

## QUESTION 79

### The integral parts of justice

Next we have to consider the integral parts of justice, viz., *to do good* and *to turn away from evil* (*facere bonum et declinare a malo*), and their opposed vices. On this topic there are four questions: (1) Are doing good and turning away from evil parts of justice? (2) Is transgression (*transgressio*) a specific sin? (3) Is omission (*omissio*) a specific sin? (4) What is the relation of omission to transgression?

#### Article 1

##### Are turning away from evil and doing good parts of justice?

It seems that turning away from evil and doing good are not parts of justice:

**Objection 1:** It belongs to every virtue to do good and to avoid evil. But the parts do not exceed the whole. Therefore, to turn away from evil and to do good should not be posited as parts of justice, which is a specific virtue.

**Objection 2:** A Gloss on Psalm 33:15 (“Turn away from evil and do good”) says, “The former”—viz., turning away from evil—“avoids sin, whereas the latter”— viz., to do good—“merits life and the palm.” But every part of a virtue merits life and the palm. Therefore, turning away from evil is not a part of justice.

**Objection 3:** Any things that are such that one of them is included in another are not distinct from one another as the parts of a whole. But to turn away from evil is included in doing good, since no one simultaneously does both evil and good. Therefore, to turn away from evil and to do good are not the parts of justice.

**But contrary to this:** In *De Correptione et Gratia* Augustine attributes “turning away from evil and doing good” to the justice of the law.

**I respond:** If we are talking about good and evil in general, then it belongs to every virtue to do good and to avoid evil. And on this score they cannot be posited as parts of justice—unless perhaps justice is understood as being every virtue, and despite the fact that justice, even taken in this way, has to do with a certain specific notion of the good, viz., what is owed in relation to divine law or human law.

However, insofar as it is a specific virtue, justice has to do with the nature of what is owed to one’s neighbor. And on this score it belongs to *specific justice* (a) to do good under the character of what is owed in relation to one’s neighbor and (b) to avoid the opposite evil, viz., what is harmful to one’s neighbor. By contrast, it belongs to *general [or legal] justice* (a) to do the good that is owed in relation to the community and to God and (b) to avoid the opposite evil.

Now these two parts of general justice or of specific justice are called *integral parts* because each of them is required for a perfect or complete act of justice (*utrumque eorum requiritur ad perfectum actum iustitiae*). For as is clear from what was said above (q. 58, a. 2), it belongs to justice to create an equality or balance in those matters that have to do with others. Now it belongs to the same thing both to bring something about (*aliquid constituere*) and to conserve what it has brought about (*constitutum conservare*). But someone brings about the balance of justice by doing good, i.e., by rendering to someone else what is owed to him, and he conserves the balance of justice, once it is brought about, by turning away from evil, i.e., by not inflicting harm on his neighbor.

**Reply to objection 1:** ‘Good’ and ‘evil’ are here being taken with a certain specific character by which they are appropriated to justice. Thus, the two of them are being posited as parts of justice according to a *proper* character of good and evil, and they are not being posited as parts of any other moral virtue. For the other moral virtues have to do with the passions, in which doing good is arriving at a mean, which is equivalent to turning away from the extremes as something bad. By contrast, justice has to do with exterior operations and entities, in which bringing about a balance is different from not

corrupting a balance that has already been brought about.

**Reply to objection 2:** Turning away from evil (*declinare a malo*), insofar as it is posited as a part of justice, does not involve a pure negation, i.e., *not doing evil (non facere malum)*, since this would not merit the palm but would only ward off punishment. Rather, it implies a movement of the will repudiating evil (*motum voluntatis repudiantis malum*), as the very name '*declinatio*' shows. And this is meritorious, especially when someone is under siege to do evil and resists.

**Reply to objection 3:** To do good is the perfecting act of justice (*est actus completivus iustitiae*) and, as it were, its principal part. On the other hand, to turn away from evil is a less perfect act and a secondary part of justice. And so it is, as it were, the *material* part, without which the *formal* perfecting part cannot exist.

## Article 2

### Is transgression a specific sin?

It seems that transgression (*transgressio*) is not a specific sin:

**Objection 1:** No species is posited in the definition of its genus. But *transgression* is posited in the general definition of a sin; for Ambrose says that a sin is "a transgression of divine law." Therefore, *transgression* is not a species of sin.

**Objection 2:** No species exceeds its genus. But *transgression* exceeds *sin*, since, as is clear from Augustine in *Contra Faustum* 22, a sin is "a word or a deed or a desire contrary to God's law," whereas a transgression is, in addition, contrary to nature or contrary to custom. Therefore, *transgression* is not a species of *sin*.

**Objection 3:** No species contains under itself all the parts into which the genus is divided. But the sin of transgression extends to all the capital vices and, in addition, to sins of the heart, sins of the mouth, and sins of deed. Therefore, transgression is not a specific sin.

**But contrary to this:** Transgression is opposed to a specific virtue, viz., justice.

**I respond:** The name 'transgression' is derived from corporeal movements and applied to moral acts. In the case of corporeal movements, someone is said to transgress because he crosses a terminus that has been fixed for him beforehand.

Now in moral matters the terminus beyond which a man should not pass is fixed for him beforehand by the negative precepts. And so 'transgression' is properly predicated when someone does something contrary to a negative precept. To be sure, this can, *materially* speaking, be proper to every species of sin, since through any species of mortal sin a man transgresses some divine precept. However, if it is taken *formally*, i.e., according to the special character of *doing something contrary to a negative precept*, then there are two ways in which this is a specific sin:

(a) in one way, insofar as transgression is opposed to the genera of sins that are opposed to the other virtues. For just as it pertains to the proper character of legal justice to be intent on the obligation imposed by a precept, so, too, it pertains to the *proper* character of transgression to be intent on contempt for the precept.

(b) in the second way, insofar as transgression is distinct from *omission*, which is contrary to an *affirmative* precept.

**Reply to objection 1:** Just as *legal justice* is every virtue in its subject and, as it were, *materially*, so, too, legal injustice is, *materially* speaking, every sin. And this is the sense in which Ambrose defined sin, viz., in accord with the character of legal injustice.

**Reply to objection 2:** An inclination of nature pertains to the precepts of the natural law. Likewise, an upright custom also has the force of a precept, since, as Augustine says in his letter *De*

*Ieiunio Sabbati*, “A custom of God’s people should be regarded as law.” And so both sin (*peccatum*) and transgression (*transgressio*) can be contrary to an upright custom and contrary to a natural inclination.

**Reply to objection 3:** As has been explained, all the species of sin enumerated in the objection can involve transgression according to a certain specific notion, but not according to their own proper notions. However, the sin of omission is altogether distinct from the sin of transgression.

### Article 3

#### Is omission a specific sin?

It seems that omission (*omissio*) is not a specific sin:

**Objection 1:** Every sin is either original sin or an actual sin. But omission is not original sin, since it is not contracted through one’s origin. Nor is it actual sin, since, as was explained above (*ST* 1-2, q. 71, a. 5) when we were talking about sin in general, an omission can occur in the absence of any act at all. Therefore, omission is not a specific sin.

**Objection 2:** Every sin is voluntary. But omission is sometimes necessary and not voluntary, e.g., when a woman who has vowed virginity is violated, or when someone loses an item that he is obligated to return, or when a priest is obligated to celebrate Mass and encounters some obstacle. Therefore, an omission is not always a sin.

**Objection 3:** For each specific sin one has to fix a time at which the sin begins to exist. But such a time cannot be fixed in the case of an omission, since one ‘behaves’ in the same way whenever he is not acting, and yet he is not always sinning. Therefore, omission is not a specific sin.

**Objection 4:** Every specific sin is opposed to some specific virtue. But one cannot name any specific virtue that omission is opposed to. This is both because (a) every virtue is such that its good can be omitted, and because (b) justice, to which it specifically seems to be opposed, always requires some act—even, as has been explained (a. 1), in the case of turning away from evil. By contrast, an omission can exist in the absence of any act at all. Therefore, omission is not a specific sin.

**But contrary to this:** James 4:17 says, “Therefore, for one who knows to do good and does not do it, it is a sin to him.”

**I respond:** Omission involves passing over the good—not just any good, but an obligatory good (*bonum debitum*). Now the good under the notion *obligatory* belongs properly to justice—to *legal justice* if the obligation is taken in relation to divine law or human law, and to *specific justice* insofar as the obligation is thought of in relation to one’s neighbor. Hence, in the sense, explained above (q. 58, a. 7), in which justice is a specific virtue, omission is likewise a specific sin distinct from sins that are opposed to the other virtues.

Now in the same way in which *doing good*, to which *omission* is opposed, is a certain specific part of justice distinct from *turning away from evil*, to which *transgression* is opposed, so, too, *omission* is distinct from *transgression*.

**Reply to objection 1:** Omission is not original sin but actual sin, not because it has some act that is essential to it, but in the sense that the negation of an act is traced back to the genus of the act. And on this score, as was explained above (*ST* 1-2, q. 71, a. 6), *not to act* is being treated as the doing of something.

**Reply to objection 2:** As has been explained, an omission has to do only with an obligatory good to which some individual is obligated. But no one is obligated to do the impossible. Hence, no one sins through omission if he does not do what he cannot do. Therefore, a violated woman who has vowed virginity does not sin through omission by not having virginity, but sins if she is not repentant for her past sin or if she does not do what she can to fulfill her vow by observing continence. Likewise, a priest

is not obligated to say Mass unless an appropriate opportunity is presupposed, and if such an opportunity is lacking, then he does not sin by omission. Similarly, someone is obligated to restore something on the assumption that he has the ability to do so, and if does not or cannot have the ability, then he does not sin by omission as long as he does what he can. And the same thing should be said about other such cases.

**Reply to objection 3:** Just as the sin of transgression is opposed to the negative precepts, which pertain to turning away from evil, so the sin of omission is opposed to the affirmative precepts, which pertain to doing good. Now the affirmative precepts do not impose an obligation for all times, but for a fixed time. And it is at that time that the sin of omission begins to exist.

Still, it can happen that someone is at that time incapable of doing what he ought to do. If this is not his fault, then, as has been explained, he does not commit the sin of omission. On the other hand, if it is because of his previous sin—e.g., when someone has gotten himself inebriated late at night and cannot rise for morning prayer, as he ought to—some claim that the sin of omission begins at the time when he applies himself to an act that is both illicit and incompatible with the act that he is obligated to perform. However, this does not seem to be true. For if he were forcibly awakened and went to morning prayer, he would not commit the sin of omission. Hence, one should claim that (a) the omission begins to be imputed to him as a fault when it was time to act, and yet that (b) the omission occurs because of the prior cause by which the subsequent omission is rendered voluntary.

**Reply to objection 4:** As has been explained, the sin of omission is directly opposed to justice (*omissio directe opponitur iustitiae*). For there is no such thing as the omission of the good of a virtue except under the notion *obligatory*, and this feature belongs to justice.

Now more is required for a meritorious act of virtue than is required for a demerit associated with sin, since the good emerges from an integrated cause, whereas evil emerges from each defect. And so an act is required for the merit of justice, but not for an omission.

#### Article 4

##### Is the sin of omission more serious than the sin of transgression?

It seems that the sin of omission is more serious than the sin of transgression:

**Objection 1:** A crime (*delictum*) seems to be the same thing as a dereliction (*derelictum*), and so, as a result, it seems to be the same thing as a sin of omission (*idem esse omissioni*). But a crime is more serious than a sin of transgression, since, as is clear from Leviticus 5, it stands in need of greater expiation. Therefore, the sin of omission is more serious than the sin of transgression.

**Objection 2:** As is clear from the Philosopher in *Ethics* 8, a greater evil is opposed to a greater good. But as is clear from what was said above (a. 1), *doing good*, to which the sin of omission is opposed, is a more noble part of justice than is *turning away from evil*, to which transgression is opposed. Therefore, omission is a more serious sin than transgression.

**Objection 3:** A sin of commission can be either venial or mortal. But the sin of omission seems always to be mortal, since it is opposed to an affirmative precept. Therefore, omission is a more serious sin than transgression.

**Objection 4:** As is clear from Chrysostom in *Super Matthaeum*, the *pain of loss* (*poena damni*), i.e., the absence of the vision of God, which is due for the sin of omission, is greater than the *pain of sense* (*poena sensus*), which is due for the sin of transgression. But the punishment is proportioned to the sin. Therefore, the sin of omission is more serious than the sin of transgression.

**But contrary to this:** To abstain from doing evil is easier than to fulfil the good. Therefore, someone who does not abstain from doing evil, i.e., who commits the sin of transgression, sins more seriously than someone who does not fulfill the good, i.e., who commits the sin of omission.

**I respond:** A sin is serious to the extent that it is distant from virtue. But as *Metaphysics* 10 says, “Contrariety is the maximum distance.” Hence, a contrary is more distant from its contrary than its contrary’s simple negation is; for instance, *black* is more distant from *white* than the simple negation *non-white* is. For whatever is black is non-white, but not vice versa.

Now it is obvious that transgression is contrary to an act of virtue, whereas omission involves the negation of such an act; for instance, the sin of omission occurs if someone does not show due reverence to his parents, whereas the sin of transgression occurs if he vilifies them or inflicts some sort of injury on them. Hence, it is obvious that, simply and absolutely speaking, transgression is a more serious sin than omission, even though it can be the case that some sin of omission is more serious than some sin of transgression.

**Reply to objection 1:** ‘Crime’ (*delictum*) as commonly understood signifies every kind of omission.

However, it is sometimes taken strictly for the omission of some one of those things that pertains to God, or for when a man forsakes knowingly and, as it were, contemptuously what he ought to do. And in this sense this of omission has a certain gravity by reason of which it requires greater expiation.

**Reply to objection 2:** Both *not doing good*, i.e., omitting, and *doing evil*, i.e., *transgressing*, are opposed to *doing good*, but the former is opposed to *doing good* as a contradictory, whereas the latter is opposed to *doing good* as a contrary, which involves a greater distance. And so transgression is the more serious sin.

**Reply to objection 3:** Just as the sin of omission is opposed to the affirmative precepts, so the sin of transgression is opposed to the negative precepts. And so both of them, if they are taken in their proper senses, involve the character of mortal sin.

However, ‘transgression’ or ‘omission’ can be taken in a broader sense for something’s lying *just beyond* the affirmative or negative precepts (*potest autem large dici ex eo quod aliquid sit praeter praecepta affirmativa vel negativa*), disposing one toward their opposites. And in this sense both transgression and omission, taken broadly, can be venial sins.

**Reply to objection 4:** The pain of loss corresponds to the sin of transgression because of the turning away from God, and the pain of sense corresponds to it because of the disordered turning toward a changeable good.

Similarly, it is not only the pain of loss but also the pain of sense that is due for the sin of omission—this according to Matthew 7:19 (“Every tree that does not bear good fruit will be cut down and thrown into the fire”). And this is because of the root from which the sin of omission proceeds, even though it does not necessarily involve an actual turning toward some changeable good.