



# Treatise on Law: The Complete Text

*Thomas Aquinas*

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## **Treatise on Law: The Complete Text** Thomas Aquinas

This new English translation of St. Thomas Aquinas's *Treatise on Law*, found in Questions 90–108 of the First Part of the Second Part of the *Summa Theologiae*, is the only free-standing English translation of the entire *Treatise*, which includes both a general account of law (Questions 90–92) and also specific treatments of what St. Thomas identifies as the five kinds of law: the eternal law (Question 93), the natural law (Question 94), human law (Questions 95–97), the Old Law (Questions 98–105), and the New Law (Questions 106–108).

According to St. Thomas, law, far from supplanting virtue as a basic principle of action, serves as an independent principle of action that complements virtue and is itself capable of being factored into practical deliberation. The reason is that all of God's precepts, prohibitions, and punishments are aimed at promoting the good of the whole universe and, more particularly, the good for human beings, both individually and within the various forms of social life. Because of this, law serves as both a restraint on bad actions and a spur to good action, i.e., a restraint on actions that take us away from virtue and genuine human flourishing and a spur to actions that promote virtue and flourishing.

There are many benefits of having the whole treatise rather than just the first few questions, as has been the standard practice in previous editions of the *Treatise on Law*. To mention just a few of these benefits, the question on the moral precepts of the Old Law (question 100) helps to illuminate in many different ways the earlier questions on natural law and human law (questions 94–97). Again, the questions on the ceremonial and judicial precepts of the Old Law (questions 101–105) demonstrate in depth the symbiotic relationship that St. Thomas takes to obtain between the Old Testament and the New Testament. The questions on the New Law provide an introduction to the Christian way of life that will be described in incomparable detail in the Second Part of the Second Part, the bulk of which is structured around the treatment of the three theological virtues and the four cardinal virtues.

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