

## SECOND PART OF THE SECOND PART, QUESTION 80

### Of the Potential Parts of Justice (In One Article)

We must now consider the potential parts of justice, namely the virtues annexed thereto; under which head there are two points of consideration:

- (1) What virtues are annexed to justice?
- (2) The individual virtues annexed to justice.

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#### Whether the virtues annexed to justice are suitably enumerated?

Ia IIae q. 80 a. 1

**Objection 1.** It would seem that the virtues annexed to justice are unsuitably enumerated Tully\* reckons six, viz. “religion, piety, gratitude, revenge, observance, truth.” Now revenge is seemingly a species of commutative justice whereby revenge is taken for injuries inflicted, as stated above (q. 61, a. 4). Therefore it should not be reckoned among the virtues annexed to justice.

**Objection 2.** Further, Macrobius (Super Somn. Scip. i, 8) reckons seven, viz. “innocence, friendship, concord, piety, religion, affection, humanity,” several of which are omitted by Tully. Therefore the virtues annexed to justice would seem to be insufficiently enumerated.

**Objection 3.** Further, others reckon five parts of justice, viz. “obedience” in respect of one’s superiors, “discipline” with regard to inferiors, “equity” as regards equals, “fidelity” and “truthfulness” towards all; and of these “truthfulness” alone is mentioned by Tully. Therefore he would seem to have enumerated insufficiently the virtues annexed to justice.

**Objection 4.** Further, the peripatetic Andronicus† reckons nine parts annexed to justice viz. “liberality, kindness, revenge, commonsense,‡ piety, gratitude, holiness, just exchange” and “just lawgiving”; and of all these it is evident that Tully mentions none but “revenge.” Therefore he would appear to have made an incomplete enumeration.

**Objection 5.** Further, Aristotle (Ethic. v, 10) mentions *epieikeia* as being annexed to justice: and yet seemingly it is not included in any of the foregoing enumerations. Therefore the virtues annexed to justice are insufficiently enumerated.

**I answer that,** Two points must be observed about the virtues annexed to a principal virtue. The first is that these virtues have something in common with the principal virtue; and the second is that in some respect they fall short of the perfection of that virtue. Accordingly since justice is of one man to another as stated above (q. 58, a. 2), all the virtues that are directed to another person may by reason of this common aspect be annexed to justice. Now the essential character of justice consists in rendering to another his due according to equality, as stated above (q. 58, a. 11). Wherefore in two ways may a virtue directed to another person fall

short of the perfection of justice: first, by falling short of the aspect of equality; secondly, by falling short of the aspect of due. For certain virtues there are which render another his due, but are unable to render the equal due. In the first place, whatever man renders to God is due, yet it cannot be equal, as though man rendered to God as much as he owes Him, according to Ps. 115:12, “What shall I render to the Lord for all the things that He hath rendered to me?” In this respect “religion” is annexed to justice since, according to Tully (De invent. ii, 53), it consists in offering service and ceremonial rites or worship to “some superior nature that men call divine.” Secondly, it is not possible to make to one’s parents an equal return of what one owes to them, as the Philosopher declares (Ethic. viii, 14); and thus “piety” is annexed to justice, for thereby, as Tully says (De invent. ii, 53), a man “renders service and constant deference to his kindred and the well-wishers of his country.” Thirdly, according to the Philosopher (Ethic. iv, 3), man is unable to offer an equal meed for virtue, and thus “observance” is annexed to justice, consisting according to Tully (De invent. ii, 53) in the “deference and honor rendered to those who excel in worth.”

A falling short of the just due may be considered in respect of a twofold due, moral or legal: wherefore the Philosopher (Ethic. viii, 13) assigns a corresponding twofold just. The legal due is that which one is bound to render by reason of a legal obligation; and this due is chiefly the concern of justice, which is the principal virtue. On the other hand, the moral due is that to which one is bound in respect of the rectitude of virtue: and since a due implies necessity, this kind of due has two degrees. For one due is so necessary that without it moral rectitude cannot be ensured: and this has more of the character of due. Moreover this due may be considered from the point of view of the debtor, and in this way it pertains to this kind of due that a man represent himself to others just as he is, both in word and deed. Wherefore to justice is annexed “truth,” whereby, as Tully says (De invent. ii, 53), present, past and future things are told without perversion. It may also be considered from the point of view of the person to whom it is due, by comparing the reward he receives with what he has done—sometimes in good things; and then an-

\* De Invent. ii, 53 † De Affectibus ‡ *eugnomosyne*

nexed to justice we have “gratitude” which “consists in recollecting the friendship and kindness shown by others, and in desiring to pay them back,” as Tully states (De invent. ii, 53)—and sometimes in evil things, and then to justice is annexed “revenge,” whereby, as Tully states (De invent. ii, 53), “we resist force, injury or anything obscure<sup>§</sup> by taking vengeance or by self-defense.”

There is another due that is necessary in the sense that it conduces to greater rectitude, although without it rectitude may be ensured. This due is the concern of “liberality,” “affability” or “friendship,” or the like, all of which Tully omits in the aforesaid enumeration because there is little of the nature of anything due in them.

**Reply to Objection 1.** The revenge taken by authority of a public power, in accordance with a judge’s sentence, belongs to commutative justice: whereas the revenge which a man takes on his own initiative, though not against the law, or which a man seeks to obtain from a judge, belongs to the virtue annexed to justice.

**Reply to Objection 2.** Macrobius appears to have considered the two integral parts of justice, namely, “declining from evil,” to which “innocence” belongs, and “doing good,” to which the six others belong. Of these, two would seem to regard relations between equals, namely, “friendship” in the external conduct and “concord” internally; two regard our relations toward superiors, namely, “piety” to parents, and “religion” to God; while two regard our relations towards inferiors, namely, “condescension,” in so far as their good pleases us, and “humanity,” whereby we help them in their needs. For Isidore says (Etym. x) that a man is said to be “humane, through having a feeling of love and pity towards men: this gives its name to humanity whereby we uphold one another.” In this sense “friendship” is understood as directing our external conduct towards others, from which point of view the Philosopher treats of it in Ethic. iv, 6. “Friendship” may also be taken as regarding properly the affections, and as the Philosopher describes it in Ethic. viii and ix. In this sense three things pertain to friendship, namely, “benevolence” which is here called “affection”; “concord,” and “beneficence” which is here called “humanity.” These three, however, are omitted by Tully, because, as stated above, they have little of the nature of a due.

**Reply to Objection 3.** “Obedience” is included in observance, which Tully mentions, because both rev-

erential honor and obedience are due to persons who excel. “Faithfulness whereby a man’s acts agree with his words”\*, is contained in “truthfulness” as to the observance of one’s promises: yet “truthfulness” covers a wider ground, as we shall state further on (q. 109, Aa. 1,3). “Discipline” is not due as a necessary duty, because one is under no obligation to an inferior as such, although a superior may be under an obligation to watch over his inferiors, according to Mat. 24:45, “A faithful and wise servant, whom his lord hath appointed over his family”: and for this reason it is omitted by Tully. It may, however, be included in humanity mentioned by Macrobius; and equity under *epieikeia* or under “friendship.”

**Reply to Objection 4.** This enumeration contains some belonging to true justice. To particular justice belongs “justice of exchange,” which he describes as “the habit of observing equality in commutations.” To legal justice, as regards things to be observed by all, he ascribes “legislative justice,” which he describes as “the science of political commutations relating to the community.” As regards things which have to be done in particular cases beside the general laws, he mentions “common sense” or “good judgment<sup>†</sup>,” which is our guide in such like matters, as stated above (q. 51, a. 4) in the treatise on prudence: wherefore he says that it is a “voluntary justification,” because by his own free will man observes what is just according to his judgment and not according to the written law. These two are ascribed to prudence as their director, and to justice as their executor. *Eusebeia* [piety] means “good worship” and consequently is the same as religion, wherefore he says that it is the science of “the service of God” (he speaks after the manner of Socrates who said that ‘all the virtues are sciences’)<sup>‡</sup>: and “holiness” comes to the same, as we shall state further on (q. 81, a. 8). *Eucharistia* (gratitude) means “good thanksgiving,” and is mentioned by Macrobius: wherefore Isidore says (Etym. x) that “a kind man is one who is ready of his own accord to do good, and is of gentle speech”: and Andronicus too says that “kindliness is a habit of voluntary beneficence.” “Liberality” would seem to pertain to “humanity.”

**Reply to Objection 5.** *Epieikeia* is annexed, not to particular but to legal justice, and apparently is the same as that which goes by the name of *eugnomosyne* [common sense].

<sup>§</sup> St. Thomas read ‘obscurum,’ and explains it as meaning ‘derogatory,’ infra q. 108, a. 2. Cicero, however, wrote ‘obfuturum,’ i.e. ‘hurtful.’

\* Cicero, De Repub. iv, De Offic. i, 7 † St. Thomas indicates the Greek derivation: *eugnomosyne* quasi ‘bona *gnome*.’ ‡ Aristotle, Ethic. vi, 13