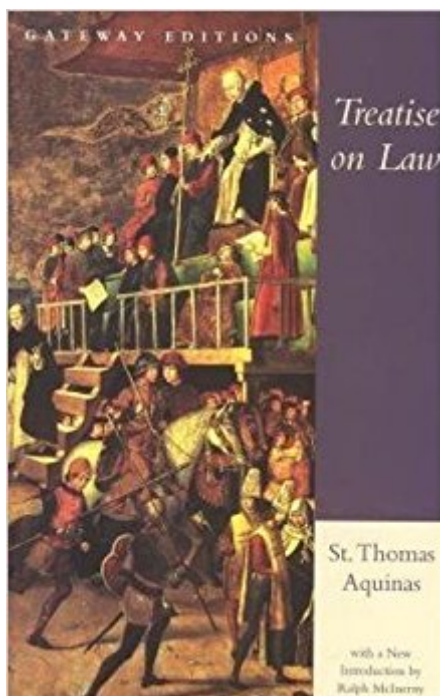


The book was found

# Treatise On Law: Summa Theologica, Questions 90-97



## Synopsis

St. Thomas's *Summa theologiae* is often compared to a medieval cathedral because of its sublime construction both as a work of logic and literary architecture. Here is a mere tip of one of the spires, summarizing the great Saint's views on the nature and structure of law. Believing that law achieves its results by imposing moral obligations rather than outright force, St. Thomas defines the Christian view of liberty.

## Book Information

Paperback: 116 pages

Publisher: Gateway Editions (1996)

Language: English

ISBN-10: 0895267055

ISBN-13: 978-0895267054

Product Dimensions: 5.4 x 0.3 x 8.4 inches

Shipping Weight: 5.6 ounces (View shipping rates and policies)

Average Customer Review: 3.4 out of 5 stars 7 customer reviews

Best Sellers Rank: #263,624 in Books (See Top 100 in Books) #18 in Books > Law > Legal Theory & Systems > Natural Law #83 in Books > Law > Ethics & Professional Responsibility #86 in Books > Law > Philosophy

## Customer Reviews

Text: English (translation) Original Language: Latin

St. Thomas's *Summa theologiae* is often compared to a medieval cathedral because of its sublime construction both as a work of logic and literary architecture. Here is a mere tip of one of the spires, summarizing the great Saint's views on the nature and structure of law. Believing that law achieves its results by imposing moral obligations rather than outright force, St. Thomas defines the Christian view of liberty. And he asks - and answers - the deep questions: What are the roots of the moral obligations imposed by law? By what warrant does the human legislator bind the consciences of men? Should custom be given the force of law? What are the limits within which men may exercise their power? Aquinas addresses issues that perplex Americans - and their courts - to this day. Now with a new introduction by University of Notre Dame professor of philosophy, medieval scholar, and director of the Jacques Maritain Center, Ralph McInerney.

Really boring, antiquated, and not relevant

I got what I paid for, a cheap book in moderate condition. Thanks for the good deal!

St. Thomas Aquinas (c.1224-1274) did not write a specific Treatise on Law. Rather this book edits part of St. Thomas' *SUMMA THEOLOGIAE* whereby Aquinas made intelligent comments on law. Father R.J. Henle, S.J. did a masterful job in compiling and editing Aquinas' *TREATISE ON LAW*. A very unique feature of this book is the Father Henle's excellent editing of this book. Father Henle gives readings careful notes to improve reading and understanding the text. He has the English and Latin of Aquinas' text which is a benefit to those who know Latin. Father Henle begins this book with a precise explanation of how Scholastic arguments were arranged. He gives the method of argument and response used in Medieval universities. Father Henle also provides insight how the Scholastic method was used by St. Thomas Aquinas in Aquinas' texts including *THE TREATISE ON LAW*. 21st. century readers should know how Aquinas defined the law. Aquinas argued that the law gave each man his due-good or bad. Aquinas begins with view that the law was Natural Law. He argued that the Natural Law could be traced to God's Law since God or the Divine Being (The Unmoved Mover according St. Thomas Aquinas) was the creator of all things including law and civil behavior. Aquinas carefully explained the men obey the law because, as part of God's creation, men were prone to approach the Divine. Or, because of the fact men were not perfect, some men obeyed the law because of the threat of legal sanctions. He offered an interesting view that those who obeyed the law due to legal sanctions could be influenced to see the benefits of the law. The law was positive in that it protected men and promoted social harmony. The law was negative in that men could be legally punished for harming "their fellow man." St. Thomas Aquinas also knew that some rulers and some laws were unjust. He stated that an unjust law was not law at all, and those who actively followed an unjust law were not only guilty of wrong doing but were also engaged in evil which offended God. Yet, Aquinas also urged caution and prudence as he realized that few men had a martyr complex. Aquinas would have refuted such "reformers" such as Luther and Calvin. Father Henle has a brief comment in page 230 that Aquinas realizing that men were not perfect, they could be good with the aid of the Catholic Church and desire to be better. G.K. Chesterton had a good comment when he stated that Original Sin did not mean men were depraved or inherently evil. Chesterton argued that Original Sin meant that men were not as good as they could be which is a view Aquinas shared. Aquinas would have refuted Calvin's view that many of not most men were reprobates and were lost. Aquinas would have disagreed in that men were not hopeless since God

created Man. One disagreement that this reviewer has with St. Thomas Aquinas is his statement that a judge was required to impose legal sanctions including the death penalty even if the judge knew the defendant were innocent. Aquinas argued that a jury or a presentation could be in error, but Aquinas argued that the law had to be followed. St. Thomas Aquinas was opposed to unjust law, but he was obviously no political revolutionary. He realized that law is complex, and he was adamant that the law had to be carefully explained. A federal judge recently overturned a legal decision because the defendant was denied a fair explanation of the law. The judge cited St. Thomas Aquinas as part of his reasoning. Father Henle edited a solid book. His edition would be of interest to anyone who knows Latin as well as novices who study Latin. The book is a useful guide to those who want a better understanding of legal reasoning. The book is also useful to those who want a better understanding of Medieval Scholasticism and philosophy. Obviously this reviewer strongly recommends this book

The reader of the cassette tape version of *Treatise on Law* does an excellent job--well-paced, clear, and natural-sounding (as natural as a medieval philosopher can be made to sound!). I listened to this a few times while commuting. That's not easy to do as the book is rather dense, and I would not recommend doing that unless you already have some familiarity with subject matter. There is one thing that makes putting Aquinas's *Summa Theologica* on tape particularly unwieldy: the objections are all stated, followed by the *responsio*, and then the replies. By the time you get to the replies you will probably have forgotten which objection was which, and the context of the replies does not always make this clear. I rate the production 5 stars nonetheless, because I think it would probably be taking too great of inappropriate editorial liberties to group objections with replies together--even though this would probably make them easier to understand. Obviously, you should have a copy of the text to refer to when you get home; then you can sort out confusions. Anyone who gives classics like this fewer than 5 stars on grounds of the content of the works is being silly. I give the production itself 5 stars as well.

Admittedly a difficult work to read, Thomas Aquinas' *Treatise on Law* is well worth the effort. Its difficulty stems from the strictures of its genre-- the scholastic method of disputation, important in the development of modern critical thinking. The treatise is a rich work that seeks to probe the limits of human ethical knowledge. He asks us to consider the questions "what are my rights, how can I know and guarantee them, what are the limits of the state in relation to the individual." If you've ever pondered the meaning of the words "we hold these truths to be self-evident" in the Declaration of

Independence, start with this book. Aquinas has few peers in his understanding of what it means to be a human-being. Agree or disagree with him, Aquinas' vision of a universe whose very fabric both constitutes and guarantees a moral order is deeply moving and ennobling. No less a person than the Rev. Dr. Martin Luther King acknowledged in his Letter from a Birmingham Jail his debt to the Treatise on Law. If you love freedom, read this book!

nice read about the law there time

The treatise on law provides a concise definition of law, a fabulous discussion of natural law, and a view into the inner working of our own human law. A must for lawyers and legislators.

[Download to continue reading...](#)

Treatise on Law: Summa Theologica, Questions 90-97 A Shorter Summa: The Essential Philosophical Passages of Saint Thomas Aquinas' Summa Theologica Aquinas's Shorter Summa: Saint Thomas's Own Concise Version of His Summa Theologica Summa Theologica (Complete & Unabridged) A Summa of the Summa Treatise on Human Nature: Summa Theologiae 1A 75-89 (The Hackett Aquinas Project) Aspen Student Treatise for Constitutional Law: Principles and Policies (Aspen Student Treatise Series) Aspen Student Treatise for Introduction To United States International Taxation (Aspen Student Treatise Series) Treatise on the Subject of Fencing: Marco Doccioni's 1601 Fencing Treatise The White Treatise and The Black Treatise (The Books of Sorcery, Vol. 2) (Exalted) Treatise on Pulmonary Toxicology, Volume I: Comparative Biology of the Normal Lung (Discontinued (Treatise on Pulmonary Toxicology)) Summa Contra Gentiles: Book Two: Creation Holy Teaching: Introducing the Summa Theologiae of St. Thomas Aquinas The Metaphysics of Theism: Aquinas's Natural Theology in Summa Contra Gentiles I Intellectual Property Law Answer Book (Practising Law Institute Library of Treatise Titles) Law Express Question and Answer: Land Law(Q&A revision guide) (Law Express Questions & Answers) What Was the Missouri Compromise?: And Other Questions About the Struggle over Slavery (Six Questions of American History) (Six Questions of American History (Paperback)) 100 Questions: Super-Handy Practice Book by Citizenship Basics for the U.S. Citizenship/Naturalization Interview/Test: 100 Civics Questions & Answers and Questions-Only: The Best Way to Study! Bar Exam: Practice MBE Questions 200 High Level Questions Look Inside \*(e-book): e book 200 Answered and Analyzed Questions To Help You Pass The Bar Exam First Time Law School Handbook Contracts: UCC / Common Law definitions and outlines A Law School e-book: Authors of 6 Published Bar Exam Essays!!!!!! Contracts law A - Z

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)