

complications of fracture and anomie so characteristic of present modernity. As the social now appears alien, archaic, and obscure and so easily by-passed by live on-line, enactments of liturgy form part of a wider problem of the disappearance of rituals. These suggest that Orme's account points to the dangers of rendering the social in rite as too explicit, too concerned with making things apparent and standardised as the Reformation sought to implement, so pointing to Weber's notion of disenchantment, when what is needed is enchantment realised by letting forms of liturgy speak for themselves, as in the churches of the late medieval England. In the argot of sociology, this is a paradigm-shifting work.

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COMMENTARY ON THOMAS AQUINAS'S *TREATISE ON DIVINE LAW* by J. Budziszewski, Cambridge University Press, Cambridge, 2021, pp. xviii + 475, £75.00, hbk

The noted French Dominican, Marie-Dominique Chenu, once suggested that it should give us pause when we realize that most of the subjects in Thomas's *Summa* that we in the modern world consider essential, such as the proofs for the existence of God or the nature of the theological *scientia*, often occupy no more than one column in the Leonine edition and include generally no more than 3 or 4 objections and responses, whereas the Questions on the Old Law are by far the longest in the whole *Summa*, many extending to over 30 Leonine columns and employing 15 objections and 15 responses. Some historical context might help.

Nearly every major theologian in and around Paris in the thirteenth century wrote similarly long and detailed commentaries on the Mosaic Law of the Old Testament, most containing what we find in Thomas's *Summa*: a short introductory section laying out the definitions and distinctions among the different types of law, prefacing a much longer treatise on the Old Law. A broad study of these *summae* suggests, thus, that the burning question on the minds of Thomas and his contemporaries was the status of the literal meaning of the Mosaic Law of the Old Testament.

Why this renewed interest in the Old Testament Mosaic Law? In brief, let me suggest it was the result of a convergence of factors: renewed interest in the literal sense of the Old Testament, on the one hand, and the cultural challenges presented by the rediscovered and newly-translated Aristotelian corpus, on the other. With Aristotle's *Ethics*, scholars were

uncovering, it seemed, a total science of ethics whose foundations and formulations were independent of biblical revelation. In this new cultural context, dominated by reverence for logical categories and the arts of dialectic, the old modes of moral teaching showcased by Gregory the Great in his famous *Moralia in Job* were no longer considered adequate foundations for an ethical *scientia*. Thus Christian theologians of the thirteenth century such as Thomas Aquinas had to give a convincing account of how the Bible, with all its odd and seemingly disconnected laws, could still be considered a reliable source of ethical wisdom.

Another contributing factor was the influence of the work of the Jewish philosopher Maimonides, who had argued on good Aristotelian principles in the *Guide for the Perplexed* that if laws are ordinances of reason, then God, the most reasonable Lawgiver, must have given the Jewish people the most reasonable laws. Reading Maimonides inspired medieval Christian theologians to believe that they too could discover sensible ‘reasons’ for each precept of the Mosaic Law, which they promptly set about trying to do in their long treatises on the Old Law.

The concern to establish a rational foundation for a theologically meaningful biblical ethics led these scholars to undertake a critical re-appropriation of the classical natural law tradition. St. Paul had inspired this approach when he wrote in his *Letter to the Romans* that, ‘when Gentiles that have not the law do by nature the things of the law, these, though they have not the law, are yet a law unto themselves, in that they show the work of the law written on their hearts’. The context here was the question of how the Gentiles, who did not have the written Jewish law, could be held accountable by God for not following the precepts of the Old Law, for which Paul’s answer was to reply that the Gentiles *did* have the law, at least in a certain sense, because they had another law—the unwritten law, or what came to be called the natural law—*written on their hearts*.

But as Thomas understood, our apprehension of the natural law has been obscured by original sin. And thus, as Thomas proclaims in his prologue to STh I-II, q. 90, we need for God to ‘instruct us by means of his law’ and ‘help us by means of his grace’. Thus, if we read the *whole* of the final section of the *prima secundae* of Thomas’s *Summa of Theology* on law and grace—not stopping, as so often happens, after Question 97—we find is that, according to Thomas, the content of the natural law is revealed authoritatively in the moral precepts of the Old Law, especially those of the Decalogue. But even when we have been instructed by the written law, we find that we still cannot do the good we know. And so we realize our need for the New Law, the gift of the Holy Spirit by which ‘charity is spread abroad in our hearts’.

And yet, despite the fuller picture we find in qq. 90 through 108, one still finds everywhere volumes entitled ‘The Treatise on Law’ that contain only qq. 90–97. I still have my trusty 1963 Gateway edition of *The Treatise on Law* I used as a freshman in college. It contained qq. 90–97 from the 1948 translation by the Fathers of the English Dominican Province. In 1996,

Gateway replaced this version with the translation by R. J. Henle SJ, and gave the text a new introduction by Ralph McInerny. Henle's translation had originally appeared with facing Latin text in a 1993 volume published by the University of Notre Dame Press. Regnery Press had also published a volume in 1948 under the title *The Treatise on Law* as part of their 'The Great Books Foundation' series. These volumes share the title 'Treatise on Law', and all contain nothing more than qq. 90–97 of the *prima secundae* of the *Summa*.

Things may be changing, though. In 2000, Hackett published the *Treatise on Law* translated by Richard Regan that, although it contained only qq. 90–97 in their entirety, also included a 'note' on qq. 98–108, several articles from q. 100 on 'the moral precepts of the Old Law', and one article from q. 105 dealing with the Old Law. And finally, 2009 saw the publication by St. Augustine's Press of Alfred J. Freddoso's translation of 'the complete text' of the 'Treatise on Law'. The front cover of the volume proclaims itself proudly (and accurately) as: 'the *only* free-standing English translation of the entire *Treatise*, which includes both a general account of law (Questions 90–92) and also specific treatments of what St. Thomas identifies as the five kinds of law: the eternal law (Question 93), the natural law (Question 94), human law (Questions 95–97), the Old Law (Questions 98–105), and the New Law (Questions 106–108)'.

It is, therefore, an important development that Cambridge University Press has published J. Budziszewski's *Commentary on Thomas Aquinas's "Treatise on Divine Law"*. There is really no separate 'treatise' on the divine law in the *Summa*, but there are questions that deal with the divine law. Too many, in fact, to fit into one volume, even one bursting at some 500 pages. So what Prof. Budziszewski has done in this volume is to provide a nice selection of the key articles and questions from the entire set of questions on 'law' (STh, I-II, qq. 90 – 108) taken from the classic 1948 translation by the Fathers of the English Dominican Province, for which he then provides a summary and commentary. The articles he includes (all from the *prima secundae*) are these:

q. 91, arts. 4, 5

q. 99, arts. 2, 4, 6

q. 100, arts. 1, 5, 7, 8, 9, 10, 11, 12

q. 102, art. 1

q. 105, arts. 1, 2, 3

q. 106, arts. 1, 2

q. 108, art. 4.

As the reader can see, this is far from the entire set of questions on the divine law, but it is in this reviewer's judgment a good selection of the main points.

Even within some of these articles, however, there needed to be some cutting and editing. As mentioned above, some of these articles are the longest in the *Summa*, with 15 objections and 15 responses. In such cases,

Prof. Budziszewski has done a nice job selecting some and summarizing others. The result is a very user-friendly volume that will be helpful even for those unacquainted with the material. Someone confused about a particular article not included in that list will not, however, find a comment on it in this volume. Thus a more accurate title would have been *A Commentary on Certain Articles Dealing with the Divine Law Selected from Thomas's Summa Theologiae*. But good luck fitting *that* on a book cover.

It would be foolish to judge a book by what it does not contain, especially a book that runs to some 500 pages. And what this book does contain is generally excellent. The volume is also a nice complement to Budziszewski's earlier *Commentary on Thomas Aquinas's Treatise on Law*, also from Cambridge University Press (2014), *now available in a less expensive paperback!* In that earlier volume, Budziszewski provided a similar sort of commentary on STh I-II, qq. 90–97. Even in that volume, Budziszewski showed that he understood the importance of the later questions to a proper understanding of 'law' and 'natural law', but he was only able to summarize them due to concerns about length. So it is nice to see that Cambridge University Press has finally allowed him to publish more of his fuller commentary.

How good is this volume? To find out, the reader need only go on Amazon or the Cambridge University Press web site and read the glowing recommendations by the likes of Reinhard Hütter, Thomas Joseph White, Dominic Legge, Matthew Levering, Romanus Cessario, Francis Beckwith, Edward Feser, and Richard Conrad of the University of Oxford. When an author has been afforded such high praise from scholars of this caliber and preeminence, he hardly needs any further commendations from this simple reviewer. This is a good book. Buy it for your library and then pray that it, like its predecessor, comes out soon in a more affordable paperback edition.

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RESSOURCEMENT THEOLOGY: A SOURCEBOOK by Patricia Kelly, T&T Clark, London, 2021, viii + 176, £90.00, hbk

Patricia Kelly's volume of translations from the *nouvelle théologie* affair includes a variety of texts (eight articles and five book chapters or excerpts) and is divided into three sections. Part one includes book chapters from 1) Chenu's *Une école de théologie*, 2) de Lubac's *Surnaturel*,