Is God Just? Aquinas's Contribution to the Discussion of a Divine Attribute

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1. Is God Just? A Neglected Question?

Assuming that we can demonstrate philosophically the existence of that which we call 'God', we will want to push on with the inquiry in order to determine what else we can we say about his nature or attributes on philosophical grounds. Presumably, a person committed to one of the Abrahamic religions will be keen to find philosophical grounds for asserting the divine attributes to which that religion's sacred text (e.g. the Bible) attaches most importance: God's transcendence, omnipotence, freedom, mercy, and so forth. Not only would 'justice' feature in such a list, but it is also one of the divine attributes to which people generally attach most importance. Suffice to say, for many, the main obstacle to believing that there is a transcendent, omnipotent, good creator of all is that such a belief appears to entail two contradictory ones. The belief that there is a being with such attributes appears irreconcilable with the belief that such a being permits so many instances of extreme suffering and injustice in the world.

Justice, therefore, is one of the divine attributes most deserving of philosophical study. Surprisingly, however, some of the main book-length

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monographs on the divine attributes do not contain a section on it[1]. Nor does it figure in one recent list of what current philosophers of religion generally consider to be the main divine attributes[2]. Going by these indicators, it would seem that the issue of divine justice has been largely neglected within contemporary philosophy of religion. Nicholas Wolstertorff believes so and attributes this to a long-standing trend in Christian theology. According to his narrative, theologians have stressed that God is merciful rather than just because they generally conceive justice narrowly, as retributive, instead of focussing on its primary forms (e.g. distributive, commutative etc.)[3]. However, this assessment of the *status quaestionis* is questionable on two scores.

First, while the attribute of divine justice is the express subject of relatively few studies, it has not been overlooked in contemporary philosophy of religion[4]. It is broached in one way or another in the numerous studies on divine goodness, theological voluntarism, and the problem of evil[5].

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[1] Cf. E.R. Wierenga, *The Nature of God: An Inquiry into Divine Attributes*, Cornell University Press, Ithaca - London 1989. G. Oppy, *Describing Gods: An Investigation of Divine Attributes*, Cambridge University Press, Cambridge 2014.

[2] Cf. N. Everitt, "The Divine Attributes", *Philosophy Compass* 5 (2010), 78-90, 1.

[3] Cf. N. Wolterstorff, "Justice of God", in J.K. Beilby (ed.), *For Faith and Clarity: Philosophical Contributuions to Christian Theology*, Baker Academic, Grand Rapids MI 2006, 179-197, 179-180.

Wolterstorff points to Louis Berkhof's *Systematic Theology*, Karl Barth's *Church Dogmatics*, and Thomas Aquinas's *Summa theologiae*. In his view, the fact that each of these works discusses divine justice only briefly is symptomatic of theology's neglect of the issue. He then surveys what Anselm, Anders Nygrens and Reinhold Niebuhr say on divine justice, arguing that each of these influential authors presupposes that justice is in tension with the central truth of divine Revelation: God's merciful love.

Wolstertorff has developed a fuller account of justice in terms of rights in N. Wolterstorff, *Justice: Rights and Wrongs*, Princeton University Press, Princeton 2008.

[4] Some contemporary studies of the issue are T. Talbott, "Punishment, Forgiveness, and Divine Justice", *Religious Studies* 29 (1993), 151-168. J. Kronen – E. Reitan, "Talbott's Universalism, Divine Justice, and the Atonement", ibid.40 (2004), 249-268. M.C. Murphy, "God Beyond Justice", in M. Bergmann – M.J. Murray – M.C. Rea (eds.), *Divine Evil? The Moral Character of the God of Abraham*, Oxford University Press, Oxford 2011, 150-167.

[5] Cf. H.A. Harris, *God, Goodness and Philosophy*, Ashgate, Farnham – Burlington, VT 2011. M. Bergmann, et al., *Divine Evil? The Moral Character of the God of Abraham*, Oxford University Press, Oxford 2011. D.Z. Phillips, *The Problem of Evil and the Problem of God*, SCM Press, London 2004. R. Swinburne, *Providence and the Problem of Evil*, Clarendon Press, Oxford 1998.

Second, contrary to Wolterstorff's narrative and, as I intend to show, mediaeval theologians, from Anselm on, do address the divine attribute of justice in depth and with philosophical sophistication. In their view, it is motivated by God's mercy and goodness, and consists not in retribution primarily but in the distribution of merits and goods. They may provide some philosophical insight into the question, 'Is God just?'.

This paper therefore shall look to Thomas Aquinas, who is generally regarded to be the main representative of mediaeval philosophical theology, and consider how he integrates the contributions of earlier mediaeval theologians, from Anselm on, into what is arguably a clearer and more compelling account of the divine attribute of justice. In particular, he offers more fully worked out metaphysical reasons for calling God just and considering all his works just. By identifying Aquinas's contribution to the mediaeval analysis of this divine attribute, this paper also aims at assessing whether he has something to contribute to current philosophy of religion.

Here is an outline of his account.

(1)	If N always wills what is due with regard to God, then N is just.	
(2)	In N always wills in accord with God's goodness, then N always wills what is due with regard to God.	
(3)	God always wills in accord with his goodness.	
(4)	God always wills what is due with regard to God	(2, 3)
(5)	God is just.	(1, 4)
(6)	God's *F* (God is *F*) and the divine essence (God) are the same thing.	
		[divine simplicity thesis]
(7)	God's justice and the divine essence are the same thing.	(5, 6)
(8)	Anything which is not the divine essence is both a creature and an event.	
(9)	God's justice is neither a creature nor an event.	(5, 8)
		[impassability thesis]

(10)	If N can own a *y F* in exchange for a *G*, then N can be just in exchanges.	
	[commutative justice thesis]	
(11)	God cannot owe any creature an *F* in exchange for a *G*.	
(12)	God cannot be just in exchanges.	(10, 11)
(13)	N is just in distribution if N gives both *y* and *z* a proportionately equal share (i.e. in proportion to the respective merits) in a common good.	
	[distributive justice thesis]	
(14)	God gives each creature a proportionately equal share of perfection (*esse*).	
(15)	God is just in distribution.	(13, 14)
(16)	If N performs an act which relieves an *x* of deficiency *F*, then N performs an act of mercy, in the broad sense of the term.	
(17)	God's creation of a creature relieves it of the deficiency of non-existence.	
(18)	God's creation of a creature is an act of mercy, in the broad sense of the term.	(16, 17)
(19)	God's creation of a creature is prior to his giving each a proportionately equal share of perfection.	(14, 18)
(20)	God's mercy is prior to his being just in distribution.	(14, 15, 18, 19)

2. Anselm and Peter Lombard

It could be objected that mediaeval theologians, such as Aquinas, are unsuitable guides for a philosophical consideration of divine attributes since they approach the issue as *magistri sacrae litterae*. Their approach differs in this regard from most philosophy of religion in the analytic tradition. It is more akin to analytical theology in that it proceeds from an *auditus fidei* to an *intellectus fidei*. In other words, it brings philosophical resources to bear on the results of biblical theology so as to develop a more refined and consistent systematic theology. Their arguments never have a purely philosophical aim but are always meant to clarify Revelation and establish its internal consistency. Consequently, the exact question that they are addressing is not, 'Is God just?', but, 'Is

the God of Jesus Christ just?'. Other questions which follow from this one and which occupy their attention are: 'In what sense is God just?'; 'Is God justice itself'; 'How can God be both just and merciful?'; 'Why are some of his works attributed to his justice, others to his mercy, and still others to his goodness?' On the other hand, the theodicy question – whether the evil which exists in the world is justifiable within the larger scheme of God's providence – is never their direct concern[6]. Any full-scale theodicy that they may offer would have to be reconstructed from their teachings on a series of issues, such as God's goodness, knowledge, will, justice, providence, permission of evil in creation, and retribution[7].

Notwithstanding the theological character of their work, they make extensive use of philosophical resources when discussing God and his attributes. This amounts to an implicit acknowledgement of the legitimacy of a philosophical analysis of divine attributes.

Of course, their answers to the question, 'Is God just?', depend on how they construe justice. They work with two available definitions: Anselm's and that of Roman law.

Anselm, writing towards the end of the eleventh century, describes justice as acting with a good will for its own sake (*rectitudo voluntatis propter se servata*)[8]. Described thus, 'justice', as in Scripture (*mišpāṭ, dikaoisunē*), denotes moral rectitude in general. However, both Scripture and Anselm talk of 'justice' in a narrower sense: as one specific kind of moral goodness which stands alongside the other virtues[9]. Since Anselm does not offer a definition of 'justice' in this more specific sense, Abelard and subsequent scholastic theologians turn to Cicero

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[6] By aiming at clarification, their approach is more akin to what Alvin Platinga has termed a defence of divine justice than it is to theodicy. Cf. A. Plantinga, *The Nature of Necessity*, Clarendon Press, Oxford 1974, 192.

[7] Brian Davies proposes one such reconstruction of Aquinas's thought on the problem of God and evil, while noting that, for Aquinas, it is not a free-standing problem, as it is for contemporary philosophers of religion. Cf. B. Davies, *Thomas Aquinas on God and Evil*, Oxford University Press, New York - Oxford 2011.

[8] Cf. Anselm of Canterbury, *De Veritate*, Opera Omnia 1, Nelson, Edinburgh 1946, 12: I.194.126. The edition used for references to Anselm's works is Anselm of Canterbury, *Opera Omnia*, F.S. Schmitt (ed.), Nelson, Edinburgh 1946-1961. Roman numerals following the title indicate the book; Arabic numerals the chapter. Roman numerals after the colon indicate the volume from the Schmitt edition; Arabic numerals the page and then the line numbers. I shall follow the same convention when citing critical editions of other authors.

[9] See for example *Deuteronomy* 24:17, *Wisdom* 8:7, *Acts* 28:4.

and Roman law for one[10]. They generally work with this definition: the constant and perpetual will to render what is due to each person[11].

Both definitions envisage justice as a feature of rational agency. Hence, the proposition, 'God is just', presupposes that God possesses intelligence, will and the power to affect the world for better or for worse. Justice is conceptually posterior to other attributes and any analysis of it must build upon that of the conceptually anterior ones. For the purposes of this paper, I assume that God possesses the relevant, conceptually prior attributes, and that the mediaeval theologians surveyed provide an adequate defence of them.

The first mediaeval theologian to consider is Anselm. He sets the stage for the thirteenth-century discussion of justice as a divine attribute. In *Monologion* 16, he provides a speculatively dense discussion of the divine attribute 'justice'. Indeed, justice is the first of a series of divine attributes which he considers. This is in line with his perfect being theology. For Anselm, the perfection of a being consists in its rectitude: its acting in accord with its natural teleology. The rectitude of that which possesses intellect and will, such as God, consists in its justice. Consequently, a consideration of God's perfections should begin with his justice.

To clarify the nature of divine justice, Anselm invites us to compare the sense of the predicate '___is just' in two kinds of statements: that in which 'God' is the subject and that in which something other than God (i.e. a creature) is the subject.

(a) God is just.
(b) Anselm is just.

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[10] Cf. O. Lottin, "Notes sur la vertu de justice et deux devoirs connexes", in O. Lottin (ed.), *Psychologie et Morale aux XII^e et XIII^e siècles*, vol. 3, Abbaye de Mont César - J. Duculot, Louvain - Gembloux 1949, 283-326, 283-286.

[11] However, they see the definitions as complementary and sometimes work with both. Cf. John Duns Scotus, *Ordinatio* IV, d. 46, q. 1, nn. 9-10 (Ed. Vaticana vol. 14).

For example, Albert the Great cites the two definitions together: Anselm to specify that justice is rectitude of the will; the Roman formula to specify its act (*reddere unicuique*) and object *(quod suum* est). Cf. Albert the Great, *Super Dionysium De divinis nominibus*, P. Simon (ed.), Ed. Colon. 37/1, Aschendorff, Münster 1972, c. 8, n. 12: 371.74-76.

In the case of (b), we are referring, according to Anselm's ontology and theory of semantics, to how the subject has a share in one particular quality: 'justice'[12]. Nowadays philosophers would say that a just person instantiates justice. If '___is just' has the same sense in (a) as it does in (b), 'God' would have to be just by instantiating something distinct from himself: by partaking of the quality of justice or by being just one, albeit an eminent one, of many who could or do instantiate it. That, however, is incompatible with his aseity (*Monologion* 1-7). Rather, given his aseity, if there is such a thing as justice and God is just, God has to be justice itself, indeed supreme justice.

Given that '___is just' refers in (b) to a quality and not to the essence of the bearer of that quality, (b) is not interchangeable with:

(c) Anselm is justice.

It is not interchangeable with (c) for the same reason that the following two statements are not interchangeable with one another.

(d) Anselm is a human being.
(e) Anselm is humanity.

The predicate of (d) designates Anselm's essence or natural kind. Unlike the predicate of (e), it designates an instantiation of that natural kind. This is necessary not only because there are many individuals who can fill the placeholder '___is a human being', but, more fundamentally, because no human being is identical to their essence or qualities, but a bearer of them. For these two reasons, neither (c) nor (e) make sense. In (a), on the other hand, the predicate designates the divine essence, and not some quality of which God is the bearer. Consequently, the following sentences are interchangeable with (a) and do make sense.

(f) God is justice
(g) God is the divine essence.

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[12] For Anselm's philosophy of language, cf. P. King, "Anselm's Philosophy of Language", in B. Davies – B. Leftow (eds.), *The Cambridge Companion to Anselm*, Cambridge University Press, Cambridge 2004, 85-110.

Moreover, since God is the supreme essence, he is supreme justice. The same is true of other divine attributes. If God is a perfection by essence rather than participation, he is that perfection supremely. Hence, Anselm's discovery of how God is justice essentially, and not by way of participation, leads him to the discovery of divine simplicity (*Monologion* 17)[13].

The *Monologion*'s discussion of divine justice is teasing out the implications of God's aseity and is metaphysical in character. As such, it can function on both a philosophical and a theological level. Indeed, within the wider context of the *Monologion*'s perfect being theology, Anselm is arguing effectively that any given instances of a perfection attributable to God, such as justice, can only exist insofar as they are instances of participation in the divine essence.

Moreover, by treating divine justice as identical to the divine essence, Anselm is effectively arguing that God is just, in and of himself, regardless of whether he creates anything or not. Anselm's definition of justice supports such a view. Accordingly, divine justice consists in God's willing in accord with his own goodness. In this case, (a) could be paraphrased as follows.

(h) God wills in accord with his goodness.

Hence, Anselm proposes (1)-(5)[14]. However, not only do we tend to think of justice as giving others their due, but, since God has created the world and interacts with it, God must also prove himself just in all such

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[13] Cf. Anselm of Canterbury, *Monologion* 16: I.31.4. Id., *Cur deus homo* I.13: II. 71.15-17. On Anselm's metaphysical conception of divine justice, see E.R. Fairweather, "*Iustitia Dei* as the *Ratio* of the Incarnation", in Aa.Vv., *Spicilegium Beccense I: Congrés International du IX^e centenaire de l'arrive d'Anselme au Bec*, Vrin, Paris 1959, 327-335.

[14] Anselm, Aquinas and company would disagree with Thomas Talbott, who argues that God's 'moral nature' is simple, namely, that God has one moral attribute, loving kindness, for which 'mercy' or 'justice' are simply different names. They would agree that God's nature is simple; disagree that God has moral attributes distinct from the divine essence. They believe instead that the divine nature is the principle of specifically distinct effects and God is thereby called 'just', 'merciful', 'liberal' etc. Cf. T. Talbott, "Punishment, Forgiveness, and Divine Justice", *Religious Studies* 29 (1993), 151-168.

works. Indeed, Scripture's talk of divine justice often refers to God's works and entails the following proposition.

(i) All God's works are just.

Now, whereas (a) and (h) are interchangeable, (a) and (i) are not. Whereas the truthmaker of both (a) and (b) is the divine essence, the truthmakers of (i) are contingent events, even though mediaeval theologians take (i) to state a truth that is necessary and consequent upon (a). If the *Monologion* provides some account of (a) and (h) – the divine attribute justice – Anselm turns his attention to (i) and related propositions on God's works in the *Proslogion*. There he focuses on the definitive work of divine justice: eschatological retribution. If *Monologion* 16 ponders how God's justice is compatible with his simplicity, the *Proslogion* inquires into whether it is compatible with his mercy.

First, Anselm argues that it is possible for God to be both merciful and impassable, notwithstanding the apparent incompatibility between the two (*Prosologion* 8)[15]. To do so, he clarifies the semantics of 'divine mercy'. His successors apply his explanation of the semantics of 'divine mercy' to account for the distinction that needs to be made, when interpreting biblical statements on God's justice, between (i) the divine attribute of justice and (ii) God's just works.

Mercy and impassibility appear to be incompatible with one another[16]. Mercy involves compassion for the affliction of creatures, but that which is impassable appears to be incapable of compassion. This is implicit in the very composition of the two words. Each has the same verb as its root (*patior, -iri,* to suffer, to undergo), but its suffix (*in-, cum-*) denotes a contrary effect. The impassable cannot undergo a change in its affective state. It would appear, then, that an impassable God is incapable of mercy.

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[15] In *Proslogion* 8-11 Anselm is concerned with showing that God's mercy is compatible with his impassability (ch. 8) and justice (ch. 9-11).

[16] Aquinas, on the other hand, notes that 'mercy' is apparently incompatible with God's beatitude. This is because it is a form of sadness: *misericordia* means 'feeling sad at heart'. Cf. Thomas Aquinas, *Summa Theologiae* (hereafter *STh*), Commisio Piana (ed.), Harpell's Press Cooperative, Ottawa 1943-1945, I, q. 21, a 23, obj. 21.

Viewing impassability and mercy as incompatible rests, however, on a questionable assumption: that the actual effects of mercy – the salvation of the wretched and the forgiveness of sins – result from a change in the merciful party's affective state. They generally do, but not necessarily. One could be merciful, without being moved to mercy. Viewing mercy and impassability as incompatible rests on the unwarranted conflation of 'being merciful' with 'being moved to mercy'. Only the latter involves compassion. Since 'being merciful' can designate simply the performance of a work of mercy (i.e. acting to bring about the proper effect of mercy), there is no contradiction between saying, 'God is merciful', and, 'God is impassable'. God does not need to feel compassion and be moved to mercy in order to be merciful[17]. Subsequent mediaeval theologians follow Anselm in insisting that divine attributes connected to God's operations are ontologically independent from their eventual deliverances in creation. Like Anselm, they insist that divine attributes, such as justice and mercy, have to be understood in the light of God's simplicity and impassability (immutability thesis).

There are grounds, however, for deeming God's mercy to be incompatible with his justice. 'What justice is there in giving eternal life to one who merits eternal death?'[18]. The *Proslogion*'s handling of this issue influences subsequent discussion of the divine attribute justice. Anselm's successors also take the analysis of God's justice to be inextricable from that of his mercy. They also adopt Anselm's general position on the matter.

Once again, Anselm appeals to perfect-being theology to resolve the issue. He argues that the aporia is resolved by testing against the principle – 'God is entirely and supremely good' – the various stances God could adopt towards the wicked. The following table illustrates the results of this test.

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[17] Cf. Anselm of Canterbury, *Proslogion* 8: I.106.

[18] Anselm of Canterbury, *Proslogion* 9: I.106.19-107.1.

		Less good	Better
1a	God does not show benignity to any wicked person.	●	
1b	God shows benignity to some wicked person.		●
2a	God is good towards the good but not towards the wicked.	●	
2b	God is good towards both the good and the wicked.		●
3a	God is good to the wicked by punishing them.	●	
3b	God is good to the wicked by both punishing and pardoning them.		●

In Anselm's view, whenever one of two alternatives is less good, the other is more compatible with God's goodness. Furthermore, Anselm presents these alternatives in conceptual order. Showing that (2b) God is good toward both the good and the wicked does not entail that he is merciful. God could be good to both by (3a) rewarding the good and simply punishing the wicked rather than pardoning them. To speak of mercy as opposed to goodness or justice, it is necessary to show that (3b) God also pardons the wicked.

This test shows that God's being merciful is compatible with, and consequent upon, his being entirely and supremely good. Anselm points out, however, that it does not show how God can be both just in punishing sinners and merciful in pardoning them. It is understandable that God, in his justice, should pay back the good with good things, and the bad with bad ones. Hence, it is puzzling that he should grant good things to the bad and the guilty. Indeed, since nothing unjust should be done, God can only be merciful towards the wicked if it is just to do so. God's mercy can only be compatible with his justice if it derives from the latter (*misericordia tua nascitur ex iustitia tua*).

In Anselm's view, the issue can be resolved by testing God's goodness and justice against the notion of God as that of which nothing greater can be thought (*id quod maius cogitari nequit*). The most just God we can think of is one would be both the most good and powerful: one who has (3b) mercy towards the wicked[19].

[19] Cf. Anselm of Canterbury, *Proslogion* 9: I.106.15-108.20.

Nevertheless, how can it be just for God to pardon some of the wicked yet punish others? To resolve this problem, Anselm distinguishes two regards in which God can be just: with regard to himself and with regard to others. Later mediaeval theologians will take up this distinction to resolve the apparent incompatibility between God's justice and mercy. This is a third way in which the *Proslogion* influences later discussion.

When God punishes the wicked, he is being just with regard to them, namely, with regard to their merits. This is not the case when he pardons them. In fact, pardoning them is a case of not giving them their due. Rather, whenever God is merciful with regard to them, he is being just with regard to himself, namely, with regard to his goodness. If so, God is just both whenever he punishes and whenever he pardons[20].

Moreover, to show that God is just with regard to himself, not only when he pardons the wicked, but also when he punishes them, Anselm appeals to Scripture's teaching on how mercy and justice characterise all that God does (*Ps* 25:10; 145:17)[21]. His argument influences later mediaeval theologians. From Peter Lombard on, the *summae* dedicate a section to addressing and explaining *Ps* 25:10, a verse which encapsulates the biblical teaching on God's mercy: 'All the paths of the Lord are steadfast love and faithfulness'. These theologians work with the Vulgate, which translates the verse as '*universae viae Domini misericordia et veritas*' (*Ps* 24:10). They are aware, nevertheless, that 'truth' (*veritas,'*ĕmet) means 'reliability' or 'justice' in the language of the bible[22]. Moreover, as Peter Lombard points out, the verse can be read in two ways. It may mean that any work of God is either one of justice or one of mercy, but not necessarily both (P∨Q) (separability thesis). On the other hand, it may be saying that any work of God is both one of justice and one of mercy (P&Q) (inseparability thesis), even though only one of the two characteristics is apparent to us[23]. No matter

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[20] Cf. Anselm of Canterbury, *Proslogion* 10: I.108.21-109.6.

[21] Cf. Anselm of Canterbury, *Proslogion* 11: I.109.6-110.3.

[22] Cf. William of Auxerre, *Summa Aurea*, J. Ribaillier (ed.), Centre national de la recherche scientifique - Editiones Collegii S. Bonauenturae ad Claras Aquas, Paris - Grottaferrata 1980-1987, I, tr. 13, c. 11: I.246.4.

[23] Cf. Peter Lombard, *Sententiae in IV libris distinctae*, Editiones Collegii S. Bonaventurae ad Claras Aquas, Grottaferrata 1971-1981, IV, dist. 46, c. 5, nn. 3-5: 536.1-537.7.

which thesis one endorses, Anselm's successors follow him in treating divine attributes as ontologically independent from their effects.

> "However, they profess that God, in all he does, acts justly and mercifully. As grounds for this assertion, they are referring to God's will, which is justice and mercy, and not to the effects of mercy and justice, which are in things".[24]

Hence,

> "He is called merciful with regard to his nature; one who has mercy with regard to its manifestation"[25].

Unfortunately, the works of justice which Anselm focuses on are justification and retribution. While a philosophical case for the appropriateness of justification and divine retribution may be possible, Christian theology rules out the validity of any philosophical argument for their necessity. Justification presupposes God's gratuitous gift of grace. What theology does not rule out is a philosophical argument which adduces from the metaphysical condition of the world (i.e. from creation) that God is just by essence. An argument of this sort is formally metaphysical. Aquinas in particular integrates Anselm's philosophically sophisticated analysis of divine justice into one such metaphysical analysis of creation.

The influence exerted by Anselm's account of divine justice is due in no small way to Peter Lombard's reception and transmission of it in his *Sententiae*. During the thirteenth-century, this work became the basis of theological studies. Its discussion of divine justice thereby became the common entry point to the issue.

Like the *Proslogion,* Peter treats divine justice from an economical, indeed from an eschatological perspective. Towards the end of the work, in the closing section on the resurrection and judgment (IV, dist. 43-50), he dedicates a distinction to God's mercy and justice (dist. 46), albeit

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[24] Peter Lombard, *Sententiae*, IV, dist. 46, c. 5, n. 4: 536.9-11.
[25] Peter Lombard, *Sententiae*, IV, dist. 46, c. 3, n. 3: 533.27-28.

with the focus prevalently on the former[26]. The reason for addressing divine justice in connection with eschatology is fairly obvious. God's justice and his mercy are manifested definitively in the particular and the final judgment, along with the ensuing eschatological condition of the judged. Although Peter addresses divine justice in connection with eschatological judgment, he is really making a point about Trinitarian theology: about the nature of God.

Peter largely presents Anselm's account but he states in a more explicit manner that, given divine simplicity, terms such as 'justice' and 'mercy' have the same referent, the divine essence, when predicated of God, but a different sense. Each indicates the divine essence as the cause of a different effect in creation. To call God 'good' is to denote him as the author of all goods. To call him 'merciful' is to denote him as the one who frees us from misery. To call God 'just' or 'justice' is to denote him as the distributor and judge of merits[27]. In construing the sense of 'divine justice' thus, he is following Origen[28]. If the divine essence is the common referent of terms describing divine attributes, this is because such attributes are only formally distinct. To use a well-known formula, they are *eadem re, diversa ratione*[29].

3. Alexander of Hales

In the period between the *Sententiae* and Aquinas's *Summa theologiae,* the most interesting discussion of divine justice to appear in a systematic overview of theology is arguably that of the *Summa fratris Alexandri* (1235-1257). It is difficult to gauge to what extent it reflects the views of its initiator and first editor, Alexander of Hales (ca. 1185 – 1245). The text of his *Glossa in quattuor libros sententiarum* ends with the discussion of the sacraments and does not cover the section

[26] 1) Is the punishment of the extremely wicked mitigated? 2) Is there a hidden judgment? 3) How are divine justice and mercy related? 4) Are God's works be attributed to his justice, to his mercy or to his goodness? 5) In what way are all God's ways justice and mercy (*Ps* 25:10)?

[27] Cf. Peter Lombard, *Sententiae*, IV, dist. 46, c. 3, n. 3: 533.12-534.3.

[28] Cf. Origen, *Homiliae in Ieremiam*, in Id., *Jeremiahomilien Klageliederkommentar: Erklärung der Samuel und Königsbücher*, E. Klostermann (ed.), J.C. Hinrichs, Leipzig 1901, 1-232, 8, n. 2: 57.5-13. Peter Lombard, *Sententiae*, IV, dist. 46, c. 3, n. 5: 534.12-19.

[29] Cf. Peter Lombard, *Sententiae*, IV, dist. 46, c. 3, nn. 4-5: 534.4-19.

on eschatology. However, the first three books were largely completed before Alexander's death and most likely under his supervision[30]. On these grounds, I shall attribute the views of book one to Alexander, even though Jean de la Rochelle was probably the main author of this book.

Unlike Peter Lombard, Alexander sets the issue of divine justice within the section on Trinitarian theology and not within that on eschatology. It addresses divine justice as part of its treatment of the divine will (I, tract. 6). It may be following the precedent set by William of Auxerre. The first book of his *Summa aurea* is dedicated to the mystery of God. Having discussed the divine will (I, tr. 12), William dedicates a treatise to God's mercy and justice (I, tr. 13). This novelty aside, Alexander's discussion of God's justice and mercy endorses and restates the general position of the *Proslogion*[31]. However, it also contains a couple of significant developments, ones which Aquinas will adopt.

First, it takes issue with Anselm's claim that divine justice is prior to mercy. It argues instead that divine mercy is prior to justice in some regards.

To account for the order of priority between 'divine justice' and 'divine mercy', it is necessary to distinguish various senses of each. According to Alexander, the *Proslogion* uses these names in three different senses, each of which refers to a different degree of the attribute[32].

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[30] Cf. V. Doucet, *Prolegomena in librum III necnon in libros I et II "Summae Fratris Alexandri"*, Quaracchi, 1948, 65-81. My thanks to Aleksander Horowski and Carmelo Pandolfi for calling my attention to Doucet's study.

[31] Cf. *Summa fratris Alexandri* I, tract. 6, q. 3, titulus 2, membrum 2, c. 3, a. 1: I.388.

[32] Cf. *Summa fratris Alexandri* I, tract. 6, q. 3, titulus 2, membrum 2, c. 3, a. 2, solutio: I.389. In distinguishing these three senses of 'divine justice', the author is referring respectively to: *Proslogion,* c. 10: I.108.27-109.1; c. 11: I.109.14-19; c. 10: I.108.27.

	Sense	*Divine Justice*	*Divine Mercy*
1	Broadest, most general	…that which befits God's goodness.	…God's superabundant goodness in bestowing goods.
2	General	…God's retribution in accord with one's merits.	…God's bestowing more good than one deserves, whether in blessing or punishing.
3	Strict	…God's severity in punishing the wicked.	…God's liberality in giving the good their due reward.

According to Alexander, any degree of divine justice (e.g. DJ1) is prior to lower degrees of divine mercy (e.g. DM2 and DM3) since these are its derivatives. In this sense, Anselm is right to attribute priority to divine justice. Anselm overlooks, however, that any degree of divine mercy (e.g. DM1) is prior to the corresponding degree of divine justice (e.g. DJ1), even though each is an expression of divine goodness. First, determining and enacting that which befits divine goodness (DJ1) depends on the superabundance of divine goodness (DM1). Second, whereas retribution in accord with one's merits (DJ2) depends upon the rational creature's condition, God responds only to his own goodness, and not to the merits of creatures, when bestowing more good than one deserves (DM2). Furthermore, the punishment of the wicked (DJ3) is directed towards God's rewarding of the good (DM3) and so derives from it[33].

Alexander makes these distinctions in order to clarify whether justice and mercy characterise all of God's works. This leads him to make a second significant contribution to the mediaeval discussion of divine justice. He argues that creation is an act of divine mercy, in the broad sense.

All God's works are characterised by (DJ1), but not (DJ2) and (DJ3)[34]. The latter two presuppose merit and demerit and so only apply

[33] Cf. *Summa fratris Alexandri* I, tract. 6, q. 3, titulus 2, membrum 2, c. 3, a. 2, solutio: I.389-390.

[34] Furthermore, (DJ1) justice in the broad sense characterises all God's works but in different ways, depending on how the work befits his goodness. Some works befit it with regard to his: (a) power (e.g. justification); (b) wisdom (e.g. in choosing those to whom he bestows a

to rational creatures. Furthermore, all God's works are characterised by (DM1) divine mercy in the broad sense of the term. Each of God's works supplements a deficiency. In creating, he supplements the deficiency of non-being with being[35]. In conserving creatures he supplements their lack of well-being.

This is Alexander's second major contribution to the mediaeval discussion of the divine attribute 'justice'. He explains how divine justice and mercy characterise creation and not just retribution. Creation, insofar as it has to do with God's design (*dispositio*) is a work of justice; insofar as it grants being to what does not exist, it is a work of divine mercy[36].

4. Albert the Great

Writing in the second half of the thirteenth century, Aquinas's discussions of divine justice draw on two important works with which earlier mediaeval theologians were not as familiar: Aristotle's *Nicomachean Ethics* and Pseudo-Dionysius's *De divinis nominibus (On the Divine Names)*[37]. The former provides an important analysis of the virtue of justice (book five), whereas the latter contains a discussion of the divine name 'justice') (chapter eight). During his studies at Cologne (1248-1252), Thomas received and helped transcribed lectures of Albert the Great on both works. These lectures turned out to be the first full Latin commentary on each of these works.

In chapter eight of *On the Divine Names* and after a discussion of 'God is power', Pseudo-Dionysius argues that Scripture is right to call God 'justice' or 'righteousness' since 'he assigns what is appropriate to

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particular grace); (c) disposition (e.g. in the way he orders creation); (d) equity (e.g. retribution); (e) mercy (e.g. in retribution). Similar distinctions are made with regard to divine mercy.

Bonaventure makes a similar point. Mercy and justice, if taken broadly, are features of all God's works (*In IV Sent.*, d. 46, qq. 1-2). Justice, in the proper sense of the term, characterises justification (q. 3) and retribution (q. 4).

[35] The work refers to *Psalm* 145:9*:* 'his compassion is over all that he has made'.

[36] Cf. Cf. *Summa fratris Alexandri* I, tract. 6, q. 3, titulus 2, membrum 2, c. 3, a. 3, I, solutio: I.393-394.

[37] Prior to Robert Grosseteste's Latin translation of the whole *Nicomachean Ethics* (ca. 1246), only the first two books and parts of the third were in circulation in Latin.

all things; he distributes their due proportion, beauty, rank, arrangement, their proper place and order, according to a most just and righteous determination'[38].

Pseudo-Dionysius goes on to address two objections to this idea. According to the first objector, God is not just because, judging by the actual imperfection of creatures, he does not confer on creatures each and every perfection possible. This objection rests on the assumption that, since God is the best of all things, it behoves him to make each thing the best thing possible. Consequently, in order to be just, God would have to bestow every possible kind of perfection on each and every creature, regardless of its kind. As Pseudo-Dionysius notes, however, in order to satisfy such conditions, God would have to bestow on a creature perfections that are incommensurate to its natural kind: immortality on the mortal; permanence to the transitory; and so on[39]. The objector misconstrues the nature of divine justice. Rather, God is just because he (1) endows each being with the perfections that are suited and correspond to it; (2) he 'preserves the nature of each being in its due order and power'[40].

According to the second objection, a just God would not leave the holy helpless before the aggression of the wicked, whereas the holy are in fact helpless when persecuted. For the Areopagite, this objection rests upon the ungrounded assumption that God leaves the holy helpless. The truly holy are not afflicted when they find themselves deprived of temporal goods at the hands of the wicked. They see instead that they actually have an opportunity to detach themselves from them and progress towards genuine goods. Were God to safeguard or restore the material goods from which they were deprived, he would not really

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[38] Pseudo-Dionysius, *Pseudo-Dionysius: The Complete Works*, C. Luibhéid – P. Rorem (eds.), The Classics of Western Spirituality, Paulist Press, New York 1987, 113. Cf. Pseudo-Dionysius, *De divinis nominibus*, B.R. Suchla (ed.), Patristische Texte und Studien 33, de Gruyter, Berlin 1990, ch. 8, n. 7: 204.5-8.

In chapter 8 of *On the Divine Names*, Pseudo-Dionysius considers the divine names 'Power' (*dunamis*), 'Righteousness' (*dikaoisunē*), 'Salvation' (*sōtēria*) and 'Redemption' (*apolutrōsis*).

[39] The standard which this objection sets for God to be just is so extreme that Thomas brands it a 'perverse view' (*iudicium perversum*). Cf. Thomas Aquinas, *In librum beati Dionysii De divinis nominibus expositio*, C. Pera (ed.), Marietti, Turin 1950, c. 8, lect. 4 [781].

[40] Pseudo-Dionysius, *Pseudo-Dionysius: The Complete Works*, 113. For the first objection, cf. Pseudo-Dionysius, *De divinis nominibus*, ch. 8, n. 7: 205.11-21.

be helping them in their pursuit of spiritual goods. Hence, God does not do the holy any wrong by letting them be deprived of material goods. Rather, it is more in keeping with his righteousness that he does not restore their material goods. In this way he can strengthen their adhesion to spiritual goods[41]. Some later commentators, however, take pains to attenuate this disconcerting picture of a God who only helps the persecuted by watching and waiting for them to practice asceticism and utter detachment from the world[42].

After explaining the divine name 'justice', Pseudo-Dionysius argues that that two associated names – salvation (*sōtēria*) and redemption or liberation (*apolutrōsis*) – are attributed to God insofar as he ensures that each being preserves its nature and status, acts in accord with it, and is restored to its proper power. The chapter closes with a brief consideration of how divine justice preserves the hierarchical order and specification of beings by maintaining the appropriate degrees of equality and inequality[43].

The markedly Neo-Platonic Pseudo-Dionysius construes 'justice' and associated divine names primarily in terms of the ordering of the universe as a whole: in ontological rather than narrowly eschatological terms. He provides thirteenth-century theologians with a more developed view of how God's justice is manifested in the natural order.

As Pseudo-Dionysian scholars, Albert and Aquinas draw upon his Neo-Platonic account of divine justice, but each also reads it through the lens of Aristotle's analysis of justice. In particular, they believe that Pseudo-Dionysius's description of divine justice – the assignment of what is proper to each thing – should be understood, to use Aristotle's term, as justice in matters of distribution. Furthermore, they believe

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[41] Cf. Pseudo-Dionysius, *De divinis nominibus*, c. 8, n. 8: 205.1-15.

[42] Thomas, for example, takes the text to refer to God's active role in their purification and sanctification. God consoles the persecuted by strengthening their adhesion to spiritual goods and by rewarding them in the future in accord with their merit. Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 4 [783].

[43] Cf. Pseudo-Dionysius, *De divinis nominibus*, c. 8, n. 9: 206.20- 207.5.

As to the structure of this section of *De nominibus divinis,* Albert believes that Pseudo-Dionysius's considers divine justice: (1) with regard to its proper act; (2) as salvation; (3) as liberation; (4) with regard to its end, equality. Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 12: 371.13-19. For Thomas (2-4) are three effects of divine justice. Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [784-796].

that God cannot be viewed as satisfying the conditions of the two other kinds of justice that Aristotle distinguishes: legal justice and corrective justice.

In his reading of *De divinis nominibus* chapter 8, Albert finds indications that the divine name 'justice' should be understood in analogy with virtues of the affective part of the soul. First, whereas the divine names of chapter seven regard perfections consequent upon the 'intellective part'; those of chapter eight regard ones consequent upon the 'affective part'[44]. Of course, one cannot really speak of God having 'parts', and it is not clear whether 'part' refers here to the human soul or to God. The use of the term is unfortunate. Albert is saying that 'justice', when predicated of God, refers to the divine will as the principle of God's works in creation[45]. Second, the names of chapter eight refer to specifically distinct operative habits[46]. Here Albert believes that only the two varieties of particular justice (commutative and distributive justice), qualify as such, and that legal justice does not[47]. If so, divine justice is analogous to either commutative or distributive but not to legal justice. Indeed, the latter, which consists in observing the law, cannot be attributed to God, who is not subject to any law[48]. Third, if 'justice' is a divine name, it must refer to a virtue which, like charity, belongs to God essentially. Temperance, for example, which consists in ordering one towards the right measure of passion, cannot function as a divine name. God does not have passions[49]. Justice, on the other hand, can qualify as a divine name because it can be considered in two ways, depending on whom it makes fair: oneself or someone else. When one decides, out of justice, to accept his fair share (*aequalitas*) of benefits and burdens, that person's justice is making him or her be fair. It makes that person tend towards what is right and fair. However, only those who are not

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[44] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 1: 365.2-8.

[45] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 3: 365.69-366.9.

[46] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 1: 365.8-10.

[47] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, nn. 12-13: 371.19-64. However, in his commentary on the *Nicomachean Ethics* Albert argues that legal justice is a distinctive kind of virtue and not merely the aggregate of moral virtues. Cf. Id., *Super Ethica Commentum et Quaestiones*, W. Kübel (ed.), Ed. Colon. 14, Aschendorff, Munster 1968-1972, V.3: 319.6-42.

[48] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 15: 372.68-71.

[49] Aquinas makes the same point. Cf. *ST* I, q. 21, a. 1, ad 1.

infallibly upright by nature need the virtue of justice. God, who is infallibly upright, does not. Nonetheless, justice is also attributed to the person who make someone else fair: to judges. Their sentencing (*per promulgationem iuris*) ensures that each interested party has its fair share of benefits and burdens: proportionate in matters of distributive justice and quantitative in those of commutative justice. Justice counts as a divine name because it can be attributed to God as it is to a judge[50]. It is attributed to him by way of an analogy with the act of justice (*per similitudinem proportionis ad actum iustitiae*). Moreover, since divine justice the rule and exemplar of every law justice is attributed to God *qua* exemplar and providential governor of the order of creation[51]. Furthermore, divine justice should be construed as a form of distributive rather than commutative justice. Relations of commutative justice exist between parties who need to exchange or interact with one another to satisfy their mutual needs. God, however, does not have any needs[52].

Hence, God is 'just' because he establishes equality in creation. However, the two associated divine names of 'salvation' and 'redemption' indicate that he does so in two ways. On the one hand, he saves creatures, preserving them providentially from future evil. On the other hand, he liberates them from the evil into which they have fallen by restoring them to how they should be (*restituere in id quod sibi debetur*)[53].

Commenting on Pseudo-Dionysius's explanation of the divine name 'salvation', Albert argues that what Aristotle calls 'natural justice' can also be attributed to God since he is the cause of the justice in nature. He creates things in such a way that they can tend towards their proper ends and maintain their own identity[54]. This is really reducible to the attribution of distributive justice to God. It is the way in which God

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[50] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 2: 365.41-53 et c. 8, n. 3: 366.12-29.

[51] Cf. Augustine, *De libero arbitrio libri tres*, W.M. Green (ed.), CSEL 74, Hölder-Pichler-Tempsky, Vienna 1956, I.6.15:15.19-32. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 14: 372.17-55.

[52] Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 15: 371.62-367.

[53] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 12: 371.5-13.

[54] Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 16: 373.37-47. On the notion of natural justice, cf. Aristotle, *Ethica nicomachea* (hereafter, *EN*) V.10.1134b18-27.

distributes to each thing the natural operations that are proportionate to its form, and the form that is proportionate to the merit of its matter[55].

Besides developing Pseudo-Dionysius's account of the divine name 'justice' with Aristotelian resources, Albert makes a couple of interesting metaphysical claims about divine justice.

First, he argues that it is necessary to postulate divine justice in order to account for the way in which individuals of any given kind are capable of performing their proper operations. At first sight there seems to be no need to postulate God in order to account for this. The fact that an *x* which is *F* can perform the operations *O* that are proper or essential to being a *F* is attributable to the fact that *x* is a *F*. Albert, however, objects that such an explanation is insufficient. An *x* may be *F* but unable to *O* on account of some handicap. Hence any *x* that is *F* also needs to be in good shape *G* in order to *O*. The fact that an *x* is both *F* and *G* is not attributable to that *x*'s being *F*. In Albert's view it is due to God's 'natural justice'[56]. While God in his wisdom thinks up, in the manner of an artist, how things should be arranged, the actual execution of that arrangement is to be attributed to his justice[57]. This argument needs further work, however. It assumes that, were nature to run its course, uncorrected by divine justice, an *x* would only be *F* but not *G*. In focusing on the existence of natural kinds, the argument presupposes that the proper natural operation of generation, whereby an *x* that is *F* generates a *y* that is *F*, is generally successful without any divine support. If so, it seems arbitrary to suppose that other natural operations require divine support to be generally successful. Rather, we should hold that an *x* which is *F* is generally *G* as well.

Albert's second interesting metaphysical observation regards the first of the two objections to divine justice which Pseudo-Dionysius considers. Albert replies that God would not be just were he to make each thing the best thing possible because he would be acting against the good of the universe. All things would have to be of the same kind

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[55] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 17: 373.64-73.

[56] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 17: 373.78-84. Similarly, Albert argues that the conferral of different natures is an act of divine wisdom, but conserving them is an act of justice. Cf. Ibid., c. 8, n. 19: 375.18-21.

[57] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 17: 374.73-76.

and equal in perfection[58]. The good of the universe, however, requires a plurality of beings which are different in kind and degree of perfection. Since the good of the universe is an end to which divine justice is directed, God, by not making each thing the best thing possible, does make each thing as best as it should be[59]. With this argument, Albert provides a more articulated explanation of how the variety of natural kinds and degrees of perfection within the universe expresses divine justice.

5. Thomas Aquinas (I): Do We Have Reasons to Call God Just?

Thomas Aquinas provides various extended treatments of divine justice [60]. I shall focus on the last and most comprehensive: that of the *Summa theologiae* (I, q. 21). There we find Thomas weaving together the various strands of the preceding reflection. On the one hand, there is Albert's Aristotelian reading of Pseudo-Dionysius's discussion of divine justice. It is particularly prominent in the first two articles. On the other hand, as befits a *Summa theologiae,* there is the Anselmian tradition, passed on and developed by Peter Lombard and Alexander of Hales. This is more prominent in the articles on mercy and its relation to divine justice.

The *Summa theologiae*'s discussion of divine justice presupposes some of the common positions on the matter. In earlier questions, Aquinas has defended the theses on divine simplicity (*STh* I, q. 3) and immutability (*STh* I, q. 9). In the question on God's justice and mercy, he restates other common positions. For example, he appeals to the semantics of the term 'mercy' to clarify how God can be merciful without feeling sadness at another's plight (*STh* I, q. 21, a. 3). Indeed, Aquinas restates some common positions more elegantly. Justice, even

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[58] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 19: 375.76-78.

[59] Cf. Albert the Great, *Super Dionysium De divinis nominibus*, c. 8, n. 19: 375.22-24.

[60] Cf. Thomas Aquinas, *Scriptum Super Libros Sententiarum Magistri Petri Lombardi*, P. Mandonnet – M.-F. Moos (eds.), Lethielleux, Paris 1929-1947, IV, d. 46. Id., *Liber de veritate catholicae Fidei contra errores infidelium, seu, Summa contra Gentiles*, P. Marc – P. Caramello – C. Pera (eds.), Marietti, Turin 1961, I, c. 93 et II, c. 29. Id., *In Dionysii De divinis nominibus* lect. 8, cc. 4-5. Id., *STh* I, q. 21.

though it regards God's action *ad extra*, qualifies as a divine attribute because, in saying that God is just, we are designating the divine essence as principle of actions *ad extra*. When we say that God is good, on the other hand, we are designating its absolute intrinsic perfection[61].

Since much of the question restates positions already surveyed, I shall not present it point by point. Instead, I shall focus on how Aquinas provides a more sophisticated explanation of the metaphysical grounds for considering God just.

The *Summa theologiae* addresses divine justice not in connection with eschatology but with Trinitarian theology: as part of its opening discussion of God. This underscores how justice is to be attributed to God in and of himself, regardless of the economy. As with the *Summa aurea* and the *Summa fratris Alexandri*, the *Summa theologiae* addresses divine justice when considering God's will (*STh* I, qq. 19-24), thereby underscoring its rootedness in the latter. First, Aquinas considers the divine will itself (q. 19), then that which belongs to it absolutely (qq. 20-21) – love (q. 20), justice, and mercy (q. 21) – and finally that which involves the joint activity of the divine will and intellect: providence (q. 22), predestination (q. 23), and the book of life (q. 24).

Aquinas's parting point is Scripture's ascription of justice to God[62]. In like vein, Thomas notes, Scripture ascribes emotions (e.g. joy, love), and other affective states and dispositions to God. In our case, such affective states and qualities belong to the appetitive part of our nature. An analogous appetitive power – the divine will – can be attributed to God. If so, Scripture, in ascribing such emotions, affective states, and dispositions to God, is referring to that which belongs absolutely to the divine will[63].

But what exactly is Scripture referring to when it attributes justice to God (*ST* I-II, q. 21, a. 1)? Like Albert, Thomas endorses Aristotle's classification of the various kinds of justice and believes that it provides a useful conceptual framework for addressing and clarifying the

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[61] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, ad 4.

[62] For example, he opens his discussion of it by citing one of Scripture's repeated assertions on God's justice:: 'the LORD is righteous, he loves righteous deeds'(RSV) [*iustus Dominus et iustitias dilexit*] (*Ps* 11:7). Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, s.c.

[63] Cf. Thomas Aquinas, *STh* I, q. 20, prol.

issue[64]. Furthermore, like Albert, he believes that: (i) this boils down to the question as to whether distributive or commutative justice can be attributed to God; (ii) only the former can be attributed to God.

Aquinas does not give a reason for (i). He simply does not consider the possibility that God is just in terms of legal or general justice. However, whereas Albert had excluded 'general justice' on the grounds that it is not really a distinctive kind of virtue (*virtus specialis*), Thomas believes that it is[65]. He needs to have some other reason if he is to rule out general justice in advance. Perhaps he supposes that general justice cannot be attributed to God because it consists in pursuing the common good in accord with the law (and is thereby called legal justice). God, as he points out, is not subject to the law, but the source of all law[66]. Elsewhere, however, Aquinas argues that general justice exists in those who govern. They are meant to practice general justice architectonically, namely, by exercising their authority with justice[67]. Exercising it in this manner is not to be conflated with legislation, which falls under the virtue of political prudence[68]. Since God exercises his authority over creation with justice, attributing general justice to him in this regard is consistent with Aquinas's philosophical theology and virtue theory. He does not appear to have any solid grounds for (i) ruling out in advance the attribution of general justice to God.

He does have good grounds for (ii) not attributing commutative justice to God. Commutative justice consists in directing oneself to respect equality in exchanges and interactions with others. It involves a mutual give and take between the parties involved in a transaction or interaction. For God to be just in terms of commutative justice, a creature would have to be able to repay God in some way for all that it has received from him. However, everything which a creature possesses or does comes from God in some way. No creature has given God

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[64] On his endorsement of Aristotle's classification, cf. Thomas Aquinas, *STh* II-II, q. 58, aa. 5-8 et q. 61, a. 1. Moreover, in the first of the two texts Aquinas argues that legal justice is a virtue in its own right (*virtus specialis*).

[65] Cf. Thomas Aquinas, *ST* II-II, q. 58, a. 6. Id., *Sententia libri Ethicorum* V.2: 270.154-170.

[66] Cf. Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, ad 2.

[67] Cf. Thomas Aquinas, *ST* II-II, q. 58, a. 6, co. Id., *ST* II-II, q. 60, a. 1, ad 4.

[68] Cf. Thomas Aquinas, *ST* II-II, q. 47, a. 12, co.

anything at all and so cannot pay him back (*Rom* 11:35). A creature cannot render anything to God which it has not received from him[69].

Furthermore, as Thomas notes elsewhere, it is impossible for a creature to give anything whatsoever to God, who has no need of any good[70].

Thomas could stress another argument against attributing commutative justice to God. Commutative justice requires a degree of equality between the two parties. Since a creature is inferior in every respect to God, it is not possible for there to be a relation of commutative justice between God and a creature, and hence it is impossible for God to be just in terms of commutative justice. This kind of argument underlines Aquinas's classification of the moral virtue of religion as a potential rather than a subjective part of justice. Religion cannot be a species (i.e. subjective part) of justice because it possesses only some rather than all the essential characteristics (i.e. a potential part) of justice. It resembles justice in that it consists in rendering what is due to another: in this case, the worship due to God. It differs in that the two parties are not on an equal standing. God is superior to the worshipper and his goodness is superior to that of any act of worship[71].

The inequality which exists between God and creature does not rule out the possibility of God being just in terms of distributive justice since, in God's case, this form of particular justice is concerned with establishing equality between creatures with regard to common goods, and not between God and creature.

In fact, distributive justice, whereby a ruler or steward allots goods to the members of a community, according to their respective merit or dignity, can be attributed to God. Any properly ordered household or multitude evinces this kind of justice in its ruler. The universe is such a multitude. Since the universe is suitably arranged, both in the natural order and in that of voluntary action, and God, the creator of the universe, is the one responsible for its arrangement, the universe evinces divine distributive justice[72].

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[69] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, co.

[70] Cf. Thomas Aquinas, *Quaestiones disputatae de veritate*, Ed. Leonina 22, Editori di San Tommaso, Rome 1970-1976, q. 6, a. 2, obj. 8.

[71] Cf. Thomas Aquinas, *STh* II-II, q. 80, prologus.

[72] Cf. Thomas Aquinas, *STh* I, q, 21, a. 1, co.

Of course, this explanation of how distributive justice can be attributed to God is a variant of Albert's reading of Pseudo-Dionysius. Indeed, not only does Aquinas cite chapter eight of *De divinis nominibus* as his source, but he is also summarising his own commentary on the passage. A survey of that commentary helps flesh out the argument of *ST* I, q. 21, a. 1.

First, the order of the universe to which Thomas refers is not restricted to nature but extends to the realm of voluntary action[73]. This is not apparent in chapter eight of *De Divinis nominibus*. However, in his commentary on the divine names 'salvation' and 'liberation', Aquinas describes how God is given these names, not only because he conserves nature and saves it from evil, but also because he extends this care to human beings in their moral life[74]. Elsewhere Aquinas associates this latter kind of care which grace and eschatological retribution. Still, it is difficult to show, on philosophical grounds, that God actually extends this sort of care to human beings[75]. For this reason, I shall focus on Aquinas's account of how divine justice is adducible from a metaphysical analysis of natural teleology. Nevertheless, in addressing the first objection which Pseudo-Dionysius considers, Aquinas proposes a libertarian defence of why there have to be different degrees of perfection in the universe. He argues that God, in order to make each thing the best thing possible, would have to suppress free choice in rational beings. Since the blessed are the most perfect human beings, he would have to raise every human being to blessedness. The problem is that, in so doing, he

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[73] "(O)rdo universi, qui apparet tam in rebus naturalibus quam in rebus voluntariis, demonstrat Dei iustitiam." Thomas Aquinas, *STh* I, q, 21, a. 1, co.

[74] The divine name 'salvation' refers to how God conserves human beings in the good by: (i) making some unchangeable in themselves (i.e. the blessed who cannot sin); (ii) preserving the weak from temptation; (3) strengthening others to resist it. Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [789].

The divine name 'liberation' refers to how God frees us when we fall into sinful action, disordered inclinations, and a state of defective proper operations. He rouses us out of disordered passion, supports our weakness with paternal affection, and frees us from the privation of proper operations by restoring us to good works. Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [793].

[75] In the *Summa contra gentiles* Thomas offers a description of retribution that is very similar to how he outlines God's freeing human beings from moral evil. However, in the former work he is explain why it is fitting from the perspective of natural reason that God, in his providence, should reward or punish our acts. Cf. Thomas Aquinas, *ScG* III, c. 140 [3149-3151].

would eliminate the free choice of human beings. The blessed behold the divine essence and so cleave to God necessarily. Indeed, this elimination of free choice would actually amount to a suppression of human nature. It belongs to being human or rational that one can move oneself to good or evil: that one is capable of agency. This is also true of the blessed. The difference is that they are confirmed in the good towards which they have moved themselves. However, were God to make each thing the best thing possible, human beings would no longer be capable of moving themselves to good or evil. They would be determined by an external force: the vision of the divine essence. Though blessed, they would no longer be truly human or rational[76]. Aquinas's point seems to be that blessedness, the perfection of a rational nature, requires the beatific vision, but also free choice when it comes to rational creatures.

Second, the inequality which exists in nature is just in terms of distributive justice and thereby manifests that God exercises distributive justice in creating. Thomas reads Pseudo-Dionysius's remarks on inequality as another way of expressing Aristotle's point about the mean of distributive justice being geometrical or proportional, as opposed to the arithmetic mean of commutative justice. By giving each being goods proportionate to the dignity of its nature, God exercises distributive justice in creating. On the one hand, he distributes a proportionately equal degree of goodness to each kind of being. However, God also exercises distributive justice in conserving the hierarchical order of natural kinds and the inequality concomitant upon it[77].

Third, as Aquinas makes clear when commenting upon the divine name 'salvation', we should consider nature as duly ordered because of the ontological stability which exists in nature. Not only are individuals of different kinds distinguishable from one another in terms of their respective natures, but individuals, notwithstanding their mutual interaction, also tend to retain their nature with some degree of stability, though over varying time-spans. In other words, individuals are not shifting nature from one second to another. Furthermore, in virtue of its nature, an individual is directed to certain proper operations and capable of performing them. Aquinas bases the last of the five arguments for

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[76] Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 4 [780].

[77] Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [794-796].

God's existence in the *Summa contra Gentiles* on similar considerations regarding ontological stability[78]. In this case, we can take him to be claiming that this philosophical demonstration of God's existence gives us grounds to call his conservation of nature and its ontological stability 'salvation'. Furthermore, we should see his conservation as an effect of his justice in duly ordering creation[79].

A further sign of divine conservation is the way in which substances – i.e. beings in the full sense of the word – do not fall away entirely into nothingness and non-existence. While a material substance is subject to corruption, some part of it always remains. With the change from material substance A to material substance B, there is a change in the substantial form (from A to B), but the subject of those forms, the prime matter, remains[80]. While Aquinas is making a theological point, the underlying philosophical point can be expressed as follows. The philosophical demonstration of God's existence and relevant attributes sheds new light on the fact that material substances, and nature with them, do not fall entirely into nothingness. It allows us to view this phenomenon as an effect of divine justice. The divine name 'liberation' refers to this way, and others, in which God preserves creatures from evil[81] .

Since Aquinas adduces God to be just from the teleological order which characterises both individual beings and nature as a whole, his analysis of this divine attribute can be read as an outgrowth of those of his arguments for God's existence which appeal to natural teleology: the fifth way and arguments similar to it[82]. In the fifth way, he argues that the natural teleology of non-rational material substances, and the way in which natural kinds support one another, cannot be accounted for

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[78] Cf. Thomas Aquinas, *ScG* I, c. 13 [115].

[79] Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [786]. To 'save' can be understood as (i) 'conserving *x* in its good' or (ii) 'separating *x* from evil'. Thomas argues that (ii) derives from (i) because, by conserving *x* in its good, one achieves (ii). For this reason, (i) rather than (ii) constitutes the proper sense of 'save'. He then goes on to distinguish various ways in which God, by maintaining the ontological stability of nature, conserves natural substances in their good. Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [787-789].

[80] Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [791].

[81] Cf. Thomas Aquinas, *In Dionysii De divinis nominibus* c. 8, lect. 5 [793].

[82] For the fifth way, see Thomas Aquinas, *Quaestiones disputatae de veritate*, q. 5, a. 2, co. Id., *STh*, I, q. 2, a. 3, co. Id., *Super Evangelium S. Ioannis lectura*, R. Cai (ed.), Marietti, Turin 1952, prologus [n. 3]. On the argument on the order of nature, cf. Thomas Aquinas, *ScG*, I, c. 13 [115].

merely in terms of natural kinds. Such a natural teleology can only exist if it is established by a rational being, which we call God, that makes nature. If this is the case, the appropriateness of a natural kind's inherent teleology can be viewed as something wanted by God on account of its appropriateness. It can be viewed as an exercise of distributive justice.

However, to speak of God exercising distributive justice in creating seems to presuppose, in a way that is at odds with his sovereign transcendence, that there are constraints upon his will[83]. Scripture speaks of how God 'accomplishes all things according to the counsel of his will' (*Eph* 1:11)[84]. Thomas notes, however, that it is precisely for this reason that we can say that God acts justly. Justice belongs to the will, whose object is the good understood by the intellect. Whatever God wants is in conformity with his divine wisdom, which resembles the law of justice. Hence, whatever he wants is just and upright[85]. Thomas believes that this is why the bible also refers to divine justice as 'truth' (*'ĕmet*) (e.g. *Ps.* 85:10). "Appropriately, God's justice is called 'truth'. It establishes the order which exists in things in accord with the design of his wisdom, its law"[86]. God's justice, even though it belongs to his will and not to his intellect, can be called 'truth' because it is regulated by his wisdom[87]. However, whereas we act justly by obeying the law that some higher authority has established, God is a law unto himself[88].

Furthermore, how can we attribute justice to God if he cannot owe a creature anything, whereas justice consists in rendering to others their due?[89] To resolve this difficulty, Aquinas proposes a more articulated defence of the *Proslogion*'s thesis that, in any of God's works, there is both that which he owes to himself and that which he owes to the creature. When we say that it is just to render every *x* which is *F* 'its' *y* which is

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[83] Cf. Thomas Aquinas, *STh* I, q, 21, a. 1, obj. 2.

[84] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, obj. 2.

[85] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, ad 2.

[86] Cf. Thomas Aquinas, *STh* I, q. 21, a. 2, co. Truth, as Thomas conceives it, consists in a correspondence between intellect and reality. However, in practical matters, the intellect is the standard and truth consists in the product's (i.e. the relevant reality) correspondence with the intellect. Hence, just as an artefact should reproduce the artist's design, a work of justice should correspond to the law.

[87] Cf. Thomas Aquinas, *STh* I, q. 21, a. 2, ad 1.

[88] Thomas Aquinas, *STh* I, q. 21, a. 1, ad 2.

[89] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, obj. 3.

G, the personal pronoun in third person refers to the latter's having the former as its end. Hence we can speak of an employee belonging to his or her employer (servants and masters in Aquinas's example), but not of an employer belonging to his or her employee. The end of an employee is to be at the service of the employer by performing the designated job description. If a *y* which is *G* is due to an *x* which is *F* because the former belongs to the latter in the aforementioned manner, the term 'due' refers to the arrangement by which the former is meant to be directed towards the latter. In Aquinas's view, there are two such arrangements in creation. On the one hand, one creature is meant to be directed towards another (e.g. *G* = part, *F* = whole; *G* = accident, *F* = substance), even though both are meant to be directed towards their respective proper ends. On the other hand, all creatures are meant to be directed towards God. The first arrangement is based on that which is due to a creature (DC); the second that which is due to God (DG). Consequently, in God's works there are two regards in which something can be due: either with regard to God, or with regard to a creature[90]. As noted in the preceding paragraph, God can be said to owe a certain action to himself insofar as he wills in accord with his goodness and wisdom.

This distinction between DG and DC allows for an explanation of why it is necessary that justice characterise each of God's works (*ST* I, q. 21, a. 4). According to Thomas, God cannot perform any work W that is contrary to DG and DC. He cannot perform any W that is contrary to DG because he cannot do anything which does not befit his wisdom and goodness. Consequently, neither can he perform any W that is contrary to 'a suitable order and proportion', characteristics, as Thomas has explained earlier on, of distributive justice.

The upshot of this argument would appear to be that God, in performing any W, is just towards himself insofar as he accomplishes DG; just towards creatures insofar as he accomplishes DC. Significantly, however, Thomas only speaks of the proper arrangement of creation as a case of justice (*in quo consistit ratio iustitiae*). Grammatically, the scope of this last clause appears to be restricted to his description of God's accomplishment of DC rather than extend to that of DG. Indeed, there are three reasons why Aquinas would not consider God to be

[90] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, ad 3.

just towards himself. First, following Aristotle, Aquinas believes that, properly speaking, justice is always other-regarding[91]. Doing what is due to oneself is just only in a metaphorical sense[92]. Second, Aquinas rejects the idea that justice is the only virtue whose object is that which is due. Justice, in the proper sense of the term, regards what one person owes another. The other moral virtues, on the other hand, regard what an agent's lower powers owe to reason. Indeed, the latter is the kind of due which Aristotle refers to when talking of 'metaphorical justice'[93]. Elsewhere Aquinas indicates that appetency's conformity with reason is self-regarding as opposed to the other-regarding order of justice[94]. If so, doing what is due with regard to oneself does not qualify as justice, in the proper sense of the term. Third, Aquinas insists that we cannot know God's nature as such but rather what he is not[95]. God is just, but in a way very different than we are. To say that God is just means that God cannot accomplish anything contrary to DG but must always act in accord with his own goodness and wisdom. It is not to say that he just towards himself[96].

However, there is also a problem with Aquinas's grounds for considering God to be just in creating. God endows individuals with the forms (i.e. properties, qualities, etc.) that are proper to their being individuals of a particular kind (e.g. endowing human beings with hands and rational souls)[97]. That would seem to exclude the possibility of there being individuals that lack any such form. However, there are such defective individuals: e.g. human beings who are born without hands or without functional ones at least. If so, adducing the aforementioned grounds for considering God just is either insufficient or in need of qualification. Since Aquinas is aware of the existence of physically impaired individuals, the principle of charity requires the we take him to have some qualification in mind. In fact, the argument can be saved if divine justice towards creatures is circumscribed to God's giving a

[91] Cf. Aristotle, *EN* V.11.1138a4–28.

[92] Cf. Aristotle, *EN* V.11.1138b5–8. Thomas Aquinas, *STh,* II-II, q. 58, a. 2, co.

[93] Cf. Thomas Aquinas, *STh* I-II, q. 100, a. 2, ad 2.

[94] Cf. Thomas Aquinas, *STh* I-II, q. 74, a. 2, co.

[95] Cf. Thomas Aquinas, *STh* I, q. 3, prologus.

[96] However, since the exemplar of all things should pre-exist in God, his observance of eternal law in his works is the exemplar of justice. Cf. Thomas Aquinas, *STh* I-II, q. 61, a. 1, co.

[97] Cf. Thomas Aquinas, *STh* I, q. 21, a. 4, co.

species its due accidental forms. In other words, to say that God owes a creature certain accidental forms means that he owes any species – a particular natural kind –those forms that correspond to it in virtue of its substantial form, but not that he ought to ensure that each individual of that species possess each of those forms. The above formulation of his argument works *ceteris paribus.*

6. Thomas Aquinas (II): Does God Create Because He Is Just?

Divine justice is just one of two divine attributes that *ST* I, q. 21 considers. The other is mercy. Since the *Summa theologiae* aims at working out a more cogent order of inquiry for systematic theology than Peter Lombard's, Aquinas does not treat both together out of slavish deference to the convention set by the *Sententiae* (IV, dist. 45). Presumably he does so because they are so closely connected that they can only be understood adequately when considered in relation to one another. Indeed, Aquinas argues that appealing to God's exercise of distributive justice does not provide a complete explanation of creation. The fact that God is just explains why creation is properly ordered but not why he created in the first place. Like the *Summa fratris Alexandri,* he takes issue with Anselm and argues that God's just ordering of nature presupposes his merciful decision to create. There are philosophical grounds for holding that God's justice is motivated by his mercy. Aquinas makes this point in explaining *Ps* 25:10: how all God's works are both just and merciful (*STh* I, q. 21, a. 4).

To show that all God's works are characterised not only by justice, but also by mercy, Aquinas proposes a two-part argument. The first part clarifies how divine justice is a matter of God's giving a creature forms in accord with its substantial form, in virtue of the former's being ontologically consequent upon the latter. The second part of the argument is concerned with showing that, once this causal regress from accidental to substantial form is extended, we are led to the question of what ground's the creature's very existence. This stage of the argument is meant to show that the creature's very existence cannot be accounted for in terms of divine justice, as say accidental forms are, but only in terms of divine mercy.

Before analysing the argument, it is necessary to outline the salient points of Aquinas's conception of divine mercy.

First, Aquinas believes that mercy is a divine attribute. Mercy (*misericordia*) consists in relieving another's unhappy state (*miseria*). The latter can be understood broadly as any deficiency whatsoever. The only thing that can remove a deficiency is the perfection of some goodness. Since God is the source of all goodness, 'mercy' has to be attributed to him first and foremost. Nevertheless, we use a different word to refer to each regard or description under which God bestows a perfection: 'good', in the sense of 'good toward___', when the perfection is considered without any qualification; 'liberality', when it is bestowed for the sake of divine goodness rather than for its usefulness to the creature; 'justice', when it is bestowed on the basis of proportional merit; 'mercy' when bestowed to drive away some deficiency[98]. God is mercy insofar as he is the source of the perfection whereby some deficiency is relieved.

Second, Aquinas explains that God's mercy is compatible with his justice even though it seems to undermine the latter and require that God overlook what his justice requires[99]. Actually, mercy does not go against justice. Like liberality, it goes above and beyond justice. Tom does not commit any injustice if he owes Jerry €100 but, out of liberality or mercy, gives him €200 instead. The same is true of forgiving those who offend one. Forgiveness constitutes a sort of gift (*Eph* 4:32). Mercy is a certain fullness of justice and not its deprivation[100].

As to the argument on why both justice and mercy characterise any divine work, Aquinas proposes the following first premise.

> "Nothing is owed to a creature except on account of something already existing or considered in it. In other words, if it is owed to a creature, this is on account of some prior thing."

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[98] Cf. Thomas Aquinas, *STh* I, q. 21, a. 3, co. In distinguishing liberality from mercy, Thomas may be concerned with correcting William of Auxerre's statement that 'mercy', when understood in general rather than in particular, does not regard our miseries and is identical to liberality. Cf. William of Auxerre, *Summa aurea* I, tr. 13, c. 1: 246.22-247.25.

[99] Cf. Thomas Aquinas, *STh* I, q. 21, a. 3, obj. 2.

[100] Cf. Thomas Aquinas, *STh* I, q. 21, a. 3, ad 2.

To speak of divine justice presupposes that some form *H* is owed to an *x* which is a creature of a certain kind (*F*). However, Aquinas argues, it may be the case that *H* is only owed to an *x* which is *F* on account of *G*. Moreover, *G* is only owed to an *x* which is *F* in virtue of *x*'s being *F*, with the result that *F* is ontologically or conceptually anterior to *G*. Since the issue under discussion is mercy which, properly speaking, can only be extended towards rational creatures, Aquinas proposes the case of human beings in order to exemplify this causal regress. Any human being (an *x* which is *F*), is meant to have a hand (*H*) on account of (*propter)* its having a rational soul (*G*). Indeed, for Aquinas, the human hand, unlike other organs (e.g. heart, eye), has a morphology peculiar to humans and is geared towards performing the wide range of operations to which human beings are open on account of their rationality[101]. In other words, whereas an animal requires the sense of touch and members for standing, moving, grasping, and holding, rational animals require hands. Furthermore, any human being (an *x* which is *F*) is meant to have a rational soul (*G*) on account of its being human (*F*), namely, a rational animal.

Two things should be noted about the first premise which Aquinas is setting up. First, the situation and the example which he describes is a case of DC: the order of that which is owed to a creature. As Aquinas has pointed out earlier on, one creature is meant to be directed towards another, though each is meant to be directed towards its respective proper end, and the subordinate creature is either a part or an accidental form (*G, H* in the example currently under consideration) of the latter, which is a whole or a substance (an *x* which is *F* in the example currently under consideration)[102]. Making sense of this kind of order is a matter of tracing that which is subordinate back to its superordinate end. This is clear from his reference to how a human being is meant to have a hand 'on account of' (*propter*) its rational soul, and a rational soul 'on account of' its being a rational animal. In second place, making sense of this order is also a matter of tracing a form or actuality back to an ontologically anterior one.

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[101] For example, see Thomas Aquinas, *Scriptum*, III, d. 33, q. un., a. 2, q.[la] 1, ad 3. Id., *STh*. I, q. 91, a. 3, ad 2.

[102] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, ad 3.

With this first premise in place, Aquinas brings in a second.

> "Since it is not possible to go on indefinitely, it is necessary to arrive at something which depends on the goodness of the divine will alone: the ultimate end."

We can see why this is the case by picking up the example currently under consideration at where we left off. If having a rational soul (*G*) is what a human being (an *x* which is *F*) is meant to have on account of his or her being human (*x*'s being *F*), a further question can be raised. For whose sake does a human being exist? For whose sake should any *x* be *F*?

In Aquinas's description of the example, each form has been traced back to another one which is ontologically anterior. However, there is no intrinsic principle more formal than existence, namely, the act of being (*esse*)[103]. There is no further intrinsic principle to which we can trace back the act of being and which constitutes its end. According to the second premise the process of tracing the various forms of a creature back to their end cannot go on indefinitely but must reach an ultimate end which accounts for their existence. If the act of being is the most formal of all forms, why not consider it the ultimate end of the other forms? The way in which the second premise is formulated excludes this possibility. According to the second premise divine goodness is the ultimate end of all. Earlier on, however, Aquinas has explained why the existence of a human being, or any other creature for that matter, is not ultimate. The existence of that which has been brought into existence is caused by something else.

> "It is necessary that whatever exists both in something and beyond its essence is caused either by the principles of its essence, in the way that proper accidents are consequent upon the species, – e.g. being capable of laughter is consequent upon being a human being and is caused by the essential principles of that species – or

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[103] Cf. Thomas Aquinas, *STh* I, q. 4, a. 1, ad 3. Thomas Aquinas, *Quaestiones disputatae de potentia*, in *S. Thomae Aquinatis quaestiones disputatae et quaestiones duodecim quodlibetales*, Marietti, Turin 1965, 1-276, q. 7, a. 2, ad 9.

> it is caused from without, just as a water's heat is caused by fire. However, if the very existence (*esse*) of a thing is distinct from its essence, it is necessary that the existence of that thing is caused either by something external or by the principles of the thing's essence. It is impossible that it be caused solely by the principles of the thing's essence because a thing whose existence has been caused is not in a position to be the cause of its own existence. This cannot be said of God, because we say that God is the first efficient cause (Cf. *STh* I, q. 2, a. 3, co.). It is impossible that God's existence and essence be two different things."[104]

The mention of God as first efficient cause is a reference to the second way. Aquinas could also have referred to the fourth way, which points to God as the cause of the *esse* of all beings. The second premise relies, moreover, on the fifth way, which points to God as the intelligent being who orders all things and nature to their end. In the light of the fifth way, Aquinas points out that God necessarily wants himself as end, and anything else, such as bringing things into existence, in subordination to himself and his goodness[105]. Hence, the metaphysical analysis involved in the five ways leads Aquinas to the conclusion formulated in the second premise: any resolution in the line of final causality ends with that which depends solely on the divine will, the ultimate end, namely, God himself. God decides to create for the sake of his own goodness.

On the basis of these two premises, Aquinas concludes that mercy features in any of God's works with regard to its first root. If nothing is owed to a creature except on account of some prior thing, existence is only granted it on account of God's abundant goodness. Creation is not an act of justice, but of mercy. The effect of creation, the conferral of existence, has the essential characteristics of an act of mercy. It is not due to the creature and it relieves a deficiency. In fact, it relieves the most radical deficiency of all: non-existence.

Aquinas has shown how the metaphysical analysis of being leads to the discovery not only of God's existence and nature but of his mercy

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[104] Thomas Aquinas, *STh* I, q. 3, a. 4, co.

[105] Cf. Thomas Aquinas, *STh* I, q. 19, a. 2.

as well. He has also shown that such an analysis finds its ultimate explanation, by way of a resolution in terms of final causality, in God's goodness and mercy, albeit, as the *Summa fratris Alexandri* already noted, 'mercy' in a broad and improper sense. Properly speaking, misery is the opposite of happiness. In that case, only the deficiencies of a nature capable of happiness, a rational nature, count as 'misery' in the proper sense of the term; 'mercy', in the proper sense of the word, refers to relieving the deficiencies of a rational creature. Broadly speaking, however, 'mercy' can refer to the removal of any defect whatsoever.

Pressing on with his metaphysical analysis, Aquinas notes that, just as the influence of a primary cause is more vigorous and emphatic than that of secondary causes – it underlies and sustains the secondary causes and their power to cause – the power (*virtus*) of the mercy with which God creates is conserved in his successive works and must act more vigorously in them[106]. Consequently, God bestows upon creatures more than is strictly due to them and thereby goes beyond the constraints of justice. Mercy and liberality characterise all God's successive works[107]. *A fortiori,* justice must characterise them too. With this passage of the argument, Aquinas provides metaphysical grounds for asserting that God's mercy and justice permeate the whole of human history, even if in many cases this is not apparent.

However, Aquinas is aware of a problem with his argument and formulates it in the fourth objection. Any work of justice or mercy presupposes something on the part of its beneficiary: its due and its unhappy state respectively. The act of creation, by bringing its object into existence out of nothing, does not have anything towards which it can be just or merciful. If so, the act of creation cannot qualify as either just or merciful[108].

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[106] This is a principle which Aquinas draws from the *Liber de causis*. Cf. A. Pattin, "Le *Liber de Causis*. Edition établie à l'aide de 90 manuscrits avec introduction et notes", *Tijdschrift voor Filosofie* 28 (1966), 90-203, 137 (I.115.153-156); Thomas Aquinas, *Super Librum De Causis Expositio*, H.D. Saffrey (ed.), Textes Philosophiques du Moyen Âge 21, Libraire philosophique J. Vrin, Paris 2002, 1.17-22; Proclus, *The Elements of Theology*, E.R. Dodds (ed.), Clarendon Press, Oxford 1963, prop. 56: 54.4-22.

[107] Cf. Thomas Aquinas, *STh* I, q. 21, a. 4, co.

[108] Cf. Thomas Aquinas, *STh* I, q. 21, a. 1, obj. 4. This objection is formulated forcefully in William of Auxerre, *Summa aurea*, I, tr. 13, c. 1, s.c.: 246.7-20. Thomas is developing a slightly different reply to it.

Aquinas contests the claim that creation does not presuppose anything at all. True, in creating a thing, God does not act upon an already existing supposit within nature. His act of creating does presuppose, however, his knowledge of what he is creating. Consequently, bringing forth a thing into existence has the character of justice because, in doing so, God accomplishes DG: he creates it in accord with his wisdom and goodness. To some extent it also has the character of mercy. It presupposes that thing's non-existence and relieves the thing of that very deficiency[109].

Hopefully, this survey has proven that Aquinas and his predecessors provide a philosophically sophisticated account of how God is just and of how his justice is not at odds with his mercy but motivated by it. Thomas contributes to mediaeval reflection on the divine attribute of justice by weaving together and developing two strands of mediaeval theological reflection, while providing more fully worked out metaphysical reasons for calling God just. On the one hand, he enriches the mainstream Anselmian tradition (theses 1-9) with Albert's Aristotelian reading of Pseudo-Dionysius's commentary on the divine name 'justice' (theses 10-15). On the other hand, he brings greater cohesion to the preceding reflection by grounding it in his account of God's simplicity – the real identity of his essence and his existence – and a more articulated metaphysical analysis. He extends the metaphysical analysis by which God's existence is uncovered to show that the natural teleology of individuals and the universe is a case of God exercising justice in the distribution of perfection. In addition, he provides a libertarian defence of why it is just that the universe be characterised by varying degrees of perfection and imperfection. The same metaphysical analysis of the five ways also leads to a demonstration of how God's mercy rather than his justice explains creation. Such an analysis uncovers not only that existence is the most fundamental intrinsic principle of beings, but also

[109] Cf. Thomas Aquinas, *STh* I, q. 21, a. 4, ad 4. Thomas's reply differs from that of William of Auxerre in two regards. First, he specifies that acting in accord with divine wisdom and goodness accomplishes DG, and thereby has the character of justice. Second, whereas William equates God's mercy in creation with liberality, Thomas specifies that it has the character of mercy insofar as it relieves the creature from the deficiency of non-existence. This is an idea drawn from *Summa fratris Alexandri* I, tract. 6, q. 3, titulus 2, membrum 2, c. 3, a. 3, solution et ad 1: I.389-390. For William's argument, cf. William of Auxerre, *Summa aurea*, I, tr. 13, c. 1, sol.: 247.21-248.47.

that God brings creatures into existence for the sake of his goodness. Indeed, the discovery of mercy as the first cause of creation yields a metaphysical reason for believing that God's mercy and justice permeate human history, even though we cannot see them at work. From Aquinas's standpoint, the perplexity felt by contemporary philosophers of religion over how a just or morally good God can allow evil is misguided. It denotes a failure to appreciate that being not only manifests God but also his steadfast mercy and justice. Taking a profane view of history might give us grounds for doubting God's justice, but the metaphysics of creation gives us assurances that he is. With these arguments Aquinas makes, I submit, a significant contribution to contemporary reflection on the attribute of divine justice.

Summary: Justice is a divine attribute to which the sacred texts of the Abrahamic religions attest frequently and to which people attach great importance. However, it is the express subject of comparatively few contemporary studies. It has been argued that this is symptomatic of a long-standing trend in Christian theology, which has tended to conceive justice narrowly, as retributive. This paper makes the case that, mediaeval theologians, from Anselm to Aquinas, address the divine attribute of justice in depth and with philosophical sophistication, viewing it primarily as God's merciful and gracious distribution of merits and goods. It seeks to identify Aquinas's contribution to the mediaeval analysis of this divine attribute and assess what he may have to contribute to current philosophy of religion. In particular, pointing to natural teleology, he offers more fully worked out metaphysical reasons for calling God just and considering all his works just. The existence of creatures can only be explained as an act of divine mercy, with the result that, since existence is the fundamental gift, all God's works are merciful and just.

Key words: Anselm of Canterbury (Anselm of Aosta), Alexander of Hales, Thomas Aquinas, divine attributes, justice.

Sommario: La giustizia è uno degli attributi divini che le religioni abramitiche sottolineano di più, e a cui le persone danno più importanza. Ciò nonostante, in termini relativi essa è un tema trattato in pochi studi contemporanei. È stato argomentato che tale trascuranza derivi dalla tendenza duratura della teologia cristiana a concepire la giustizia di Dio come fondamentalmente retributiva. Questo saggio vuole invece mettere in rilievo che i teologi medioevali, da Anselmo di Canterbury a Tommaso d'Aquino, la concepiscono come distribuzione misericordiosa e generosa di beni e di meriti. Il saggio mira ad individuare il contributo specifico di Tommaso d'Aquino alla discussione di questo attributo divino e, a sua volta, un suo eventuale apporto all'attuale filosofia della religione. In modo particolare,

sviluppa, a partire di un'analisi della teleologia naturale, una più articolata fondazione metafisica della tesi secondo la quale Dio è giusto, e tutte le sue opere sono anche esse giuste. L'esistenza delle creature è da spiegare come un atto di misericordia divina, in modo che, essendo l'essere il dono fondamentale, tutte le opere di Dio sono da ritenere misericordiose e giuste.

Sommario: Parole chiave: Anselmo di Canterbury (Anselmo di Aosta), Alessandro di Hales, Tommaso d'Aquino, attributi divini, giustizia.