knowledge of from God Himself. But these precepts include (a) the ones that can be known immediately, with very little reflection, on the basis of first general principles and, again, (b) the ones that are known immediately on the basis of divinely infused faith.

Therefore, there are two kinds of precepts that are not counted among the precepts of the Decalogue, viz., (a) precepts which are first general principles and which do not need to be made known (*editio*) in any way other than by being written in natural reason as something known *per se*, e.g., ‘A man should not do evil to anyone’ and others of this sort, and, again, (b) precepts that are found to be consonant with reason through the diligent inquiry of the wise, since these precepts come to the people from God through the teaching of the wise. Still, both of these sorts of precepts are contained in the precepts of the Decalogue, though in different ways. For the ones that are first general principles are contained in the precepts of the Decalogue in the way that principles are contained in their proximate conclusions, whereas, conversely, the ones that are known through the wise are contained in the precepts of the Decalogue in the way that conclusions are contained in their principles.

Reply to objection 1: The two precepts in question are first general precepts of the law of nature, and they are known *per se* to human reason, either by nature or by faith. And so all the precepts of the Decalogue are traced back to these two precepts in the way that conclusions are traced back to their general principles.

Reply to objection 2: The precept about the observance of the Sabbath is a moral precept in a certain respect, viz., insofar as it commands man to free up some time (*aliquo tempore vacet*) for divine matters—this according to Psalm 45:11 (“Be still (*vacate*) and see that I am God”). It is in this sense that it is counted among the precepts of the Decalogue.

However, it is not a moral precept as far as the exact specification of the time is concerned (*quantum ad taxationem temporis*), since in this respect it is a ceremonial precept.

Reply to objection 3: The character of something’s being owed (*ratio debiti*) is less noticeable (*magis latens*) in the case of the other virtues than it is in the case of justice. And so the precepts having to do with the other virtues are not as well known to the people as the precepts about the acts of justice are. It is for this reason that acts of justice fall specifically under the precepts of the Decalogue, which are the first elements of the Law.

Article 4

Are the precepts of the Decalogue correctly distinguished from one another?

It seems that the precepts of the Decalogue are not correctly distinguished from one another [in Exodus 20 and Deuteronomy 5:7-22]:

Objection 1: Worship (*latria*) is a virtue different from faith (*fides*), and the precepts are given with respect to acts of the virtues. But what it says at the beginning of the Decalogue, viz., “You shall not have strange gods before me,” has to do with faith, whereas what is then added, viz., “You shall not make graven images,” has to do with worship. Therefore, as Augustine says, these are two precepts and not just one.

Objection 2: The affirmative precepts contained in the Law, e.g., “Honor your father and your mother,” are distinct from the negative precepts, e.g., “You shall not kill.” But “I am the Lord your God” is affirmative, whereas what is added, “You shall not have strange gods before me,” is negative. Therefore, as Augustine claims, they are two precepts and are not contained under a single precept.

Objection 3: In Romans 7:7 the Apostle says, “I would not have known concupiscence if the Law had not said, ‘You shall not covet’.” So it seems that the precept “You shall not covet” is a single precept. Therefore, it should not be split into two precepts.

But contrary to this is the authority of Augustine in *Glossa super Exodum*, where he says that there are three precepts having to do with God and seven having to do with our neighbor.

I respond: The precepts of the Decalogue are divided up in different ways by different authors.

For example, Hesychius, in commenting on Leviticus 26:26 (“... so that ten women are baking bread in one oven”), says that the observance of the Sabbath does not belong to the ten precepts, because it is not the case that the letter of this precept must be observed for all times. Yet he distinguishes four precepts that have to do with God:

(a) The first is: “I am the Lord your God.”

(b) The second is: “You shall not have strange gods before me.” (In like manner, Jerome also distinguishes these two in commenting on Hosea 10:10 (“... because of their two iniquities”).)

(c) The third precept, he claims, is: “You shall not make graven images for yourselves.”

(d) The fourth is: “You shall not take the name of the Lord your God in vain.”

On the other hand, he claims that there are six precepts that have to do with our neighbor:

(a) The first is: “Honor your father and your mother.”

(b) The second is: “You shall not kill.”

(c) The third is: “You shall not commit adultery.”

(d) The fourth is: “You shall not steal.”

(e) The fifth is: “You shall not bear false witness.”

(d) The sixth is: “You shall not covet.”

First of all, however, it seems wrong for the precept having to do with the observance of the Sabbath to be placed among the precepts of the Decalogue if it has nothing at all to do with the Decalogue.

Second, since Matthew 6:24 says, “No man can serve two masters,” it would seem that “I am the Lord your God” and “You shall not have strange gods” have the same import (*eiusdem rationis esse*) and fall under the same precept. This is why Origen, who also distinguishes four precepts ordered toward God, takes these two as one precept, while positing (a) “You shall not make graven images” as the second precept, (b) “You shall not take the name of the Lord your God in vain” as the third precept, and (c) “Remember to keep holy the Sabbath” as the fourth precept. The other six precepts he posits in the

same way that Hesychius does.

However, since making graven images or likenesses is prohibited only insofar as they are not worshiped as gods (for as Exodus 25:18-20 says, God commanded that an image of the Seraphim be made for the tabernacle itself), Augustine more correctly places “You shall not have strange gods” and “You shall not make graven images” under a single precept.

Similarly, coveting (*concupiscentia*) another’s wife for sexual intercourse has to do with concupiscence of the flesh (*concupiscentia carnis*), whereas coveting other things that are desired as possessions has to do with concupiscence of the eyes (*concupiscentia oculorum*). Hence, Augustine posits two precepts here, one against coveting another’s goods and one against coveting another’s wife. And so Augustine posits three precepts in relation to God and seven in relation to one’s neighbor. And this is better.

Reply to objection 1: Worship is nothing other than a certain declaration (*protestatio*) of faith, and so it is not the case that one precept should be given about worship and another about faith. Instead, a precept should be given about worship rather than about faith, since the precept of faith (*praeceptum fidei*) is presupposed by the Decalogue in the same way that the precept of love (*praeceptum dilectionis*) is. For just as the first general precepts of the law of nature are known *per se* to anyone who has natural reason and so do not need to be promulgated, so too the precept that one ought to believe in God (*credere in Deum*) is a first precept and is known *per se* to anyone who has faith. For as Hebrews 11:6 says, “He who comes to God must believe that He exists.” And so this precept needs no promulgation other than the infusion of faith.

Reply to objection 2: The affirmative precepts are distinct from the negative precepts when the one is not included in the other. For instance, the precept that no man should be killed is not included in the precept about honoring one’s parents, or vice versa.

By contrast, when the affirmative precept is included in the negative one, or vice versa, then it is not the case that there are different precepts about the matter in question. For instance, the precept “You shall not steal” is not a different precept from “Take care of another’s property” or “Return another’s property to him.” And for the same reason, the precept about believing in God and the precept about not believing in strange gods are not diverse precepts.

Reply to objection 3: All types of coveting (*concupiscentia*) share a general definition, and this is why the Apostle speaks in the singular about the commandment concerning coveting. Yet the reason why Augustine distinguishes different precepts about not coveting is that the types of coveting differ from one another in species. For as the Philosopher says in *Ethics* 10, the types of desire (*concupiscentia*) differ from one another in species according to the differences among the actions or among the things desired.

Article 5

Is there an appropriate number of precepts in the Decalogue?

It seems that there is an inappropriate number of precepts in the Decalogue:

Objection 1: As Ambrose says, “Sin is a transgression of divine law and disobedience against the heavenly commandments.” But sins are distinguished from one another by whether a man sins against God, against his neighbor, or against himself. Therefore, since among the precepts of the Decalogue there are none that order a man toward himself, but only ones that order him toward God and toward his neighbor, it seems that there is an insufficient number of precepts in the Decalogue.

Objection 2: Just as the observance of the Sabbath had to do with the worship of God, so also did the observance of the other solemn feasts (*solemnitates*) and the immolation of sacrifices. But among the precepts of the Decalogue there is a single precept having to do with the observance of the Sabbath. Therefore, there should also be some precepts having to do with the other solemn feasts and with the rite of sacrifices.

Objection 3: Just as one can sin against God by perjuring himself, so too he can sin against God by blasphemy or by various deceptions that are opposed to divine teaching. But there is a single precept forbidding perjury, when it says, “You shall not take the name of the Lord your God in vain.” Therefore, the sins of blasphemy and false teaching should be prohibited by some precept of the Decalogue.

Objection 4: Just as a man has a natural love for his parents, so too he has a natural love for his children; indeed, the commandment of charity extends to all one’s neighbors. But the precepts of the Decalogue are ordered toward charity—this according to 1 Timothy 1:5, “The end of the commandment is charity.” Therefore, just as there is a precept having to do with one’s parents, so also there should have been precepts having to do with one’s children and other neighbors.

Objection 5: In every genus of sin it is possible to sin with one’s heart and to sin with one’s deeds. But within certain genera of sin, viz., in the case of theft and adultery, sinning by deed is prohibited in one place—viz., when it says, “You shall not commit adultery” and “You shall not steal”—and sinning with the heart is prohibited in a separate place—viz., when it says, “You shall not covet your neighbor’s goods” and “You shall not covet your neighbor’s wife.” Therefore, the same thing should have been done with the sin of homicide and the sin of false witness.

Objection 6: Just as a sin can stem from a disorder of the concupiscible appetite, so too a sin can stem from a disorder of the irascible appetite. But there are certain precepts prohibiting disordered desire, when it says, “Do not covet ...” Therefore, the Decalogue should also have contained some precepts prohibiting a disordered irascible appetite. Therefore, it does not seem that there is an appropriate number of precepts in the Decalogue.

But contrary to this: Deuteronomy 4:13 says, “He showed you His covenant, which He commanded you to do, and the ten words that He wrote in the two tables of stone.”

I respond: As was explained above (a. 2), just as the precepts of human law order a man toward the human community, so the precepts of divine law order a man toward a sort of community or republic of men under God. Now in order for someone to live a good life in a community, two things are required. The first is that he behave well toward the one who presides over the community, and the second is that the man behave well toward the others who are his companions and co-participants in the community. Therefore, divine law must first lay down some precepts ordering a man toward God and, second, it must lay down other precepts ordering a man toward those others who are living together with him as his neighbors under God.

Now there are three things a man owes to the ruler of his community: (a) fidelity, (b) reverence, and (c) service (*famulatus*). Fidelity to one’s lord consists in not conferring on someone else the honor of preeminence; and on this score there is the first precept, when it says, “You shall not have strange gods.” Reverence to one’s lord requires that nothing injurious be done to him; and on this score there is the second precept, i.e., “You shall not take the name of the Lord your God in vain.” Service is owed to a lord in repayment for the benefits his subjects receive from him; and here the relevant precept is the third, which has to do with the sanctification of the Sabbath in remembrance of the creation of things.

On the other hand, someone behaves well toward his neighbor both in a specific way and in a general way:

He behaves well in a specific way to the extent that he renders what he owes to those he is indebted to. And on this score there is the precept that has to do with honoring one’s parents.

He behaves well in a general way, i.e., with respect to everyone, in that he inflicts no harm on anyone either by his deeds or with his mouth or with his heart.

As for deeds, in some cases harm is inflicted on one's neighbor in his very person, i.e., with respect to his existence as a person; and this is prohibited when it says, "You shall not kill." Again, in some cases the harm is inflicted in a person joined to him in the propagation of offspring; and this is prohibited when it says, "You shall not commit adultery." And in some cases the harm is inflicted in his possessions, which are ordered both to him and to those conjoined to him, and this is prohibited by saying, "You shall not steal."

On the other hand, harm caused with the mouth is prohibited when it says, "You shall not bear false witness against your neighbor."

And harm caused with the heart is prohibited when it says, "You shall not covet."

Moreover, the three precepts ordered toward God could also be distinguished in accord with the specific differences *by deed, with the mouth, and with the heart*. The first of these three precepts has to do with deeds, and thus it says there, "You shall not make graven images." The second precept has to do with the mouth, and thus it says, "You shall not take the name of your God in vain." The third precept has to do with the heart, since in the sanctification of the Sabbath, insofar as this is a moral precept, the stillness of the heart is directed toward God.

Alternatively, according to Augustine, through the first precept we revere the unity of the First Principle, through the second precept we revere God's truth, and through the third precept we revere His goodness, by which we are sanctified and in which, as our end, we come to rest.

Reply to objection 1: There are two possible replies to this objection.

First, the precepts of the Decalogue are traced back to the precept of love. Now a precept had to be given to man concerning the love of God and neighbor, since in this regard the natural law had been obscured because of sin. By contrast, this was not the case with respect to the love of self, because (a) in this regard the natural law was still alive—or, alternatively, because (b) the love of self is also included in the love of God and neighbor, since it is in ordering himself to God that a man has genuine love for himself. And this is why the precepts of the Decalogue contains only precepts having to do one's neighbor and with God.

The second possible reply is that the precepts of the Decalogue are the ones that the people received directly from God. Hence, Deuteronomy 10:4 says, "He wrote in the tables, according as He had written before, the ten words, which the Lord spoke to you." Thus, the precepts of the Decalogue had to be such that they could be immediately understood by the people. Now a precept has the character of something that is owed, and the fact that a man necessarily owes something to God or to his neighbor is easily grasped by a man—and especially by a man of faith (*fidelis*). However, it is not so readily apparent that a man is necessarily owed something in those matters that pertain to himself and not to another. For at first glance it seems that everyone is free in matters that pertain to himself. And so the precepts that prohibit a man's disorders with respect to himself come to the people later on through the instruction of the wise. This is why they do not belong to the Decalogue.

Reply to objection 2: All the solemn feasts of the Old Testament were instituted in commemoration of some divine favor, either a past favor remembered or a future favor prefigured; and, likewise, it was for this reason that all the sacrifices were offered. Now among all of God's favors, the first and foremost is the favor of creation, which is commemorated in the sanctification of the Sabbath. Hence, Exodus 20:11 gives the following as the reason for this precept: "For in six days God made heaven and earth, etc." Moreover, among all the future favors that had to be prefigured, the principal and final one was rest in the mind of God, either in the present life through grace or in the future life through glory. This was likewise prefigured by the Sabbath observance. Hence, Isaiah 58:13 says, "If you turn away your foot from the Sabbath, from doing your own will in My holy day, and call the Sabbath

delightful, and the holy of the Lord glorious ...” For these are the favors that are first and foremost in the minds of men, especially men of faith.

By contrast, the other solemn feasts are celebrated because of certain particular favors that were temporally transitory. Take, for instance, the celebration of the Passover because of the favor of the past liberation from Egypt and because of the future passion of Christ. These events have passed in time, leading us into the rest of the spiritual Sabbath. That is why, among the precepts of the Decalogue, mention was made only of the Sabbath, while all the other solemn feasts and sacrifices were left out.

Reply to objection 3: As the Apostle says in Hebrews 6:16, “Men swear by one greater than themselves, and an oath for confirmation is the end of all their controversy.” And so since oaths are common to everyone, the prohibition of disordered oaths is specifically made in a precept of the Decalogue.

By contrast, the sin of false teaching is relevant only to a few people, and hence it did not have to be mentioned among the precepts of the Decalogue. (Still, according to one interpretation, the precept “You shall not take the name of your God in vain” does prohibit false teaching; for instance, there is a Gloss that expounds it as follows: “You shall not claim that Christ is a creature.”)

Reply to objection 4: Natural reason directly dictates to a man that he should not inflict injury on anyone, and so the precept prohibiting harm extends to everyone. However, natural reason does not directly dictate that a man should do something for another’s benefit, except in the case of someone to whom the man is indebted. Now the debt a child owes to his father is so obvious that it cannot be denied by any sort of evasion. For the father is a principle of generation and of *esse* and, afterwards, of upbringing and teaching. And this is why it does not fall under a precept of the Decalogue that support or obedience should be given to anyone other than one’s parents.

On the other hand, parents do not seem to be indebted to their children because of any favors received from them; rather, just the opposite is the case. Likewise, as the Philosopher puts it in *Ethics* 8, a child is a part of his father, and fathers love their children as a part of themselves. Hence, the reason why there are no precepts in the Decalogue with regard to love of one’s children is the same as the reason why there are likewise no precepts that order a man toward himself.

Reply to objection 5: The pleasure of adultery and the usefulness of riches are desirable for their own sake, insofar as they have the character of a pleasurable good or a useful good. For this reason, what had to be prohibited in their case was not just the deed, but the desire (*concupiscentia*) as well.

By contrast, homicide (*homicidium*) and falsehood are horrific in their own right; for we naturally love our neighbor and love the truth, and they are not desired for the sake of anything else. And so as far as the sins of homicide and false witness were concerned, it was unnecessary to prohibit the sin of the heart, but necessary only to prohibit the deed.

Reply to objection 6: As was explained above (q. 25, a. 1), all of the irascible passions stem from the concupiscible passions. And so in the precepts of the Decalogue, which are, as it were, the first elements of the Law, mention had to be made only of the concupiscible passions and not of the irascible passions.

Article 6

Are the precepts of the Decalogue correctly ordered?

It seems that the precepts of the Decalogue (see Exodus 20 and Deuteronomy 5:7-22) are not correctly ordered:

Objection 1: Love of neighbor seems to be prior to love of God, since our neighbor is better known to us than God is—this according to 1 John 4:20 (“If one does not love his brother whom he sees, how can he love God whom he sees not?”). But the first three precepts have to do with love of God, whereas the other seven have to do with love of neighbor. Therefore, the precepts of the Decalogue are incorrectly ordered.

Objection 2: Acts of the virtues are commanded by the affirmative precepts, whereas acts of the vices are prohibited by the negative precepts. But according to Boethius in his commentary on the *Categories*, the vices must first be rooted out before the virtues are planted. Therefore, among the precepts having to do with our neighbor, the negative precepts, rather than the affirmative precepts, should have come first.

Objection 3: The precepts of the Law are given with respect to human acts. But the act of the heart comes before the act of the mouth or the exterior deed. Therefore, it is incorrect for the precepts to be ordered in such a way that the ones having to do with not coveting, which pertain to the heart, come last.

But contrary to this: In Romans 13:1 the Apostle says, “The things that are from God are orderly (*ordinata*).” But as has been explained (a. 3), the precepts of the Decalogue are directly from God. Therefore, they are in the correct order.

I respond: As has been explained (a. 5, ad 1), the precepts of the Decalogue are given with respect to those things that the human mind grasps immediately and quickly. But it is clear that something is better grasped by reason to the extent that its contrary has a greater and more serious (*gravius*) opposition to reason.

Now it is clear that since reason’s ordering takes its inception from the end, it is maximally opposed to reason that a man should find himself disordered with respect to his end. But the end of human life and society is God. And so man had to be ordered by the precepts of the Decalogue in the first place toward God, since the contrary of this is the most serious of all contraries—just as in an army, which is ordered toward the general as an end, the soldier first of all submits himself to the general, the contrary of this being the most serious of all, whereas, second, he is coordinated with the other soldiers.

Now among the steps by which we are ordered toward God, the first is that a man faithfully submit himself to God and that he have no commerce (*habens nullam participationem*) with God’s rivals. The second step is that he exhibit reverence for Him, whereas the third is that he offer Him his service. In an army, it is a greater sin if a soldier, acting unfaithfully, makes a pact with the enemy than if he does something disrespectful to the general, and the latter is more serious than if he is found deficient in some matter of obedience (*obsequium*).

On the other hand, among the precepts ordering one toward his neighbor, it is clear that it is more repugnant to reason, and a graver sin, if a man does not observe the due ordering to those persons whom he is more indebted to. And so among the precepts that order one toward his neighbor, the first to be posited is the precept having to do with one’s parents. Among the other precepts there is likewise an ordering that corresponds to the gravity of the sins. For it is more grave, and more repugnant to reason, to sin by a deed than to sin with one’s mouth, and it is more grave to sin with one’s mouth than in one’s heart. Furthermore, among the sins that involve deeds, homicide, by which an already existing man’s life is taken, is graver than adultery, which undermines certitude about the offspring who are to be born (*per quod impeditur certitudo prolis nasciturae*); and adultery is graver than theft, which has to do with external goods.

Reply to objection 1: Even though our neighbor is better known to us than God according to the way of the senses, love of God is nonetheless the reason for love of neighbor. This will be explained below (*ST* 2-2, q. 25, a. 1). And so the precepts ordering one toward God had to be placed ahead of the

others.

Reply to objection 2: Just as God is the universal principle of *esse* for all things, so too the father is a sort of principle of *esse* for his child (*principium quoddam essendi filio*). And so it is appropriate that after the precepts having to do with God, there should be a precept having to do with one's parents.

Now the argument [contained in objection 2] goes through when the affirmative and negative precepts in question have to do with the same genus of action—although even then the argument does not have complete efficacy. For even if, in the order of execution, vices must be uprooted before virtues are planted—this according to Psalm 33:15 (“Turn away from evil and do good”) and Isaiah 1:16-17 (“Cease to act perversely, learn to act well”)—still, virtue is cognitively prior to sin, since, as *De Anima* 1 says, it is through what is straight that one comes to know what is crooked. As Romans 3:20 puts it, “By the Law is knowledge of sin.”

According to this line of reasoning, it was right for the affirmative precept to have come first. Still, this is not the reason for the ordering [we have]; rather, the reason is the one set forth [at the beginning of this reply]. For in the precepts having to do with God, which are on the first tablet, the affirmative precept comes last, since transgressing it produces a less grievous sin (*inducit minorem reatum*).

Reply to objection 3: Even if the sin of the heart is prior in execution, nonetheless, the prohibition of it comes later conceptually (*in ratione*).

Article 7

Are the precepts of the Decalogue set down in an appropriate way?

It seems that the precepts of the Decalogue are not set down (*tradantur*) in an appropriate way:

Objection 1: The affirmative precepts order one toward acts of the virtues, whereas the negative precepts draw one back from acts of the vices. But with respect to any subject matter whatsoever, there are virtues and vices opposed to one another. Therefore, in any subject matter about which a precept of the Decalogue gives direction, there should have been both an affirmative precept and a negative precept. Therefore, it is inappropriate for there to be affirmative precepts for some subject matters and negative precepts for others.

Objection 2: Isidore says that every law is based on reason. But all the precepts of the Decalogue belong to divine law. Therefore, a reason should have been given for each of the precepts, and not just for the first and third.

Objection 3: Through the observance of the precepts one merits rewards from God. But God's promises have to do with the rewards attached to the precepts. Therefore, a promise should have been made in each of the precepts, and not just in the first and the fourth.

Objection 4: The Old Law is called the ‘law of fear’, because it was through threats of punishment that it induced men to observe the precepts. But all the precepts of the Decalogue belong to the Old Law. Therefore, a threat of punishment should have been made in each of the precepts, and not just in the first and the second.

Objection 5: All the precepts of God should be retained in memory; for Proverbs 3:3 says, “Write them on the tablets of your heart.” Therefore, it was inappropriate for a mention of memory to be made in just the third precept. And so it seems that the precepts of the Decalogue were inappropriately set down.

But contrary to this: Wisdom 11:21 says, “You have ordered all things in measure, and number, and weight.” Therefore, *a fortiori*, He has preserved an appropriate mode of setting down the precepts of

His law.

I respond: The highest wisdom is contained in the precepts of divine law; hence, Deuteronomy 4:6 says, “This is your wisdom, and understanding in the sight of the nations.” But it is the role of wisdom to dispose all things in a fitting manner and order. And so it ought to be clear that the precepts of the Law have been set down in an appropriate way.

Reply to objection 1: The negation of one of two opposites always follows from the affirmation of the other, but it is not always the case that the affirmation of one of two opposites follows from the negation of the other. For instance, ‘If something is white, then it is not black’ is valid, but ‘If something is not black, then it is white’ is not valid. For the negation extends to more things than the affirmation does. Hence, it is likewise the case that ‘One should not do harm’, which is a negative precept, extends to more persons (*personas*) as a primary dictate of reason than does ‘One ought to give obedience (or benefits) to someone’.

However, it is a dictate of reason in the first instance that one ought to give obedience (or benefits) to those from whom he has received benefits, as long as he has not yet repaid them. But, as *Ethics* 8 says, there are two beings in return for whose benefits no one can make sufficient repayment, viz., God and his father. And this is why there are only two affirmative precepts, one having to do with honoring one’s parents and the other having to do with the celebration of the Sabbath in commemoration of God’s favors.

Reply to objection 2: The precepts that are purely moral have an obvious reason behind them, and so there was no need for a reason to be added to them.

However, some precepts are such that either a ceremonial precept or the specification of a moral precept is added to them. For instance, in the first precept there is the addition of “You shall not make graven images,” and in the third precept the day of the Sabbath is specified. And this is why a reason had to be given in these two cases.

Reply to objection 3: Men order their acts for the most part toward some sort of usefulness. And so the promise of a reward had to be attached to those precepts from which no usefulness seemed to follow or by which some sort of usefulness was impeded. Now since parents are already in their receding years, no usefulness is expected from them. And so a promise is attached to the precept about honoring one’s parents. The same holds for the precept that prohibits idolatry. For this precept seems to impede the apparent usefulness which men believe they can attain by entering into a pact with the demons.

Reply to objection 4: As *Ethics* 10 says, punishments are especially necessary for those who are prone to evil. And so a threat of punishment is added only to those precepts in which there was a tendency toward evil.

Now men were prone to idolatry because of the general practice of the Gentiles. Similarly, there were also men prone to perjury because of the frequency of oaths. This is why a threat is attached to the first two precepts.

Reply to objection 5: The precept about the Sabbath is posited as a commemoration of a past favor, and this is why it contains a specific mention of memory.

An alternative reply is that the precept about the Sabbath has adjoined to it a specification that does not belong to the law of nature, and that is why this precept requires a special admonition.

Article 8

Can dispensations be granted from the precepts of the Decalogue?

It seems that there can be dispensations from the precepts of the Decalogue:

Objection 1: The precepts of the Decalogue belong to the natural law, and as the Philosopher says in *Ethics* 5, what is naturally just fails in some cases and is mutable, just as human nature is. But as was explained above (q. 96, a. 6 and q. 97, a. 4), the failure of the law in some particular cases is the reason for granting a dispensation. Therefore, a dispensation can be granted from the precepts of the Decalogue.

Objection 2: God is related to divinely given law in the same way that man is related to human law. But man is able to grant dispensations from those precepts of the law that are man-made. Therefore, since the precepts of the Decalogue were established by God, it seems that God is able to grant dispensations from them. But prelates function on earth in the place of God; for in 2 Corinthians 2:10 the Apostle says, “If I have pardoned anything, for your sakes have I done it in the person of Christ.” Therefore, prelates, too, can grant dispensations from the precepts of the Decalogue.

Objection 3: The prohibition of homicide is included among the precepts of the Decalogue. But it seems that men grant dispensations from this precept, e.g., when, in accord with the precepts of human law, certain men, viz., evildoers and enemies, are lawfully killed. Therefore, dispensations can be granted from the precepts of the Decalogue.

Objection 4: The observance of the Sabbath is included among the precepts of the Decalogue. But a dispensation was granted from this precept; for 1 Maccabees 2:41 says, “And they determined in that day, saying, ‘Whoever shall come up against us to fight on the Sabbath day, we will fight against him’.” Therefore, dispensations can be granted from the precepts of the Decalogue.

But contrary to this: In Isaiah 24:5 certain people are rebuked because “they have changed the Law, they have broken the everlasting covenant”—which must, it seems, refer especially to the precepts of the Decalogue. Therefore, the precepts of the Decalogue cannot be altered by a dispensation.

I respond: As was explained above (q. 96, a. 6 and q. 97, a. 4), a dispensation should be granted from a precept when some particular case occurs in which the observance of the letter of the law is contrary to the lawmaker’s intention. Now the intention of every lawmaker is ordered first and principally toward the common good and, second, toward the order of justice and virtue, in accord with which the common good is attained and preserved.

Therefore, if there are any precepts which embody the very conservation of the common good or the very order of justice and virtue, then precepts of this sort preserve the lawmaker’s intention and so are such that dispensations cannot be granted from them. For instance, if a community were to establish the precept ‘No one may destroy the republic or betray the city-state to the enemy’, or the precept ‘No one may do anything in an evil or unjust way’, then there could not be dispensations from precepts of this sort.

By contrast, if there were other precepts which were ordered to the [primary] precepts and which specified certain particular modes for them, then a dispensation could be granted from such precepts to the extent that their being overridden (*per omissionem huiusmodi praeceptorum*) in certain cases would not be prejudicial to the primary precepts that embody the lawmaker’s intention. For instance, if, in order to save the republic, it were decreed in a city that certain men should take turns keeping guard over the city when it is under siege, then some men could be dispensed from this precept for the sake of some greater advantage.

Now the precepts of the Decalogue embody the intention of the lawmaker, viz., God. For the precepts of the first tablet, which are ordered toward God, embody the very ordering toward the common

and final good, which is God. On the other hand, the precepts of the second tablet embody the very order of justice to be observed among men, so that, namely, nothing undue is done to anyone and what is due is rendered to each one; for the precepts of the Decalogue should be understood according to this rationale. And so there cannot be any dispensations at all from the precepts of the Decalogue.

Reply to objection 1: The Philosopher is not speaking here of the naturally just, which embodies the very order of justice; for the precept ‘Justice is to be preserved’ never fails. Rather, he is speaking about specific modes of observing justice, and in some cases these modes fail.

Reply to objection 2: As the Apostle says in 2 Timothy 2:13, “God remains faithful; He cannot deny Himself.” But He would be denying Himself if He destroyed the very order of His justice, since He is Justice Itself. And so God cannot grant a dispensation that would permit a man either (a) to behave in a disordered way toward God or (b) not to submit to the order of His justice, even in those matters in which men are ordered toward one another.

Reply to objection 3: The killing of a man is prohibited in the Decalogue insofar as it has the character of something undue; for this is the sense in which a precept embodies the very nature of justice.

Now human law cannot permit that a man should be killed both lawfully and in an undue way. But it is not undue for an evildoer, or for the enemies of the republic, to be killed. Hence, this is not contrary to the precept of the Decalogue; nor is such a killing (*occisio*) a homicide (*homicidium*)—which is what the precept prohibits, as Augustine says in *De Libero Arbitrio* 1. Similarly, if what belongs to someone is taken from him, then if it is due that he should lose it, this is not theft or robbery, which is what the precept of the Decalogue prohibits.

And so when, by God’s command, the children of Israel took the spoils from the Egyptians (Exodus 12:35), this was not theft, since these spoils were owed to them by God’s decree. Similarly, when Abraham consented to kill his son (Genesis 22), he did not consent to homicide, since by the command of God, who is the Lord of life and death, it had been made due that his son should be killed. For it is God who inflicts the punishment of death on all men, both the just and the unjust, because of the sin of our first parent; and if a man executes this sentence by God’s authority, then he will not be committing homicide (*non erit homicida*), just as God does not commit homicide. Similarly, when Hosea takes to himself a “wife of fornications,” i.e., an adulterous woman (Hosea 1), he is not an adulterer or a fornicator; for he took a woman who belonged to him according to the command of God, the author of the institution of matrimony.

So, then, the precepts of the Decalogue are immutable with respect to the character of justice that they embody. However, regarding the specification of the precepts as applied to singular acts—that is, as regards whether this or that act is or is not homicide or theft or adultery—there is indeed mutability, sometimes by God’s authority alone, viz., in those things that have been instituted by God alone (e.g., matrimony and other things of this sort), and sometimes also by human authority, as in those matters that have been entrusted to the jurisdiction of men. With respect to those matters, but not with respect to all matters, men act in the place of God.

Reply to objection 4: The thought expressed here was more of an interpretation of the precept than a dispensation. For someone who does what is necessary for human welfare is not thought of as violating the Sabbath, as the Lord shows in Matthew 12:1-15.

Article 9

Does the mode of virtue fall under a precept of the Law?

It seems that the mode of virtue falls under a precept of the Law:

Objection 1: The mode of virtue involves one's doing just things in a just way, and courageous things in a courageous way, and so on for the other virtues. But Deuteronomy 16:20 commands, "You shall do justly that which is just." Therefore, the mode of virtue falls under a precept.

Objection 2: It is what the lawmaker intends that principally (*maxime*) falls under a precept. But as *Ethics 2* says, the lawmaker's intention is mainly to make men virtuous, and virtuous men are those who act in a virtuous manner. Therefore, the mode of virtue falls under a precept.

Objection 3: The mode of virtue, properly speaking, seems to involve one's acting willingly (*voluntarie*) and with delight (*delectabiliter*). But this falls under a precept of divine law. For Psalm 99:2 says, "Serve the Lord in gladness," and 2 Corinthians 9:7 says, "... not with sadness or out of necessity; for God loves a cheerful giver," and a Gloss on this second passage says, "Whatever good you do, do it with cheerfulness, and then you will do well; but if you do it with sadness, though it comes from you, you are not doing it." Therefore, the mode of virtue falls under a precept of the Law.

But contrary to this: As is clear from the Philosopher in *Ethics 2* and 4, no one can act in the way a virtuous man acts unless he has the habit of the virtue. But anyone who transgresses a precept of the Law merits punishment. Therefore, it would follow that one who does not have the habit of a virtue is such that whatever he does merits punishment. But this is contrary to the intention of the Law, which intends to lead man to virtue by making him accustomed to good works. Therefore, it is not the case that the mode of virtue falls under a precept.

I respond: As was explained above (q. 90, a. 3), a precept of the law has coercive force. Therefore, what directly falls under a precept of the law is that toward which the law coerces one. But as *Ethics 10* says, the law's coercive force comes from the fear of punishment, since what properly falls under a precept of the law is such that the law's punishment is inflicted in light of it.

Now divine law and human law go about instituting punishments in different ways. For the law's punishment is inflicted only for those things over which the lawmaker exercises judgment, since the law punishes in light of this judgment. But man, who makes human law, is able to pass judgment only about exterior acts, since, as 1 Kings 16:7 puts it, "Men see things that appear to be the case." By contrast, only God, who makes divine law, can judge the interior movements of wills—this according to Psalm 7:10 ("The searcher of hearts and affections (*corda et renes*) is God"). Accordingly, then, one should claim that there is one respect in which the mode of virtue is relevant to both human law and divine law, and a second respect in which it is relevant to divine law but not human law, and a third respect in which it is relevant to neither divine law nor human law.

Now according to the Philosopher in *Ethics 2*, the mode of virtue consists of three elements:

The first is that the agent acts *knowingly* (*sciens*). This falls under the judgment of both divine law and human law. For what someone does in ignorance, he does *per accidens*. Hence, as far as punishment and pardon are concerned, some matters are judged by reference to ignorance—and this according to both divine law and human law.

The second is that the agent acts *willingly* (*volens*), i.e., "by choosing [the act] and choosing it for its own sake." This involves two interior movements, viz., an act of willing (*voluntas*) and an act of intending (*intentio*), which were explained above (q. 8 and q. 12). Only divine law, and not human law, passes judgment on these two acts. For human law does not punish someone who wills to kill and yet does not kill, whereas divine law does punish him—this according to Matthew 5:22 ("Whoever is angry with his brother shall be in danger of the judgment").

The third element is that the agent *has, and acts from, a firm and unchangeable character* (*ut firme et immobiliter habeat et operetur*). This firmness properly involves a habit, so that he is acting from a rooted habit (*ex habitu radicato*). As far as this element is concerned, the mode of virtue does not fall under a precept of either divine law or human law. For even if someone who gives the honor due to his

parents does not have the habit of piety, he is not punished by man or by God as a transgressor of the precept.

Reply to objection 1: In the performance of an act of justice, the mode that falls under the precept is not that something be done from the habit of justice, but that it be done according to the order of uprightness (*secundum ordinem iuris*).

Reply to objection 2: The lawmaker's intention involves two things. The first is what he intends to lead his subjects toward by means of the precepts of the law, and this is *virtue*. The second is what he intends to make his precept about, and this is what leads or disposes them toward virtue, viz., *acts of virtue*. For the end of the precept is not the same as what the precept is about—just as, in other matters, the end is not the same as what is ordered toward the end.

Reply to objection 3: Performing an act of a virtue without sadness (*sine tristitia*) does fall under a precept of divine law, since anyone who acts with sadness is acting reluctantly (*non volens*).

On the other hand, acting with delight (*delectabiliter*)—whether with joy (*cum laetitia*) or with cheerfulness (*cum hilaritate*)—falls under a precept in one sense, viz., to the extent that the delight follows from the love of God and neighbor, which itself falls under a precept. For love is a cause of delight. However, there is a sense in which acting with delight does not fall under a precept, since, as *Ethics 2* says, “Delight in the act is a sign of a habit that has already been generated.” For an act can be delightful either because of its end or because of the agreeableness of its habit.

Article 10

Does the mode of charity fall under a precept of divine law?

It seems that the mode of charity falls under a precept of divine law:

Objection 1: Matthew 19:17 says, “If you wish to enter into life, keep the commandments,” and from this it is apparent that the observance of the commandments is sufficient for entering into life. But good works are not sufficient for entering into life unless they are done out of charity; for 1 Corinthians 13:3 says, “If I should distribute all my goods to feed the poor, and if I should deliver my body to be burned, but have not charity, it profits me nothing.” Therefore, the mode of charity is contained in a precept.

Objection 2: The mode of charity properly concerns doing all things for the sake of God. But this falls under a precept; for in 1 Corinthians 10:31 the Apostle says, “Do everything for the glory of God.” Therefore, the mode of charity falls under a precept.

Objection 3: If the mode of charity does not fall under a precept, then someone can fulfill the precepts of the law without having charity. But what can be done without charity can be done without grace, which is always joined to charity. Therefore, someone can fulfill the precepts of the Law without grace. But as is clear from Augustine in *De Haeresibus*, this is the error of Pelagius. Therefore, the mode of charity is contained in a precept.

But contrary to this: Whoever does not observe a precept commits a mortal sin. Therefore, if the mode of charity fell under a precept, it would follow that if someone did something without acting out of charity, he would commit a mortal sin. But anyone who does not have charity is such that he acts without acting out of charity. Therefore, it follows that anyone who does not have charity commits a mortal sin in every act that he does, no matter how good it is. But this is absurd.

I respond: There have been contrary opinions on this matter.

Some have claimed that, absolutely speaking, the mode of charity falls under a precept. Nor is it

impossible for someone lacking charity to observe this precept, since he can dispose himself to having charity infused in him by God. Moreover, it is not the case that whenever someone lacking charity does something good, he commits a mortal sin. For the precept ‘Act out of charity’ is an affirmative precept and imposes an obligation not for all times, but only for those times at which someone has charity.

By contrast, others have claimed that the mode of charity does not fall under a precept in any way at all.

Both sides have asserted the truth in a certain respect. For there are two possible ways to think of the act of charity:

In the first way, one is thinking of it as a certain act in its own right (*quidam actus per se*). And in this sense it falls under the precept of the Law that is proposed specifically about this act, viz., “You shall love the Lord your God, and you shall love your neighbor.” And on this score, the first opinion has asserted the truth, since it is not impossible to observe this precept, which has to do with the act of charity. For a man can dispose himself to have charity, and then, when he has it, he can make use of it.

In a second way, the act of charity can be thought of insofar as it is a mode of the acts of the other virtues, i.e., insofar as the acts of the other virtues are ordered toward charity, which is, as 1 Timothy 1:5 says, the end of the precept. For as was explained above (q. 12, a. 1), the intending of an end is a sort of formal mode of an act ordered to that end. And in this sense, what the second opinion asserted is true, viz., that the mode of charity does not fall under a precept. That is to say, the precept “Honor your father, etc.” includes only honoring one’s father and not honoring one’s father out of charity. Hence, even if someone who is honoring his father does not have charity, he is not transgressing this precept—and this is so even if he is transgressing the precept that has to do with the act of charity and so merits punishment because of this transgression.

Reply to objection 1: Our Lord did not say, “If you wish to enter into life, keep one commandment.” Rather, He said, “Keep all the commandments”—among which is the commandment about love of God and neighbor.

Reply to objection 2: The commandment of charity includes loving God with one’s whole heart, which involves referring all things to God. And so a man cannot fulfill the precept of charity without referring all things to God. So, then, one who honors his parents is obligated to honor them out of charity, but this obligation comes from the force of the precept “You shall love the Lord your God with your whole heart” and not from the force of the precept “Honor your parents.” Moreover, since these two affirmative precepts do not impose an obligation for all times, they can impose obligations for diverse times. And so it is possible for someone to fulfill the precept about honoring one’s parents at a time when the precept concerning the omission of the mode of charity is not being transgressed.

Reply to objection 3: A man cannot observe all the precepts of the Law unless he fulfills the precept of charity, which cannot be done without grace. And so what Pelagius claimed is impossible, viz., that a man fulfills the Law without grace.

Article 11

Is it correct to mark out moral precepts of the Law in addition to the Decalogue?

It seems incorrect to mark out (*distinguere*) moral precepts of the Law other than the Decalogue:

Objection 1: As our Lord says in Matthew 22:40, “On these two precepts [of charity] depends the whole Law and the prophets.” But these two precepts are explicated by the ten precepts of the Decalogue. Therefore, it is unnecessary for there to be other moral precepts.

Objection 2: As has been explained (q. 99, a. 3), the moral precepts are distinct from the judicial and ceremonial precepts. But specifications of the general moral precepts are contained in the judicial and ceremonial precepts, whereas, as has been explained (a. 3), the general moral precepts themselves are contained in the ten precepts of the Decalogue—or are at least presupposed by the Decalogue. Therefore, it is inappropriate for other moral precepts to be handed down in addition to the Decalogue.

Objection 3: As was explained above (a. 2), the moral precepts are about the acts of all the virtues. Therefore, just as, in addition to the Decalogue, the Law contains moral precepts that deal with worship, generosity, mercy, and chastity, so too there should be precepts dealing with the other virtues, e.g., fortitude, sobriety, and others of this sort. But such precepts are not to be found. Therefore, it is inappropriate for other moral precepts that go beyond the Decalogue to be marked out in the Law.

But contrary to this: Psalm 18:8 says, “The law of the Lord is pure, converting souls.” But there are other moral precepts, in addition to the Decalogue, through which a man is preserved without the stain of sin and through which his soul is converted. Therefore, it was the Law’s function to hand down other moral precepts as well.

I respond: As is clear from what was said above (q. 99, a. 3-4), the judicial and ceremonial precepts have force solely by virtue of their being instituted, since before they were instituted, there was no apparent difference between things being done one way or another. By contrast, the moral precepts would have had efficacy on the basis of the dictates of natural reason even if they had never been codified in the Law.

Now there are three levels (*gradus*) of moral precept:

(a) Some moral precepts are absolutely certain and so evident that they do not need to be made known publicly (*editione non indigent*). For as was explained above (a. 3), the commandments about love of God and neighbor and others of this sort are, as it were, the ends of the precepts (*finis praeceptorum*) and so such that no one can make a mistaken judgment of reason about them.

(b) Other moral precepts are more specific (*determinata*) and such that anyone, even an ordinary man, can grasp the reason behind them easily and immediately. However, since human judgment about these precepts can be perverted in a fewer number of cases, precepts of this sort need to be made known publicly (*indigent editione*). These precepts are the precepts of the Decalogue.

(c) Still other moral precepts are such that the reason behind them is not evident to everyone; instead, it is evident only to the wise. These precepts are the ones that were added to the Decalogue and given to the people by God through the mediation of Moses and Aaron.

Now since things that are evident are the basis for knowing things that are not evident, these other moral precepts that were added to the Decalogue are traced back to the precepts of the Decalogue in the sense that they are a sort of addition to them.

For instance, the first precept of the Decalogue prohibits the worship of strange gods, and to this are added other precepts that prohibit things that are ordered toward the worship of idols—as, e.g., in Deuteronomy 18:10-11: “Do not let there be found among you anyone that shall purify his son or daughter by making them to pass through the fire ... Neither let there be any evil magician or enchanter, or anyone who consults prophetic spirits, or fortune-tellers, or who seeks truth from the dead.”

The second precept of the Decalogue prohibits perjury, and to this are added the prohibition of blasphemy in Leviticus 24:15 and the prohibition of false teaching in Deuteronomy 13.

To the third precept are added all the ceremonial precepts.

To the fourth precept, the one about honoring one’s parents, is added a precept about honoring the elderly—this according to Leviticus 19:32 (“Stand up in the presence of a hoary head, and honor the elderly person”)—and, more generally, all the precepts that induce one to show respect for one’s betters or to give benefits to one’s equals or inferiors.

To the fifth precept, which prohibits homicide, are added the prohibition of hatred or any sort of

injury (*violatio*) against one's neighbor, as in Leviticus 19:16 ("You shall not stand against the blood of your neighbor"), and the prohibition of hatred of one's brother, as in Leviticus 19:17 ("You shall not hate your brother in your heart").

To the sixth precept, which prohibits adultery, is added the prohibition against prostitution (*meretricium*)—this according to Deuteronomy 23:17 ("There shall be no prostitutes among the daughters of Israel, nor fornicators among the sons of Israel"). Again, also added is the prohibition of the vice against nature—this according to Leviticus 28:22-23 ("You shall not have sex with a male ... You shall not copulate with any beast").

To the seventh precept, which prohibits theft (*furtum*), are added the precept prohibiting usury (*usura*)—this according to Deuteronomy 23:19 ("You shalt not lend your brother money to usury")—and the prohibition of fraud (*fraus*)—this according to Deuteronomy 25:13 ("You shall not have diverse weights in your bag")—and, more generally, everything having to do with the prohibition of cheating (*calumnia*) and plundering (*rapina*).

To the eighth precept, which prohibits false witness, are added the prohibition of false judgment—this according to Exodus 23:2 ("You shall not acquiesce in judgment to the opinion of the majority, so as to stray from the truth")—and the prohibition against lying, which is added in the same place ("You shall avoid lying"), and the prohibition against detraction—this according to Leviticus 19:16 ("You shall not be a detractor (*criminator*) or a whisperer among the people").

However, no other precepts are added to the last two precepts of the Decalogue, since these precepts prohibit all evil desires in general.

Reply to objection 1: The precepts of the Decalogue are ordered toward the love of God and neighbor with the evident rationale of what is owed (*secundum manifestam rationem debiti*) to God and to neighbor. By contrast, the ordering of the other precepts toward the love of God and neighbor has a more hidden reason behind it.

Reply to objection 2: The ceremonial and judicial precepts specify the precepts of the Decalogue by instituting something and not, as with the additional moral precepts, by the force of a natural inclination (*ex vi naturalis instinctus*).

Reply to objection 3: As was explained above (q. 90, a. 2), the precepts of law are ordered toward the common good. And it is because the virtues that order us toward other people are directly relevant to the common good—and, likewise, chastity, insofar as the act of generation subserves the common good—that both the precepts of the Decalogue and the additional precepts are given directly about these virtues.

By contrast, as far as the act of fortitude is concerned, the relevant precept has to be proposed by leaders giving exhortations in a war undertaken for the common good—as is clear from Deuteronomy 20:3, where the priest is commanded [to say], "Do not be afraid! Do not yield!"

Similarly, the prohibition of the act of gluttony is entrusted to paternal warnings, since gluttony is contrary to the good of the household (*bonum domesticum*). Hence, Deuteronomy 21:20 says in the personage of the parents, "He hates listening to our admonitions; he is idle with his reveling and debauchery and socializing."

Article 12

Did the moral precepts of the Old Law give justification [before God]?

It seems that the moral precepts of the Old Law gave justification [before God] (*iustificatio*):

Objection 1: In Romans 2:13 the Apostle says, "For it is not the hearers of the Law who are

justified before God; rather, it is the doers of the Law who shall be justified.” But the ones who are called doers of the Law are those who fulfill the precepts of the Law. Therefore, when the precepts of the Law were fulfilled, they gave justification.

Objection 2: Leviticus 18:5 says, “Abide by my laws and judgments; the man who fulfills them will have life in them.” But a man’s spiritual life comes through justice. Therefore, when the precepts of the Law were fulfilled, they gave justification.

Objection 3: Divine law is more efficacious than human law. But human law gives justification, since there is a kind of justice in the fulfillment of the precepts of the law. Therefore, the precepts of the Law gave justification.

But contrary to this: In 2 Corinthians 3:6 the Apostle says, “The letter kills ...” According to Augustine in *De Spiritu et Littera*, the Apostle is referring here even to the moral precepts. Therefore, the moral precepts did not give justification.

I respond: Just as ‘healthy’ is said first and primarily of that which has health, whereas it is said secondarily of that which is a sign of health or of that which preserves health, so too ‘justification’ is said first and primarily of the very effecting of justice, whereas ‘justification’ can be said secondarily—and, as it were, improperly—of a sign of justice or of a disposition toward justice.

There are two ways in which the precepts of the Law clearly gave justification, viz., (a) insofar as they disposed men toward the justifying grace of Christ and (b) insofar as they also signified that grace. For as Augustine says in *Contra Faustum*, “Even the life of that people was prophetic and a figure of Christ.”

However, if we are talking about justification properly speaking, then note that ‘justice’ can be understood either as it exists in a habit or as it exists in an act, and so ‘justification’ is predicated in two ways: (a) first, insofar as a man becomes just by acquiring the habit of justice and (b) second, insofar as he performs the works of justice, in which case justification is nothing other than the execution of justice.

Now as is clear from what was said above (q. 63, a. 4), justice, like the other virtues, can be understood either as acquired justice or as infused justice. Acquired justice is caused by actions. By contrast, infused justice is caused by God Himself through His grace; and this is the true justice about which we are now talking and in light of which someone is said to be just before God—this according to Romans 4:2 (“If Abraham was justified by the works of the Law, then he has glory, but not before God”). Therefore, this sort of justice could not have been caused by the moral precepts, which have to do with human actions. Accordingly, the moral precepts could not have given justification by effecting justice.

On the other hand, if ‘justification’ is understood as the execution of justice, then all the precepts of the Law gave justification, though in different ways.

For the ceremonial precepts contained justice in its own right in a general way (*justitia secundum se in generali*) insofar as they had to do with the worship of God. However, they did not contain justice in its own right in a specific way, but were just solely because of the determination of divine law. And so these precepts are said to have given justification only because of the devotion and obedience of those who observed them.

By contrast, the moral and judicial precepts contained what was just in its own right, either in a general way or in a specific way. The moral precepts contained what is just in itself by *general justice*, which, as *Ethics* 5 explains, involves “every virtue,” whereas the judicial precepts involved *special justice*, which has to do with the contractual interchanges (*contractus*) of human life that take place among men in their dealings with one another.

Reply to objection 1: The Apostle is using ‘justification’ here to refer to the execution of justice.

Reply to objection 2: A man who observes the precepts of the Law is said “to have life in them” in the sense that he does not incur the punishment of death that the law inflicts on those who transgress it.

This is the Apostle's meaning in Galatians 3:12.

Reply to objection 3: The precepts of human law give justification by means of acquired justice, which we are not discussing at present; rather, we are talking only about that justice which is justice before God.