

4100ADTE040

Translation by Michael G. Shields of 41000DTL040, 'De ordine iustitiae'  
The Order of Justice

### 1 The cause of order

(a) *exemplary cause*: God, under various aspects - as imitable outside himself [*ad extra*], as divine wisdom, eternal law, divine providence.

(b) *primary efficient cause*: the decision of the divine will, the divine decree, the overflow of divine love from its primary to its secondary object.

N.B. On the necessary justice of this exemplar and efficient cause, see 1, q. 21, a. 1, ad 2m.

(c) *secondary efficient cause*:

(a') in first act: the natural law, a participation in the eternal law

(a'') in non-rational creatures: their natural inclination; form

(b'') in rational creatures: the rule of reason; see 1-2, q. 21, a. 1 c.

(b') in second act: application, fate, instrumentality.

### 2 Order as caused

(a) ontological truth: 1, q. 16, a. 1; 1, q. 19, a. 2.

(b) ontological falsity: 1, q. 17, a. 1.

### 3 The notion of what is 'due'

That which is due or owed to a person is something that is ordered or related to him: 'The word "due," therefore, implies a certain exigency or necessity in a thing with respect to that to which it is ordered' (1, q. 21, a. 1, ad 3m).

This notion is grounded in finality prior to the rule of reason, at least in respect to us, as explained, for example, in 1-2, q. 21, a. 1.

As thus referred to finality, the ordination or orientation to an end, it coincides with the notion of the natural law as a participation in the eternal law. For the eternal law is the ordering of all things to an end.

*1-2, q. 21, a. 1:*

First, St Thomas makes a distinction between evil, which is a deficiency in anything, and 'sin', a deficiency or failure in some action or operation; see *De malo*, q. 2, a. 2.

Next, he defines sin as an action that lacks due ordination to its end.

NB: In the case of this or that particular act, the object and circumstances change its moral species. But object and circumstances do not enter into a general consideration of morality, which is based upon the notion of end and due ordination to an end.

Third, he explains what this due ordination is:

in non-rational creatures: their innate drive directing them towards their end;

in creatures endowed with free will: the proximate norm is human reason; the supreme norm is the eternal law.

Fourth, one may ask how the proximate rule participates in the supreme rule.

The answer is that it does so by understanding the intrinsic finality of things.

First, we demonstrate this by examples: from this article itself ‘sin’ in non-rational creatures would be an act contrary to the natural inclination to their end; from common experience fertility is for the sake of progeny, speech for the sake of communicating truth.

Second, we prove this by analysis: due order towards an end is simply intrinsic finality; for this finality itself is an order, an ordination, an orientation imprinted in us by the supreme Ordinator. Then our ‘duty’ [*debitum*] is simply this fact of being ordered to an end; see 1, q. 21, a. 1, ad 3m.

Third, from the fact that both the nature of things to be understood and the intelligent intellect itself are participations in God as externally imitable, who is himself the eternal law, divine wisdom, etc.

*Right action and sin considered according to due ordination to an end:*

But there are two ordinations to an end: the creation of one thing for something else, and the creation of all things for God; see 1, q. 21, a. 1, ad 3m.

These two ordinations are found in different ways in non-rational creatures and in those endowed with free will.

(a) In non-rational creatures:

potency exists for the sake of its corresponding act;

all the more so is it meant for God, who is the cause of the goodness in the act of a potency, the cause of the tendency of its ordination to its act--the final cause, that is.

This tendency, of course, is unconscious, metaphysical, (interpretative).<sup>1</sup>

(b) In creatures with free will, the same holds--consciously, of course, whether naturally or supernaturally; for example, purifying one’s intention, loving one’s neighbor for God’s sake.

Hence the subordination of reason to God is the cause of the subordination of the sentient element in man to his reason.

(a) On man’s internal justice: 1-2, q. 113, a. 1 c.

(b) On causality in this justice: 1, q. 95, a. 1 c.

(c) On the foundation of this causality:

in the intellectual order: higher and lower reason; metaphysics is the cause of truth in all other branches of knowledge (see *In Met.* 2, lect. 2);

in the volitional order: as a principle is in speculative matters, so is an end in practical matters. Because we will an end, we will other things.

(d) The subordination of the sentient element can be broadly understood of whatever is subjected to the judgment of reason because of<sup>2</sup> God.

*1-2, q. 49, a. 4*

The necessity of habit:

(a) not in pure act, but where there is a real distinction between potency and act;

(b) nor in celestial bodies, but only where a potency can receive various acts;

<sup>1</sup> In his notes on eschatology, Lonergan explains the adverb ‘interpretatively’ as ‘through metaphysical analysis’. See MSA48, p. 7. – Tr.

<sup>2</sup> Reading *propter* for *praeter*.

(c) but where several factors concur to dispose potency to act, so that a potency may be better or less well disposed.

The nature of habit:

A habit is a first act: 1-2, q. 49, a. 3, ad 2m.

Potency: the intellect is a *tabula rasa*, a blank slate, before anything is learned.

First act: knowledge habitually had, where it is not being actually adverted to.

Second act: knowledge being actively considered; see 1-2, q. 50, a. 4.

It is in the will; see 1-2, q. 50, a. 5.

One can use it whenever one wishes; see *ibid.*, c.

But see *De veritate*, q. 24, a. 12: when one habitually wills something, one will immediately will it when the occasion presents itself, unless a contrary consideration intervenes; see 1-2, q. 109, a. 8 c. (at end).

By means of habits man existed in the state of integrity of nature, and when they were taken away he lost his interior justice.

On the weakening of his nature, see 1-2, q. 85, aa. 1 and 2.

On the need for healing, see 1-2, q. 109, a. 3, etc.

The nature of freedom:

1 Just as acts of the intellect remain in habitual knowledge, so acts of the will remain in the orientation of the will, because of the fact that there are such things as acquired habits, and that the will is not created anew at every moment, but is as it were a nature continually developing and perfecting itself over time.

2 A change in the will requires a cause: see *De malo*, q. 16, a. 5. This cause can be extrinsic, that is, God's grace, or intrinsic, such as new knowledge, or a new bodily disposition.

3 Hence without a cause of change, the will remains fixed in its relationship towards its end, i.e., its orientation.

4 *Objections against the fixation of the will, in Lennerz, De Novissimis, 5th ed., Rome, Gregorian University Press, 1950], §§151 ff.:*

1 Why is it that a pure spirit, after it has made a free choice, and with no change in what it knows, cannot freely rescind that choice? Or at least why, upon gaining new knowledge, can it not change its former choice?

Reply. A person's aim or end in life is a function of his character. But this end itself is not chosen, nor is the way in which one is related to his end directly chosen; these are presupposed as principles out of which a choice is made.

Hence after a choice is made, a person is orientated differently to his end than he was before making that choice. All choices are then made according to this new orientation, that is, according to the end which to the one choosing seems to be the best.

Each act, of course, does not produce a habit by which one acts promptly, easily, and enjoyably; but it does give rise in the will to 'a certain thrust and inclination' (*De veritate*, q. 24, a. 12).

No new knowledge comes to a pure spirit, which is as act in the genus of intelligibilities.

2 - The immutability of the human will after death does not seem to be proven. The argument would perhaps be valid if with this or that fixed disposition such a good is necessarily desired as

one's ultimate end. But with this same disposition remaining fixed, a person can forsake his desire for that good which habit inclines him to desire. [Paraphrased from Lennerz, §151.]

Reply. By virtue of his willing the end, a person chooses other things; the end itself is not chosen, but arises from the movement of a higher extrinsic principle, as is demonstrated in 1-2, q. 9, a. 4.

One can withdraw from one's orientation to an end by reason of new knowledge or a new disposition or infused grace, but not by way of a choice; for choice proceeds from the act of willing the end: it is not its cause but its effect.

3 What St Thomas says in the *Compendium Theologiae*, c. 175, cannot be squared with sacred scripture (Wisdom 5.1-15) and the Fathers of the church. (Lennerz, *ibid.*, §§151-53.)

Reply. The essential position of St Thomas must necessarily be in harmony with scripture and the Fathers. All Catholic authorities teach that the damned remain without charity. This privation of charity is quite sufficient to safeguard Thomas's doctrine. Whether Thomas spoke somewhat carelessly to Brother Reginald is another question, and there is always the possibility of error.

#### *The notion of evil, of sin, and of fault*

Evil: anything that is defective;

sin: defective action or operation;

fault: from the fact that sin is voluntary; guilt, culpability. See 1-2, q. 21, q. 2; *De malo*, q. 2, a. 2.

The notion of merit and demerit: 1-2, q. 21, a. 3.

1 Merit or demerit is a human act inasmuch as in justice it deserves recompense.

2 It deserves recompense inasmuch as it helps or harms another; see 2-2, q. 58, a. 2.

3 Such recompense is just when it equals the merit or demerit of the act; see 1-2, q. 61, a. 2. (This means arithmetical equality in commutative justice, geometric proportionality or equitability in distributive justice; *loc. cit.*)

4 Those who live in a society acquire merit, or demerit, and recompense in two ways: (a) by helping or harming a single person, and (b) by thereby affecting the society as a whole; *ibid.*, a. 4.

5 With respect to God, merit or demerit can be spoken of in two ways: (a) inasmuch as God is the ultimate end to which all things are ordered – that is, to whom all things are due; (b) inasmuch as God is the head of the human community, he who has care of it all, and is thus chiefly responsible for making recompense.

6 NB: The notion of retribution is foreign to the modern mentality (except perhaps in wartime).

The reason is that when you abolish the notion of God as a supreme governor of the universe, as well as the idea of human freedom and responsibility, you take away the basis of recompense, together with the basis for laws that bind in conscience and the good ordering of society through such laws.

But *naturam expelles furca, tamen usque recurret* ('you can drive out nature with a pitchfork, but it will come right back again').<sup>3</sup> Modern man seeks equality, not through freedom and recompense, but by eliminating freedom: everything is to be regulated by the government: health, old age, occupations, insurance, the economy, etc.

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<sup>3</sup> Horace, *Epist.* I, 10, 24.

*How the order of justice is related to charity and reward:*

1 The order of justice to which sin is contrary and in accordance with which actions are followed by their recompense, either reward or punishment, flows from God's love and his mercy and from its being in keeping with his freedom – indeed, much more than it does from his justice; see 1, q. 21, a. 1, ad 3m, and 4 c.

2 The root of merit is charity.

(a) in acting for the good of another, one acts out of charity;

(b) insofar as one deserves the reward of beatitude on the basis of equality, one acts remotely, out of sanctifying grace, and proximately, out of charity, which informs all virtues and meritorious acts; hence the measure of one's charity is the measure of one's merit and reward;

(c) beatitude itself is a participation in the beatitude of God, through the vision of God, the love of God, and delight in the divine goodness; therefore, it supposes charity.

3 Hence, just as the order of justice is founded upon God's love and mercy, so also are our merits founded upon charity. The ultimate term of this friendship between God and creatures is that eternal marriage in which God himself is communicated to our intellect as its act.

*Evil in a rational creature is divided into fault and punishment. See De Malo, q. 1, a. 4. (Cf. 1, q. 48, a. 55; In II Sent., d. 25, a. 1, and In III Sent., d. 34, q. 2, a. 3.)*

Evil: a lack or privation (of what is due, of some perfection)

Fault: [evil, sin] in matters of free will

Punishment: against one's will (involuntary at least in some respect).

Punishment is a deprivation in first act, in form, in habit, in anything, either internal or external, that we use for operating.

Fault: as sin, it is the lack of what ought to be in an action; as culpability, it is the voluntariness of sin.

Concomitant punishment: that which is a natural consequence [of sin]: for example, remorse of conscience, or sickness resulting from intemperance.

Inflicted punishment: imposed by legitimate authority in order to preserve the order of justice; it is retributive.

*Kinds of sin (1-2, q. 72, a. 5, c.)*

There are two kinds of disorder: (a) that which takes away the very principle of order, (b) that which takes away some consequence, the principle remaining intact;

for example, error regarding principles, and error regarding conclusions.

death and lack of health (sickness)

bad will concerning the means to the end

bad will concerning the end itself.

The former is a venial sin; the latter is mortal sin, destructive of charity.

A consequent division: reparable and irreparable lapse.

That which destroys the very principle of order is, at least of itself, irreparable, even though reparable by the power of God.

That which destroys a consequence, but not the principle, can of itself be repaired; for the principle remains.

NB: Note how all this is consistent with what has been said about the will, as to the end, habits, the changing and fixity of the will, and also with what has been said about reward, charity, and eternal friendship.

Hence, the question of the permanence of this deordination or disorder: 1-2, q. 86, aa. 1 and 2.

The ‘stain’ of fault is the adherence of love contrary to the light of reason and divine law.

The stain remains until one returns by a reverse movement towards the love of God and the due order.

Mortal sin, therefore, incurs liability to eternal punishment.

1-2, q. 87, a. 3, c. and ad 1m:

the very principle of order is corrupted,

and by this fact one forever has the will to sin, for a change of will takes place *per accidens*, being in a nature that is changeable.

1-2, q. 87, a. 4, ad 3m: the duration of the punishment corresponds to the duration of the stain of the sin. An irreparable fault is of itself perpetual.

This holds in the same way for both original sin and actual mortal sin.

See also 1-2, q. 87, a. 1 and ad 2m:

one who acts contrary to the order will experience repercussions either from the order itself or from its governing authority.

Sin brings about its own punishment – not directly, but as a dispositive factor.

Hence, 1-2, q. 87, a. 4 c.: turning away from God – punishment of the damned  
 turning to creatures – punishment of sense  
 duration of one’s bad will – duration of punishment.

### *Objections to the eternity of punishment*

1 There is a lack of proportion between a sin that takes place in a short space of time and a punishment that is eternal.

To this we reply that while it is true that there is no proportion between eternity and the relatively brief duration of a sinful action, nevertheless there is a proportion between eternity and the duration of the stain of sin; for free will is not of itself (*per se*) changeable, and so as long as the will remains evil, so does the punishment remain.

2 But there is a lack of proportion between a momentary act of sin and a perpetual stain of sin, the bad will.

We grant that this is true in the case where the principle of a good will is not destroyed by the sin. But if that principle, namely, the orientation to the true ultimate end by way of charity, is

destroyed, then it could also be true if the sinner is not living in an absolute order that of itself is eternal; but it is not true if he is living [in such an order].

3 Eternal punishment is without an aim or purpose. For the aim of punishment is the correction of the delinquent, but no correction takes place in eternal punishment, and therefore it lacks purpose.

Our answer is that not all punishment, but only medicinal punishment, has as its aim the correction of the delinquent. And be careful not to conceive punishment as something that is directly correctional, or else you will get enmeshed unawares in the trap that lies in the objection.

Eternal punishment does not aim at anything else in its own order but at what is ultimate, chronologically, in its order. Yet in two ways it exists for the sake of something else: (a) The finality of punishment is that which is due to a sinner in accordance with divine wisdom: it is ordered to a sinner as a hand is to a man. (b) [Eternal punishment exists for the sake of something else] in that all things are subordinated to God. For God acts in order to manifest his infinite perfection: his wisdom, majesty, holiness, justice, or mercy. Punishment, like everything else, is a manifestation of his wisdom, holiness, and justice. But since we do not have a comprehensive understanding of God, neither do we fully, but only partially, comprehend the meaning of eternal punishment. 'Lift not up your horn on high';<sup>4</sup> rather, bow your head in adoration.

4 The doctrine of eternal punishment is based on an idea of God that is not very well developed or cultured, but one that is quite primitive and crude.

But this so-called 'cultured' idea of God that is offended by the eternity of punishment is in fact a quite anthropomorphic notion. It supposes all punishment to be like that administered by a parent or schoolmaster. It contradicts both the manifestation of God in nature, and divine revelation through which God is known best of all.

5 Why did God choose an order in which many are damned, when he could have chosen one in which no one would be damned?

Well, he is God. [Why did he so choose?] Out of his benevolence. You cannot say that God is obligated not to choose an order in which rebellious creatures<sup>5</sup> [do not exist].

*[Venial sin]*

Venial sin deserves temporal, not eternal, punishment: 1-2, q. 87, a. 5 c.

The stain of venial sin is removed by a contrary act of the will: 1-2, q. 87, a. 6 c. Also in purgatory: *De malo*, q. 7, a. 11 c.

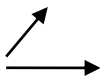
After the stain of sin has been removed, satisfactory penalties remain: 1-2, q. 87, a. 6 and ad 3m.

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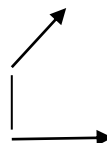
<sup>4</sup> Psalm 75 (74).5

<sup>5</sup> The Latin text breaks off here.

Translation of Handwritten Schematic Page Inserted after Page 10 of the Latin Original

Finality 

In rational creatures

 tendency to the end  
is the cause of  
tendency to the means to the end

Habit interior justice, rectitude – if well [disposed] to the end, then well disposed to the means to the end

Freedom regarding the means to the end – direct, but in a limited way

regarding the end itself – indirect

inasmuch as extrinsic or intrinsic causes change one's orientation to the end.

Morality due ordination to the end

Merit recompense in accordance with justice (equality) for what anyone does for the betterment or to the detriment of another

Reward or what is given or taken away in what we use in our operations

Punishment | dispositive (conferred, inflicted)  
| effective (resultant, concomitant)

| On charity and merit

| Lack of charity and punishment