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978-0-521-02937-7 - Summa Theologiae: Volume 29 - The Old Law, (1a2ae. 98-105)

David Bourke and Arthur Littledale

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The *Summa Theologiae* ranks among the greatest documents of the Christian Church, and is a landmark of medieval western thought. It provides the framework for Catholic studies in systematic theology and for a classical Christian philosophy, and is regularly consulted by scholars of all faiths and none, across a range of academic disciplines. This paperback reissue of the classic Latin/English edition first published by the English Dominicans in the 1960s and 1970s, in the wake of the Second Vatican Council, has been undertaken in response to regular requests from readers and librarians around the world for the entire series of 61 volumes to be made available again. The original text is unchanged, except for the correction of a small number of typographical errors.

The original aim of this edition was not narrowly ecclesiastical. It sought to make this treasure of the Christian intellectual heritage available to theologians and philosophers of all backgrounds, including those who, without claiming to be believers themselves, appreciate a religious integrity which embodies hardbitten rationalism and who recognise in Thomas Aquinas a master of that perennial philosophy which forms the bedrock of European civilisation. Because of this the editors worked under specific instructions to bear in mind not only the professional theologian, but also the general reader with an interest in the 'reason' in Christianity. The parallel English and Latin texts can be used successfully by anybody with a basic knowledge of Latin, while the presence of the Latin text has allowed the translators a degree of freedom in adapting their English version for modern readers. Each volume contains a glossary of technical terms and is designed to be complete in itself to serve for private study or as a course text.

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ST THOMAS AQUINAS  
SUMMA  
THEOLOGIAE

Latin text and English translation,  
Introductions, Notes, Appendices  
and Glossaries



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Volume 29

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and

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IN AN AUDIENCE, 13 December 1963, to a group representing the Dominican Editors and the combined Publishers of the New English *Summa*, His Holiness Pope Paul VI warmly welcomed and encouraged their undertaking. A letter from His Eminence Cardinal Cicognani, Cardinal Secretary of State, 6 February 1968, expresses the continued interest of the Holy Father in the progress of the work, 'which does honour to the Dominican Order, and the Publishers, and is to be considered without doubt as greatly contributing to the growth and spread of a genuinely Catholic culture', and communicates his particular Apostolic Blessing.



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# EDITORIAL NOTES

## THE TEXT AND TRANSLATION

THE LATIN text relies on the ‘Leonine’ edition, commissioned by Leo XIII towards the end of the last century: the differences between this and the ‘Piana’ edition are slight. The attempt has not been to establish a critical text, but to offer a sound working version. The punctuation is that of the editor.

The English has been prepared with a view to being read independently of the Latin, though reference to this has been made easy. Where technical terms have been retained, they are explained in footnotes.

## FOOTNOTES

Those signified by a superior number are the references given by St Thomas, with the exception of no. 1, to each article which refers to parallel texts in his writings. Those signified alphabetically are editorial references and explanatory remarks.

## REFERENCES

Biblical references are to the Vulgate; English translations from the Revised Standard Version. Patristic references are to Migne (PG, Greek Fathers; PL, Latin Fathers). Abbreviations to St Thomas’s works are as follows:

*Summa Theologiae*, without title. Part, question, article, reply; e.g. 1a. 3, 2 ad 3. 1a2æ. 17, 6. 2a2æ. 180, 10. 3a, 35, 8.

*Summa Contra Gentiles*, CG. Book, chapter; e.g. CG 1, 28.

*Scriptum in IV Libros Sententiarum*, Sent. Book, distinction, question, article, solution or *quæstionculæ*, reply; e.g. III Sent. 25, 2, 3, ii ad 3.

*Compendium Theologiae*, *Compend. Theol.*

Commentaries of Scripture (*lecturæ, expositiones*): Job, *In Job*; Psalms, *In Psal.*; Isaiah, *In Isa.*; Jeremiah, *In Jerem.*; Lamentations, *In Thren.*; St Matthew, *In Matt.*; St John, *In Joan.*; Epistles of St Paul, e.g. *In Rom.* Chapter, verse, *lectio* as required.

Philosophical commentaries: On the *Liber de Causis*, *In De causis*. Aristotle: *Peri Hermeneias*, *In Periherm.*; Posterior Analytics, *In Poster.*; Physics,

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*In Physic.*; *De Cælo et Mundo*, *In De Cæl.*; *De Generatione et Corruptione*, *in De gen.*; *Meteorologica*, *In Meteor.*; *De Anima*, *In De anima.*; *De Sensu et Sensato*, *In De sensu*; *De Memoria et Reminiscentia*, *In De memor.*; *Metaphysics*, *In Meta.*; *Nicomachean Ethics*, *In Ethic.*; *Politics*, *In Pol.* Book, chapter, *lectio* as required, also for Expositions on Boëthius, *Liber de Hebdomadibus* and *Liber de Trinitate*, *In De hebd.* and *In De Trin.*, and on Dionysius, *De Divinis Nominibus*, *In De div. nom.* References to Aristotle give the Bekker annotation.

*Questiones quodlibetales (de quolibet)*, *Quodl.*

Main titles are given in full for other works.

## INTRODUCTION

IN SPITE OF the universal esteem in which the *Summa Theologiae* has always been held, relatively little attention has been devoted to the particular treatise in it which is the subject of this volume. If any section of the *Summa* has to be passed over by the student for lack of time or for other considerations this one, the treatise on the Old Law, is almost invariably the first to be jettisoned. One reason for this may be a certain failure on the part of moral theologians to recognize that the Old Testament has any real relevance to their subject at all. And of all the areas of the Old Testament, the legal sections contained in *Exodus*, *Leviticus*, *Numbers* and *Deuteronomy*, those with which this treatise of the *Summa* is principally concerned, seem the most totally devoid of interest or relevance. Yet, as has come increasingly to be recognized by Old Testament scholars, it is precisely here, in the law codes, that the history of Israel as a *society* is most vividly reflected, the very area, one would have thought, in which the moral theologian might expect to find his most fruitful insights. A further aspect of what might be called the 'actuality' and relevance of this treatise may be illustrated with reference to the opening Question (98). To appreciate its importance we need only recall the heresy of Marcion to the effect that Old Testament Law was totally opposed to Christianity as the gospel of love. Marcion further held that the God of the Old Law was the complete antithesis of the God of Jesus Christ, ignorant, cruel and despotic, and finally the instigator of Christ's own Passion and death. A further radical opposition, according to Marcion, is that which exists between law and spirit, an opposition which only Paul fully appreciated. Many of the prejudices voiced by Catholics and others of the present day who lack a genuinely biblical tradition are still astonishingly reminiscent of Marcion's views. The Marcionite heresy still needs to be combated.

Now even though this heresy had, of course, long been condemned by St Thomas's time, the opening question of his treatise might well be understood as a refutation of this, the heresy most directly hostile to the Old Law as such. Thus the Old Law, so far from being evil and opposed to the New, is within its due limits good and leads up to it (art. 1). So far from being the work of an 'anti-God', it 'was given by the good God who is the Father of Our Lord Jesus Christ', and was designed to prepare men for his coming (art. 2), those namely who were mysteriously favoured with the grace of election and promise, and from among whom the seed promised to Abraham was to arise (art. 4). And although the Old Law contained, over and above the universally binding principles of the Natural Law, certain special precepts applicable to the Jews alone, and designed

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for their special sanctification as the people of election and promise (art. 5), still it has a permanent value even now that its binding force as law has been abrogated by the new dispensation of grace, because it foreshadows Christ and so deepens our knowledge of him. In this sense it is meant for the sanctification of us all, Gentiles as well as Jews. As a preparatory stage in the course of salvific history it obviously falls *before* the coming of Christ, for which it prepared the Jews, but *after* a preliminary period during which sin proliferated and the need for special guidance and law from God was thereby brought home to the descendants of Abraham, already constituted as a people (art. 6). Finally it remains to determine the rightful place of the Old Law as an element in the total process of divine revelation. Clearly, in spite of certain passages which might be construed in a contrary sense, it is less than the direct vision of God, for this is reserved for the state of eternal beatitude, the ultimate stage in the process of revelation. It is also less than the revelation of the New Law which God imparted to us through the medium of his own Son. The Old Law, therefore, as the lowest stage in the process of revelation, was fittingly imparted through the medium of angels (art. 3).

Inevitably at this stage St Thomas is relying heavily on St Paul's evaluation of the purpose and function of the Old Law in the total economy of salvation as set forth principally in the epistles to the *Romans* and *Galatians*. For St Paul too the Old Law was 'holy and just and good', a 'pedagogue', teaching man what he ought to do, restraining him from following his inordinate inclinations and idolatrous practices, and directing him to the worship of the one true God and the exercise of justice and charity towards his fellows. Because it has this force it, so to say, brings to the surface the sin that has been latent in man since the Fall, making it explicit and formal. In this sense it is an occasion of sin but is incapable of supplying the needful remedy for the disorders which it discloses. No other remedy can be found for this than the grace of charity in the Holy Spirit bestowed by Christ (art. 1). In effect St Thomas takes over this Pauline argument and fits it with marvellous adroitness into a framework of Aristotelean causality. The supreme 'final cause', the ultimate 'desirable perfection' in which man's true good consists is the beatific vision in heaven. The supreme agent who enables man to attain this is God. As supreme agent he works through subordinate agents first, namely the angels, to prepare man for the reception of the grace of the Holy Spirit endowing him with charity, and this in turn enables him to achieve his ultimate perfection in heaven. In this context the Old Law is a subordinate cause of salvation, since it removes the dispositions in man which are hostile to the reception of grace and binds the Jews to whom it is directed into a single community united in the worship of the one true God and the

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expectation of the fulfilment of the promise made to their forefather, Abraham.

In this argument we can discern an extremely ingenious equation between the Pauline concept of *telos* (cf *Rom.* 10, 4: 'Christ is the end of the law') and the Aristotelean concept of final cause, between the Pauline *nous* (cf *Rom.* 7, 3, 'the law of my intellect') and the Aristotelean concept of 'right reason' as a criterion of the true good, between the conception of an ascending hierarchy of revealers (cf *Heb.* 1, 1-7) commencing with the angels as the promulgators of the Old Law, and ending with God himself, and the Aristotelean conception of a principal agent controlling and guiding the work of subordinate agents, and directing it all to a preconceived goal which is beyond what any one subordinate agent can attain to of his own power. Thus while the Old Law is less perfect than the New it is more perfect than Natural Law in respect of its origin, its subject matter, the end to which it directs men and the agents through whom it is promulgated.

A point which will be apparent even at this stage, and which I have also tried to emphasize at appropriate points in the footnotes, is the essentially teleological character of St Thomas's approach. This affords remarkable points of contact with the broad lines of interpretation adopted by leading Old Testament theologians of the present day, and notably by W. Eichrodt. In the preface to the sixth edition of his *Theology of the Old Testament*<sup>1</sup> this author provides a superb statement of the irresistible and purposeful momentum of Old Testament history as it advances relentlessly towards its predestined consummation in Christ. Like St Thomas he emphasizes the radical incompleteness of the Old Testament dispensation, its palpable need for a further fulfilment beyond itself, a fulfilment which can only be Christ and the new dispensation which he brings. Yet as Eichrodt rightly emphasizes, modern study of the Old Testament leads us not in one, but in two different directions. It is '... closely linked both to the prolific variety of pagan religions, and to the exclusive realm of New Testament belief' so that 'no presentation of Old Testament theology can properly be made without constant reference to its connections with the whole world of Near Eastern religion'.<sup>2</sup> It is here, as we readily admit, that the limitations of St Thomas's treatise are most forcibly felt. Unlike the moderns he was obviously in no position to take into account any of the beliefs and practices of Israel's pagan neighbours. Yet, as we now know, these exercised a constant and vital influence upon the development of her own religious practice, either by being absorbed into the pre-existing structure of her distinctive beliefs or else by provoking her to react against

<sup>1</sup>Vol. I, 6th ed. E.T. J. Baker, London, 1961, pp. 25-6

<sup>2</sup>*ibid* p. 25



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them and to make her own way of life and worship as unlike them as possible.

Perhaps it is because of his relative ignorance of such factors as these that St Thomas has so often been accused of lacking a sense of history. It has appeared to many that he has failed to see Israel's history and laws in their historical setting and to interpret them accordingly. Many of his critics would, one feels, apply to him an axiom coined by Harnack to the effect that 'the man who knows only one religion knows none'.<sup>3</sup> The point may be illustrated by means of a concrete example. A prescription in the Old Law which the Fathers and schoolmen in general not unnaturally found baffling to a degree was the one which forbade the Israelite to 'boil a kid in its mother's milk' (*Exod.* 23, 19). Dr B. Smalley provides a most enlightening survey of the history of the exegesis of this precept from St Augustine down to St Thomas.<sup>4</sup> Augustine regarded the precept as absurd, and held that it had no literal sense at all, but only an allegorical one. It referred to the escape of Christ from the massacre of the Innocents.<sup>5</sup> Subsequent commentators were influenced by Augustine with the result that the answers they proposed were almost equally unsatisfying. None of them seems to have asked the essentially *historical* question, what did the lawgiver (or promulgator) originally mean by this law, and how was it understood by the Israelites upon whom it was imposed? Andrew of St Victor found from the rabbis whom he consulted that the commandment was still observed by the Jews, and rightly concluded that it must after all have had some literal sense from the beginning. But his version of what this sense was is little short of fantastic, being based on an alleged etymology of the Hebrew word for kid which is wholly improbable.<sup>6</sup> In fact it is not until Moses Maimonides that we encounter a serious attempt at assigning the *historical* reason for the prohibition. As we now know, when he states that dishes of this kind had been employed sinfully by the Jews in offerings to idols<sup>7</sup> he comes fairly near the mark. Now on this point, as on many others concerning the cultic practices of Israel, it is on Maimonides that St Thomas relies, though not, of course, slavishly. In dealing with a different passage Maimonides had alleged that humanitarian motives lay behind certain prescribed methods of slaughtering sacrificial victims.<sup>8</sup> St Thomas applies this principle to the case of the kid boiled in

<sup>3</sup>*Die Aufgabe der theologischen Fakultäten und die allgemeine Religionsgeschichte* p. 10

<sup>4</sup>*The Study of the Bible in the Middle Ages*, pp. 303 ff.

<sup>5</sup>*Quaestiones in Heptateuchum* ii. 90; PL 34, 629

<sup>6</sup>Cited by B. Smalley, *op cit*, p. 304, n. 1

<sup>7</sup>*Guide for the Perplexed*, E.T. M. Friedländer, London, 1881-5, Vol. I, p. 371

<sup>8</sup>*ibid*, Vol. III, p. 49

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its mother's milk and suggests that the practice was repugnant to the Jews on similar humanitarian grounds (cf 1a2ae. 102, 6 ad 4). As an alternative explanation he suggests that the practice was prohibited because it was used by Gentiles in worshipping their idols. The fact that the rite is referred to in Canaanite writings from Ras Shamra, in which it seems to have the force of a magical fertility ritual, lends colour to the second of St Thomas's explanations. But the essential point, which this example illustrates most strikingly, is the extent to which St Thomas stands out among his contemporaries and predecessors *precisely in respect of his sense of history*. Unlike Augustine and many others he never attempts to bypass the literal sense of a passage, and in seeking to explain it he constantly refers back to the customs in force at the time when the passage concerned was composed. In doing this he relies on the best Jewish commentator available at his time. The fact that his material knowledge of these customs was extremely meagre is immaterial to the point at issue. The magnitude of his achievement as an exegete can be gauged only when we set him among his contemporaries and predecessors. Only then can we realize how far he surpasses them all in the very point in respect of which he has so often been criticized—in his sense of history. His unique insistence on the literal sense leads him again and again to attempt to replace the passage under investigation in its historical context, to take cognizance, for instance, of the dangers of idolatry, the propensities of the Jewish people to avarice, etc.

In comparatively recent times a wealth of source material relating to the history of the ancient Near East has been made available to us. As a result biblical scholars have been in real danger of forsaking their theological interest in the Bible altogether and pursuing biblical history as an end in itself. From this loss of perspective the greatest of the Old Testament theologians recall us. They remind us that while we are indeed committed to a rigorously scientific investigation into all the available data relating to the history of the Old Testament people, nevertheless this must always be subordinate to the *theological* aim of showing how, in the divine plan for man's salvation, the Old Testament is radically orientated to Christ as its fulfilment. Now the magnitude of St Thomas's achievement consists precisely in the fact that he recognized both these aims. As Dr Smalley admirably puts it, 'St Thomas had brought Christian exegesis to a stage where the Old Testament precepts could be made a subject of scientific study. At the same time he was giving content to the teaching of the Fathers that the Old Testament was a history of religious education.'<sup>9</sup>

The phrase 'giving content to the teaching of the Fathers' may serve to introduce a further aspect of St Thomas's approach, namely his deep

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<sup>9</sup>op cit, p. 306

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reverence for the traditional teaching of the Fathers, especially with regard to the allegorical or 'Spiritual' senses of Scripture as distinct from the literal one. A statement which he makes in the prologue to his commentary on *Job* may be taken as representative of his general attitude on this point. He says that he proposes 'to expound this book compendiously according to the literal sense; for blessed Pope Gregory has opened its mysteries to us so subtly and discreetly that it seems nothing more need be added.'<sup>10</sup> In the treatise on the Old Law, too, one receives the strong impression that when he expounds the allegorical or spiritual sense he is really drawing upon the Fathers. Rarely if ever, one feels, does he presume to advance any original interpretations of his own with regard to the manner in which Christ is prefigured in the Old Testament.

Even in his expositions of the literal sense St Thomas's contribution often appears to consist in a marvellously adroit blending of earlier authorities, and on the whole he has less completely original insights to offer than might appear. As H. de Lubac observes, 'Without wishing to introduce any innovations, he confines himself to the task of delineating a body of teaching which was twelve centuries old; the terms in which he does this are restrained and clear, but none the less provide a forceful presentation of the principal characteristics of this teaching.'<sup>11</sup>

St Thomas regards salvation history as falling into three main epochs, the second of which (that of the New Testament) is foreshadowed by the first (Old Testament), and the third (the final consummation) by both the second and the first. This is in conformity with the traditional tripartite division, *umbra—imago—veritas*.<sup>12</sup> Traditional also, and even classic, is the general division of the Old Law into *moralia*, *ceremonialia* and *judicialia*, that is, as a rough guide for practical purposes, the decalogue, the cultic prescriptions and the Book of the Covenant. Only the first of these has a permanent and definitive applicability. The other two are *figuralia*. In other words they were to be rendered obsolete by the advent of the New Law, but even then to have the important function of foreshadowing, each in its own way, the coming of Christ and his work on earth.

In adopting this approach and this general division, therefore, St Thomas is simply reproducing a scheme which was current at his epoch, and which ultimately goes back to Origen. His basic conception of the community to whom the Old Law was directed is also traditional. For the purpose of assessing the people's varying degrees of knowledge of the Law and their corresponding need of instruction and guidance he divides the Israelite community into (a) the 'wise' who have an exceptional grasp

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<sup>10</sup>Cited by B. Smalley, *op cit*, p. 302

<sup>11</sup>*Exégèse médiévale* II, Lyons, 1964, p. 286

<sup>12</sup>*ibid*

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of natural moral principles, and a corresponding duty to teach others, (b) the less educated who have a knowledge of these which is sufficient for most practical purposes, but which needs to be supplemented by instruction in certain of its more difficult elements, (c) those whose minds have been so distorted and darkened by the effects of sin that their sense of right moral principle is less than natural and normal. This division too is in substance traditional. Finally on this point of St Thomas's adherence to tradition in treating of the Old Law a remark of C. Spicq's seems particularly just and apposite: 'What distinguishes St Thomas from his contemporaries and predecessors is not so much the originality of his method or his formulations; it is much more the quality of his spirit.'<sup>13</sup>

Having seen something of the possible influences on St Thomas's approach to the interpretation of the Old Law, let us now turn to his actual argument. First let us notice the place of this treatise within the broader tractate on law in the *Prima Secundæ*. In Q. 90, art. 1 St Thomas defines law as 'a certain rule and measure of acts according to which man is induced to act or restrained from acting'. He goes on to say that this rule or measure can only be the reason which preconceives the end in which man's good is to be found, and directs his acts towards the achievement of that end. He points out that laws are always designed to achieve the *common* good, i.e. the good of the community as a whole (art. 2), that it is the community itself or its representative leader who makes laws (art. 3), and that it is not until they are promulgated that they have the force of law (art. 4). In Q. 91 he goes on to distinguish three distinct kinds of law, natural (art. 2), human (art. 3) and divine (art. 4). All creatures are endowed with an innate inclination to seek their own perfection in the end appropriate to their own kind. As a rational creature man has the responsibility of reflecting upon his own nature, seeing in what this end consists for him, and directing himself towards it. The innate inclination towards the end appropriate to his own nature is what is meant by the natural law (Q. 91, art. 2). But this natural law supplies only the general direction, the first principles by which man must live. In order to be applied in concrete practice these general principles require further 'determination' or precision, and this is the function either of human or of divine law (arts. 3 & 4). Human law lays down *how* the general principles should be applied in specific cases in order for man to achieve his natural end in community with his fellows. But beyond and above this natural end of man God has given him a supernatural one, so that he has need of suprahuman guidance in order to direct himself to it. This suprahuman guidance is supplied by the divine law, and this in turn falls into two parts,

<sup>13</sup>*Esquisse d'une histoire de l'exégèse latine au moyen âge*, Paris, 1944, p. 315

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the Old Law and the New, the first part preparing for and prefiguring the second. The treatise on the Old Law, therefore, is intended to explain precisely how the Old Law goes beyond the natural or human law, as part of the divine law, and also how it prepares for and prefigures the second and more important part of the divine law.

For St Thomas, then, the Old Law is a special instance of law in general, and fulfils all the elements in his definition of this. It is a rule or measure framed by God himself (Q. 98, arts. 1 & 2) which applies to a community constituted as such by divine election and promise, as well as by common descent from Abraham (art. 4), promulgated through angels (art. 3) and, since it is in conformity with the divine reason (art. 1), ordering the members of that community to a more exalted end (namely salvation) by directing their acts at a deeper level (interior as well as exterior ones) than merely human or natural law (art. 1). Thus while it is less perfect than the New Law it is more perfect than the natural law. In relation to the natural law it partly overlaps with it and partly supplements it. Some of its precepts apply therefore to all men, while others are designed exclusively for the Jews, and are intended to achieve their special sanctification as the chosen race from whom the seed of Abraham is to spring (art. 5).

Now if there is one point more than another in all this which affords a unified perspective upon the treatise on the Old Law as a whole it is the conception of the Israelite people as a community. In Q. 105, art. 2 St Thomas applies to the Israelites St Augustine's definition: 'A nation is a body of persons joined together in acceptance of a law and for the good of all.' Earlier in the treatise he has already explained the special kind of union involved. It is one which is essentially dynamic and teleological in the sense that it aims at union with God in the charity of the Holy Spirit achieved in and through the grace of salvation in Christ. In this connection a quotation from 1 *Tim.* 1, 5 is repeated more than once in the course of the treatise, and is obviously axiomatic: 'The commandment has charity as its goal' (Q. 99, art. 1 ad 2). It is this goal, then, that provides the basic unity of the community as a whole and the direction in which it tends. The function of the Old Law is to dispose it and prepare it for the future achievement of this end.

Presupposed to the Old Law as a whole, therefore, is faith in God's future fulfilment of his promise to Abraham. But the God with whom the people are eventually to be united in this supernaturally intimate union is not only the God and Father of Jesus Christ (Q. 98, art. 2) but also the Creator of the world and of man, and as such the author of the natural law which gives man his innate inclination to his natural end. The Old Law, therefore, also presupposes the natural law. It subsumes, summarizes and

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restates the general principles of this in the form of the moral precepts known as the ten commandments (Q. 100, art. 1). This is the significance of St Paul's assertion that 'Gentiles who have not the Law do by nature that which the Law requires . . . They show that what the Law requires is written on their hearts' (*Rom.* 2, 14-15; cf Q. 100, art. 1). Thus the Old Law subsumes and goes beyond the natural law as a revealed and supernatural aid to the achievement of grace. It constitutes a special instance of the general principle that grace perfects nature. But even when the general principles of the natural law have been formally set forth as the ten commandments they still require further determination in order to be applied in concrete practice, and this is the function of the ceremonial and the judicial precepts. As in all cases of drawing conclusions from principles, the process of determination is the outcome of human reasoning. Thus while the ten commandments have God himself as their author in an especially direct sense, the ceremonial and judicial precepts were formulated by the 'wise' of the Israelite community, namely Moses and Aaron, working under God's guidance. In relation to the New Law these ceremonial and judicial precepts also have an important prefiguring function which will continue even after they have ceased to have the force of law. They bear witness, although obscurely, to Christ and his work. In this way too they prepare men for his coming. This is a further aspect of the teleological significance of the community of Israel living under the Law.

In the light of all this it will be apparent that the Augustinian definition previously quoted of a nation in the purely natural sense needs further supplementation in order to be applied to the Israelite community. This, as St Thomas tells us, is 'a divine community or commonwealth of God' (Q. 100, art. 5), designed for deeper and closer union with its founder and ruler than any merely natural community could ever be. Moreover this ruler is the creator not only of the community as a whole but of each individual within it, as well as of the world in which it lives, and the worldly goods on which it relies. As a ruler he is unique in that he has a right to man's loyal adherence not merely in the sphere of external human activities but in man's inmost thoughts and dispositions as well. Thus man's engagement as a member of this divine community is total and all-embracing. All that he is and does, even in his innermost heart and soul, is under the command of God's Law, imposed upon him in view of the union of love towards which he is being led. It is this that provides the second supernatural principle, side by side with that of faith, which the Old Law fundamentally presupposes. It is expressed in the commandment found in *Deut.* 6, 5: 'You shall love Yahweh your God with all your heart and with all your soul and with all your might.' Love and faith, then, in this sense, have the status of first principles which the Old Law pre-

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supposes, just as it presupposes the first principles of the natural law that God is to be worshipped and that one must act justly towards one's fellow men. But this interiorization of the Law in view of the unique relationship of the members of the community to their ruler clearly affects their relationship with each other as well. Union between man and God in love necessarily includes union between man and man in love, because man must love what God loves. Hence the possibility of summing up the manifold precepts of the Old Law under a single head expressive of the end which all are designed to achieve: 'You shall love your neighbour as yourself' (*Rom.* 13, 9, implicitly including the commandment of love of God referred to in *Matt.* 22, 40; cf *Q.* 99, arts. 1 ad 2).

But for the union of charity to be achieved man must be assimilated to God who is the supreme good. Hence the need for the *moral* precepts, the purpose of which is to make man good and so conformed to the goodness of God himself (*Q.* 99, art. 2). Moreover the Old Law is directed not to man in some hypothetical state of pure nature, but to man in his fallen state, darkened and confused by the effects of sin to such an extent that his grasp even of the principles of the natural law is weakened, and he needs guidance in respect of these as well. St Thomas envisages this darkness and confusion as varying from individual to individual, and so introduces a conception which is of importance for the treatise as a whole. This is that in morals, as in other rational processes, one begins with the principles which are most universal, all-embracing and inescapably self-evident to all, and one then proceeds by successive stages of determination and application of these principles to put them into practice in particular concrete acts. Though none can fail to recognize the first principles of the natural law, an increasing number go astray in the process of application and determination as a result of the effects of habitual sin. For this reason the guidance of the Old Law is needed for the application and determination of the principles of the natural law, as well as for those acts which are prescribed by the revealed will of God alone, the goodness of which would otherwise have remained unknown to us.

The moral precepts set forth in the decalogue, therefore, embody those principles of the natural law which, though not immediately and universally self-evident, are nevertheless within the grasp of man's natural reason provided that this has not been too darkened and distorted by sin. The first three precepts define man's duties in relationship to God as Founder and Ruler of the community. Thus the first commandment, the prohibition of strange gods, is directed against infidelity, and the correlative of this is that man owes *fidelity* to God first and foremost. The second commandment prohibits the taking of the Lord's name in vain, and this is directed against irreverence because reverence comes second in

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order of importance among the duties which man owes to God. The third commandment, the sabbath commandment, represents the total service due to God from man. Thus fidelity, reverence and service together epitomize right action on the part of man in relation to God.

A further revealed concretization or application of these general principles is contained in the ceremonial precepts (the cultic prescriptions chiefly contained in *Exodus*, *Leviticus* and *Numbers*), which tell man how God wishes him to apply the general principle of the natural law that he is to be worshipped by man in community and in a manner which conforms to man's own nature, engages all his faculties, and so gives expression to the fidelity, reverence and service which he owes. Thus this worship is to consist in exterior as well as interior acts, and it is these exterior acts of cult or worship performed in community which the ceremonial precepts are intended to regulate (Q. 99, art. 3, Q. 101, art. 1). These external acts are designed to help the worshippers to overcome their darkness, for here on earth they lack the light of the beatific vision and are unable to see the God whom they worship. In this deeper darkness of the dispensation of the Old Law the cult provides them with figures which foreshadow the dispensation of the New Law, Christ and the Church, and, more remotely, the beatific vision itself in heaven. They foreshadow these in a manner appropriate to a relatively uncultivated people, capable only of implicit knowledge of what is to come. Moreover if this people is to be withdrawn effectively from idolatry the ceremonial precepts must be ample enough in scope to provide it with an adequate outlet for its religious instincts. Hence the complexity of the cultic laws.

The actual act of worship consists in sacrifice in its various forms, for in sacrifice man acknowledges the total dependence of all upon God alone as the First Cause and Last End. Sacrifice is divided into holocaust, sin offering and peace offering, each of which expresses a distinct aspect of the essential act of worship (Q. 102, art. 3 ad 8). Now in order to perform this act of worship the people need to be consecrated, set apart and dedicated to the worship of their God. Hence sacramental rites of consecration are provided: circumcision for the laity and rites of ordination for the priests. Once they are so consecrated every aspect of their lives is dedicated to God in a special way, and so special laws are provided to cover the various departments of life, such as food (the alimentary laws), sex, death and burial (the laws of purity) and clothing. Directions are also given as to the actual instruments used in the worship of God, the manner in which they are to be made, who is to care for them and use them, how and when they are to be employed. The general division of the ceremonial precepts, therefore, into sacrifices, sacred things, sacraments and observances is deduced from the very nature of the worship involved.



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This, then, is how the Law defines the duties of the Israelite in relation to God. It is a duty which consists essentially in worship of him alone, a worship based on faith and love (the first principles), its basic constituents being fidelity, reverence and service (the first three precepts of the decalogue), and a worship which is articulated and expressed in the form of the sacrifices, sacred things, sacraments and observances of the ceremonial precepts. Man's duties to his fellow members of the community are, as we have seen, likewise based on faith in and love of God. The general principles governing these are set forth in the remaining seven commandments of the decalogue. Man has a special and immeasurable debt to his own parents. Consequently the commandment to honour these is placed before all the other commandments relating to the duties of man to his fellow men. Of these remaining commandments the first three are designed to uphold the rights of the individual in the external sphere. He must not be injured in his person (the commandment against killing), in his spouse (the commandment against adultery) or in his property (the commandment against stealing). But, as we have seen, this is 'the divine community or commonwealth of God', in which man's interior thoughts, words and dispositions are also subject to the law of God. The last three commandments of the decalogue, therefore, are concerned with these. Man must not injure his fellow man by word (the commandment against false witness), or by thought (the two final commandments against coveting one's neighbour's wife or his goods). These are the general principles governing the relations between man and man. Like the ceremonial precepts they represent the mind and intention of the Lawgiver so directly, and embody his justice so immediately as not to admit of dispensation. But they too remain general principles which need 'determination' or application in the concrete, and this is the function of the third main section of the Old Law, the judicial precepts (cf Q. 104, art. 1). Although these too have a figurative as well as a literal meaning, they differ from the ceremonial precepts in that this figurative meaning is secondary (Q. 104, art. 2). For this reason they might still be adopted as expressions or 'determinations' of natural justice even under the New Law, provided this was not taken as implying that the Old Law was still in force (Q. 104, art. 3). The judicial precepts cover four distinct types of relationship within the Israelite community: —(a) ruler to subject, (b) subject to subject, (c) member of the community to foreigner, (d) domestic relationships of father to son, wife to husband and master to servant.

Such, therefore, is the general plan of St Thomas's treatment of the Old Law. So far as it goes it enables him to fit this treatise harmoniously into his tractate on law in general, and so into the still broader framework of the *Summa* as a whole. Also, as has been said, it enables him to make a

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marvellously adroit synthesis of his favourite authorities, St Paul, Aristotle (especially the *Politics*) and Augustine. But unfortunately the actual content of the Old Law is too vast and heterogeneous in character, too much an amalgam of disparate traditions and customs to be really susceptible of this kind of speculative tidying up. When one compares the vast length and the apparent unwieldiness of many of the articles in this treatise with those of the rest of the *Summa* the conclusion becomes almost irresistible that in order to include all the heterogeneous material of the Old Law in these articles St Thomas has had to strain the characteristic ‘article’ structure almost to bursting point. The *corpus* of the articles is in many cases brief, and at times almost laconic, while many of the most important questions—for instance the sacrifices of the Old Law—are relegated to one or other of the enormously numerous answers to objections (cf e.g. Q. 102, art. 3 ad 8), many of which appear in consequence to be quite uncharacteristically long and elaborate. This is supremely true of Q. 102, on the causes of the ceremonial precepts. Let us therefore examine the structure of some of the articles in this question more closely.

In the first two articles St Thomas argues (a) in art. 1, that the ceremonial precepts must have a cause or meaning because they derive from the divine wisdom (is this by way of reaction against Augustine’s too ready dismissal of the literal sense?), and (b) that this cause or meaning must be both literal and figurative, since the ceremonial precepts have as their purpose both to bring the men to whom they were originally addressed to worship God exclusively, and in a manner prescribed by him, and at the same time to foreshadow Christ (art. 2). Clearly at this stage St Thomas is still treating of the ceremonial precepts as a whole, and can therefore maintain a certain speculative detachment from their internal complexities, considering the relationship of divinely prescribed means to a divinely ordained end within the total scope of God’s plan for the salvation of man. But it is when he comes to consider the ceremonial precepts in each of the particular divisions previously established that the articles lengthen and assume the appearance of unwieldiness to which we have referred. Art. 3, for instance, treats of sacrifice. The *corpus* of the article is confined simply to restating the literal and figurative reasons for the sacrifices of the Old Law: the withdrawal of men from idolatry, the concentration of their worship totally and exclusively upon the one God, and the foreshadowing of the sacrifice of Christ. But the objections number no less than fourteen, and in the answers to these the following topics are treated of:—God’s reason for requiring sacrifice from man (ad 1), the particular kinds of animal victims used (ad 2, 3 and 4), the manner of their oblation (ad 5, 6), the age and quality of such animals (ad 7), the three main kinds of sacrifice (ad 8), the various types and genders of animals used in each kind (ad 9),

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their value and order in relation one to another (ad 10), sin offerings in particular (ad 11), other kinds of sacrificial offerings (ad 12, 13 and 14). These are, in fact, topics which would have to be included in any adequate exposition of Old Testament sacrifice, ancient or modern, and the order in which they are presented seems logical and not wholly dissimilar to that followed in modern manuals on the subject. But these positive questions, though they have to be included for the sake of completeness, have no direct bearing on the point of speculative theology which is essential to St Thomas's argument as a whole. It is the same with regard to the remaining articles. Quantitatively speaking the *corpus* of each of these articles might at first seem to be almost submerged by the number and extent of the answers to the objections, for it is here that St Thomas clearly attempts to supply a comprehensive treatment of the positive questions raised by the ceremonies, 'sacred things' and observances included in the Old Law, even when they have no immediate bearing on his central argument. He has, in fact, to some extent fallen victim to the intransigent untidiness of the Old Testament, which, as more recent scholars have increasingly come to recognize, is not so much a book as a bundle of traditions, heterogeneous in age, provenance and subject matter, which has been accumulated over many troubled centuries.

D. B.