PALLADIUM THEOLOGICUM

The course of scholastic theology after the mind of St. Bonaventure
in seven tomes · Tome V: On the Virtues

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TREATISE VI — ON TEMPERANCE

Latin and English in parallel

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Prologue

[1] TEMPERANCE requires the whole man, since it has Touch, which it moderates, in the whole body, and Taste in the tongue, which it has more frequently to bridle. Hence the Argument of this treatise will turn chiefly upon Fasting and Chastity; since the latter restrains illicit Touch; the former forbids excess in Taste beyond due measure according to the reason of time: But among the other virtues, this is the more difficult of experience, inasmuch as it above all emulates the mean of all, and consists rather in the mode of action than in the very substance: For man has a vehement and innate appetite for preserving himself in the being of an individual by nutrition, and in the being of the species by generation; if he were to abstain from these entirely, he would without doubt unjustly invert the right of nature: Yet since nutrition is supremely necessary to each one for the being of the individual, but not so generation for the being of the species — since the species has been propagated everywhere most diffusively by many abstaining from all time — hence it is that the obligation of preserving one's own individual is greater in each one than that of propagating his species, although the titillations of pleasure are greater toward this than toward that; whence it is clear that the virtue which moderates Touch is more excellent than that which moderates Taste, since it is occupied about a thing more arduous. Moreover TEMPERANCE can be considered, either as it is a political virtue, or as purgatorial, or finally as of the purged soul; according to the first, nothing requiring repentance is sought, as I shall say below; according to the second, it abandons all things necessary for the use of the body, as far as nature permits; but inasmuch as it is the virtue of the purged soul, it forgets all these things; as the Seraphic Doctor has it, to be cited below, where he heaps up the several parts of Temperance, which we shall enumerate here, *quaest. 3*.

> *TEMPERANTIA totum requirit hominem, cum Tactum, quem moderatur, in toto habeat corpore, et Gustum in lingua, cui frequentius fraenum iniicere necesse habet. Hinc huius tractatus Argumentum circa Ieiunium, et Castitatem praecipue versabitur; cum haec illicitum Tactum cohibeat; illud nimium in Gustu excessum iuxta temporis rationem prohibeat: Inter caeteras autem virtutes, haec eo difficilioris est experientiae, quo maxime omnium medium aemulatur, potiusque in actionis modo, quam in ipsa substantia consistit: Habet enim homo vehementem, innatumque appetitum se conservandi in esse individui per nutritionem, et in esse speciei per generationem; A quibus si poenitus abstineret, proculdubio naturae ius inique inverteret: Verum cum nutritio sit singulis ad esse individui apprime necessaria, non ita autem generatio ad esse speciei; cum pluribus ab omni tempore se continentibus, species ubique diffusissime sit propagata; Hinc est, ut maior sit obligatio in unoquoque suum conservandi individuum, quam suam propagandi speciem, licet maiora sint titillamenta voluptatis ad hoc, quam ad illud; unde constat praestantiorem esse virtutem, quae moderatur Tactum, quam quae Gustum, cum circa magis arduum occupetur. Porro potest considerari TEMPERANTIA, vel ut est virtus politica, vel ut purgatoria, vel denique ut purgati animi; iuxta primam nihil paenitendum appetitur, ut infra dicam; iuxta secundam, omnia ad corporis usum necessaria, quantum natura patitur, deserit; sed quatenus est virtus purgati animi, horum omnium obliviscitur; ut habet Seraphicus Doctor infra citandus, ubi plures Temperantiae partes congerit, quas nos recensebimus hic,* quaest. 3.

Disputation I: On the Virtue of Temperance

1 THAT Temperance is a Cardinal, and at the same time a Moral virtue, is sufficiently clear from what was just said; since Virtue is in the mean, and moral matters are chiefly regarded in the mode, and in both, TEMPERANCE, not like the other virtues, ought not to be turned into doubt by anyone, that it is no common virtue; of which Bl. Bernard says excellently, in the holy Doctor, in the place to be cited presently: "Hold the mean, if you do not wish to lose the measure," indicating that both the mean and the measure are to be specially kept in it; which can also be said with equal right of the other virtues annexed to it: for the bashful man is suffused with a beautiful blush of shame, the presence of a shameful thing pressing upon him; Modesty likewise so composes the graceful voice, and countenance, with gestures and garments, that it may express the adornment of the soul in the body, and so avoid excess of adornment in all things that it affects nothing but what befits it: Say the same of Humility, Mildness, Clemency, and the other virtues which temper excess and sedulously keep the mean, of which I shall treat below in their proper places; in the meantime I shall inquire what, and of what sort, this virtue is, which is here disputed; then, with some things premised, I shall spread myself more broadly, discoursing on the precept of fasting; and last of all I shall weigh, with my usual brevity, Chastity with the manifold vice opposed to it.

> *CARDINALEM, simul et Moralem virtutem esse speciali iure Temperantiam ex proxime dictis satis constat; cum enim Virtus sit in medio, et res morales praecipue spectentur in modo, et utroque, non ut caeterae virtutes, gaudeat TEMPERANTIA, nulli in dubium verti debet, eam non vulgarem esse virtutem; de qua eximie ait D. Bernardus apud S. Doctorem, loco mox citando:* Tene medium, si non vis perdere modum*, indicans et medium, et modum in ea speciatim servanda; quod etiam de caeteris virtutibus ei annexis pari iure dici potest: Verecundus enim pulchro rubore pudibundus suffunditur, urgente rei turpis praesentia; Modestia item venustam vocem, et vultum cum gestibus, et vestibus ita componit, ut animi decorem in corpore exprimat, ornatusque excessum, sic in omnibus vitet, ut nihil, nisi sibi conveniens, affectet: Idem dic de Humilitate, Mansuetudine, Clementia, caeterisque virtutibus, quae ab excessu temperant, modumque sedulo servant, de quibus agam infra propriis in locis; inquiram interim, quae, et qualis sit virtus haec, de qua disputatur; postea nonnullis praemissis latius me diffundam, discuriendo ieiunii praeceptum; ultimo autem loco Castitatem cum multiplici vitio ei opposito, solita brevitate expendam.*

Question I: What virtue temperance is, and of what kind

1 IT IS DEFINED by St. Bonaventure *in Diaeta, tit. 5. cap. 8: Temperance is to desire nothing whence repentance must follow, in no way or measure; to exceed no law; to subdue cupidity under the yoke of reason.* This is rather a description, which he repeats *de septem itineribus, itinere 7. dist. 5, and in compend. Theol. verit. lib. 5. cap. 35, and p. p. Centil. loco citando.*

> Quae Virtus sit Temperantia et qualis.
>
> *DEFINITUR a D. Bonavent.* in Diaeta, tit. 5. cap. 8. Temperantia est nihil appetere, unde sit poenitendum, in nullo modum, vel legem excedere, sub iugo rationis cupiditatem domare. *Haec potius est descriptio, quam refricat* de septem itineribus, itinere 7. dist 5. et in compend. Theol. verit. lib. 5. cap. 35. et p. p. Centil. loco citando.

2 IN the Declaratorio of Theological terms he says: *Temperance is the taming of lusts and of all evil motions, preserving man uncorrupted for God.*

IN Declaratorio terminorum Theol. ait: Temperantia est domatio libidinum, et omnium malorum motuum, Deo hominem incorruptum conservans.

3 AT OTHER TIMES he brings more proper definitions, varying only in words: *3. part. Centil. sect. 42: Temperance is the firm and moderate dominion of reason over lust and over the other disorderly impulses of the soul*; from Aristotle, lib. 2. de invent.: *Temperance is the dominion of reason over lust and over inopportune motions*; from the same Cicero, *de off. lib. 1. cap. 15.*

ALIAS magis proprias, vocibus tantum varias, definitiones affert 3. part. Centil. sect. 42. Temperantia est rationis in libidinem, atque in alios non rectos impetus animi, firma, et moderata dominatio, *ex Aristotele, lib. 2. de invent.* Temperantia est rationis in libidinem, et in alios motus importunos dominatio, *ex eodem Cicer.* de off. lib. 1. cap. 15.

4 From these you have that the object of this virtue is the moderation of the sensitive appetite with regard to those things which most allure man, namely the delectable things according to touch, and the concupiscences of food and drink, as Aristotle teaches *1. Eth. cap. 10, and Cicero lib. 2. de Invent., and St. Thomas art. 3. and 4.*

Ex his habes, obiectum huius virtutis esse moderationem appetitus sensitivi ab his, quae maxime alliciunt hominem, ut sunt delectabilia secundum tactum, et concupiscentias cibi, et potus, ut Aristoteles docet 1. Eth. cap. 10. et Cicero lib. 2. de Invent. et D. Thom. art. 3. et 4.

5 THAT IT IS ASSERTED, I gather thence also that it is a virtue.

ASSERENDUM etiam hinc colligo, eam esse virtutem.

6 IT IS PROVED by the Holy Doctor in the places cited here, and *in 3. dist. 33. quaest. 4*: The office of the moral virtues is to moderate the passions, especially those which move more vehemently toward changeable goods; but Temperance labors in curbing the most vehement cupidity, which draws away from the eternal good to the created, which are the delectations of the material senses: Therefore. Just as therefore fortitude, because it turns away from the flight of sensible evils to the pursuit of reason, is a virtue; so also Temperance, which calls away from carnal goods to spiritual things, will be a virtue.

PROBATUR a S. Doctore hic locis adductis, et in 3. dist. 33. quaest. 4. *Virtutum moralium munus est moderati passiones; tum eas praecipue, quae vehementius movent ad bona commutabilia; sed Temperantia insudat in fraenandis cupiditatibus vehementissimis, abstrahentibus a bono aeterno ad creatum, quae sunt delectationes sensuum materialium: Ergo. Sicut igitur fortitudo, quia avertit a fuga malorum sensibilium ad rationem prosequendam, est virtus; ita et Temperantia, quae avocat a bonis carnalibus ad spiritualia, erit virtus.*

7 NOR indeed is a precise virtue required for curbing spiritual delectations; for these are of themselves according to reason, and only one of them is to be moderated per accidens, when it withdraws from another more due one, as St. Thomas says *art. 4.*

NEQUE vero exigitur virtus praecisa ad fraenandas delectationes spirituales; hae enim per se sunt secundum rationem, et solum per accidens una est moderanda, quando retrahit ab alia magis debita, ut ait D. Thom. art. 4.

8 I ASSERT secondly, that Temperance is a Cardinal Virtue. So St. Bonaventure *in 3. loc. cit.* and St. Thomas *art. 7. and 8.*

ASSERO secundo, Temperantiam esse virtutem Cardinalem. Ita D. Bonavent. in 3. loc. cit. *et D. Thom.* art. 7. et 8.

9 IT IS PROVED: A Cardinal Virtue is one which exercises some principal office for rational direction. But such is temperance, which is concerned with moderating the most difficult passions of the concupiscible, and the most vehement delectations of touch, taste, and smell, and of sight. But this moderation is principal among the things necessary for leading a life consonant with reason.

> *PROBATUR: Virtus Cardinalis est, quae principale aliquod munus ad rationalem directionem exercet: Talis autem est temperantia, quae versatur in moderandis difficillimis passionibus concupiscibilis, et delectationibus vehementissimis, tactus, gustus, et olfactus, ac visus. Haec autem moderatio est principalis inter necessaria ad vitam rationi consonam traducendam.*

10 OBSERVE, however, with St. Bonaventure *lib. 2. Pharetrae, cap. 35*, that Temperance is concerned not only with delectable things according to touch, but also according to the other senses; yet because the delectable things according to sight, hearing, and smell, since they are not so material, have not the moral goodness and malice that the delectable things according to touch have — which are therefore not forbidden in the Decalogue except sometimes per accidens, insofar as they can be referred to appetitions or actions concerning the delectable things of touch, or concerning the objects of other passions — as the Holy Doctor gathers from St. Augustine *lib. 10. confess. cap. 32*, and Aristotle teaches *3. Eth. cap. 10*, where he says: *For those who rejoice in things perceived by sight, such as colors and pictures, are called neither temperate nor intemperate. In like manner must we speak of those things that pertain to hearing: nor of those who rejoice in odors, except per accidens.*

> *OBSERVA autem cum D. Bonavent.* lib. 2. Pharetrae, cap. 35. *Temperantiam non solum circa delectabilia secundum tactum, sed etiam secundum alios sensus versari, attamen quia delectabilia secundum visum, auditum, et odoratum, cum non sint adeo materialia, non habent moralem bonitatem, et malitiam, sicuti delectabilia secundum tactum, quae ideo in Decalogo non vetantur, nisi aliquando per accidens, quatenus referri possunt ad appetitiones, sive actiones circa delectabilia tactus, vel circa obiecta aliarum passionum, ut colligit S. Doctor ex D. Augustino* lib. 10. confess. cap. 32. *et Aristoteles docet* 3. Eth. cap. 10. *ubi ait:* Qui enim iis gaudent, quae visu *percipiuntur, ut colore, pictura, neque temperantes, neque intemperantes dicuntur. Simili modo in his, dicendum quae ad auditum pertinent: Neque eos, qui et odoribus gaudent, nisi secundum accidens.*

11 FURTHERMORE, the rule for judging whether the appetition and delectation concerning things of this kind, which are the matter of Temperance, is such as right reason prescribes, and accordingly has that moderation which Temperance prescribes, must be taken from the necessity and utility of these things for human life. *So teaches Aristotle 3. Eth. cap. 11, St. Jerome on cap. 44. Ezech., and St. Augustine lib. de moribus Ecclesiae, cap. 21, St. Isidore de summo bono, lib. 2. cap. 44, and in synonim. cap. 26, and other Fathers cited by St. Bonaventure lib. 2. Pharetrae, from cap. 35 to 38.*

> *PORRO regula ad iudicandum, num appetitio, et delectatio circa huiusmodi res, quae sunt materia Temperantiae, sit talis, qualem recta ratio praescribit, atque adeo habeat illam moderationem, quam praescribit Temperantia, debet sumi ex rerum istarum necessitate, et utilitate ad vitam humanam.* Ita docet Aristoteles 3. Eth. cap. 11. D. Hieronymus in cap. 44. Ezech. et D. Augustinus lib. de moribus Ecclesiae, cap. 21. D. Isidor. de summo bono, lib. 2. cap. 44. et in synonim. cap. 26. et alii Patres apud D. Bonavent. lib. 2. Pharetrae, a cap. 35. ad 38.

12 THE REASON of this is, because delectable things are not goods per se and to be sought, but only insofar as they are ordered to relieving some necessity of this life for the end. Whence *Aristotle says 3. Eth. cap. 11*: The temperate man desires delectable things for the sake of health, or of good condition,

as *Valentia disp. 9. quaest. 1. puncto 1,* and *Tannerus disp. 3. quaest. 3. dub. 1. num. 6,* also note, with St. Thomas *quaest. 141. art. 6.*

> *RATIO eorum est, quia delectabilia non sunt bona per se, et expetenda, sed solum quatenus ordinantur ad sublevandam aliquam huius vitae necessitatem ad finem. Unde ait* Aristoteles 3. Eth. cap. 11. *Temperatum appetere delectabilia propter sanitatem, vel propter bonam habitudinem, ut notant etiam* Valentia disp. 9. quaest. 1. puncto 1. Tannerus disp. 3. quaest. 3. dub. 1. num. 6. cum D. Thom. quaest. 141. art. 6.

13 THAT TEMPERANCE is inferior to the other Cardinals I showed above; and it is confirmed: For Justice is ordered to the public good; likewise fortitude. Prudence indeed rules all, but Temperance regards only the particular good per se. Add that it is concerned with curbing concupiscence, the lowest of the powers that obey Reason.

> *TEMPERANTIAM vero esse reliquis Cardinalibus inferiorem ostendi supra; et confirmatur: Nam Iustitia ad bonum publicum ordinatur; similiter et fortitudo. Prudentia vero omnes regit, sed Temperantia bonum particulare tantum respicit per se. Adde, eam versari in fraenanda concupiscentia, infima potentiarum, quae Rationi obediunt.*

Question II: Which vices are contrary to temperance

1 TWO Vices are opposed to this Virtue. One by defect, and is called Insensibility; the other by excess, and is called Intemperance. *So St. Thomas art. 1. and 2., from Aristotle 2. Eth. cap. 7.*

> *DUO huic Virtuti Vitia opponuntur. Alterum per defectum, et dicitur Insensibilitas: Alterum per excessum, et dicitur Intemperantia.* Ita D. Thom. art. 1. et 2. ex Aristotele 2. Eth. cap. 7.

2 FOR since Temperance stands in the mean in regard to those things that serve life according to the sense of touch, of food, etc., it can fail on one side, if one be insensible, as was that Xenocrates, who was called a log; and Carneades, who did not eat, forgetful of himself, unless his wife opportunely threw food into his mouth.

> *CUM enim Temperantia in medio consistat in ordine ad ea, quae conveniunt ad vitam circa sensum tactus, cibi, etc. Ex una parte deficere potest, si insensibilis sit, qualis erat ille Xenocrates, qui dicebatur truncus; et Carneades, qui non edebat, sui oblitus, nisi opportune eius uxor ipsi in os coniiceret cibum.*

3 BY excess, however, one sins if one gives too much attention to the delectations of touch and taste, more than is necessary.

> *PER excessum autem peccatur, si quis aequo nimium delectationibus tactus, et gustus intendat, quam sit necessarium.*

4 INTEMPERANCE is truly called a childish vice by *St. Thomas here and Aristotle 3. Eth. last cap.*: for like children it intentures itself in sordid concupiscence; and because, like children, it grows into obstinacy if not curbed; Hence *Eccl. 30: A remiss son will become headstrong.* Thirdly, because it must be coerced by discipline, as children are corrected.

> *DICITUR vero intemperantia vitium puerile a* D. Thom. hic et Aristot. 3. Eth. cap. ult. *nam more puerorum in sordida intendit concupiscentia, et quia ad instar puerorum crescit in pervicacia, nisi fraenetur; Ideo* Eccl. 30. Filius remissus, evadet praeceps, *Tertio, quia coerceri debet disciplina, sicut corriguntur pueri.*

5 MOREOVER Intemperance is a disgraceful vice, because it inclines man to brutal delectations. But of these proper vices there will be a discussion place by place.

EST autem Intemperantia vitium probrosum, quia inclinat hominem ad brutales delectationes: Sed de his vitiis propriis in locis sigillatim disputabitur.

Question III: On the parts of temperance

[1] THREEFOLD are the parts of Temperance, as of the other Cardinal virtues. Some are integral; some subjective; some potential.

TRIPLICES partes sunt Temperantiae, sicuti et aliarum virtutum Cardinalium. Aliae sunt integrales; aliae subiectivae; aliae potentiales.

[2] THE quasi-integral parts are two, namely Shamefacedness, by which one shuns the baseness contrary to temperance: and Honesty, by which the beauty of Temperance is loved.

PARTES quasi integrales sunt duae, scilicet Verecundia, per quam aliquis refugit turpitudinem temperantiae contrariam: et Honestas, qua amatur pulchritudo Temperantiae.

[3] SHAMEFACEDNESS is described by *St. Bonaventure 3. part. Centil. sect. 42: Shamefacedness is to preserve honesty in gesture and word. And opusc. declarat. terminorum Theol.: Shamefacedness is the observance of honesty in gesture and word.* He describes it from the Fathers in *S. Ductor lib. 4. Pharetrae, cap. 14.*

VERECUNDIA describitur a D. Bonavent. 3. part. Centil. sect. 42. Verecundia est in gestu, et verbo honestatem servare. Et opusc. declarat. terminorum Theol. Verecundia est observatio honestatis in gestu, et verbo. *Hanc ex Patribus describit* S. Ductor lib. 4. Pharetrae, cap. 14.

[4] HONESTY is described by *St. Bonaventure loc. cit. 12 Centiloquii: It is neither to seek daintier foods, nor to give pains in outward show.* He means to say that it is that affection toward honesty, or toward the works of temperance worthy of honor. But the works of temperance are called honest, or worthy of honor, because they are opposed to the disgraceful and infamous sins of intemperance.

HONESTAS describitur a D. Bonavent. loc. cit. 12 Centiloquii: Est nec lautiores cibos quaerere, nec in apparatu operam dare. *Vult dicere, esse affectum illum erga honestatem, seu erga opera temperantiae honore digna. Dicuntur autem opera temperantiae honesta, seu digna honore, quia opponuntur peccatis intemperantiae probrosis, et infamibus.*

[5] THE subjective parts of the Virtue of Temperance, which are diverse by object, are four. For the delectations of touch, in curbing which Temperance is engaged, are divided into two kinds: some are ordered to nourishment, and in these, as regards food, there is Abstinence; as regards drink, Sobriety. Some indeed are ordered to the generative power, and in these, as regards the principal delectation of coition itself, there is Chastity; as regards the delectations surrounding it, such as looks, kisses, touches, it is called Pudicity. Yet it is the same as chastity; and it is called Pudicity inasmuch as shame is wont to be present about the use, *as St. Augustine says 14. de Civit. cap. 17. and 18, and Aristotle 2. Rhet. cap. 6.* Whence *St. Thomas* says that Pudicity is chastity as affected by shame even about the signs themselves. *So Valentia disp. 9. quaest. 1. puncto 2, Tannerus disp. 3. quaest. 3. dub. 6.*

PARTES subiectivae Virtutis Temperantiae, quae diversae sunt ex obiecto, sunt quatuor. Delectationes enim tactus, in quibus fraenandis versatur Temperantia, dividuntur in duo genera: Nam quaedam ordinantur ad nutrimentum, et in his quantum ad cibum, est Abstinentia; quantum ad potum, est Sobrietas. Quaedam vero ordinantur ad vim generativam, et in his, quantum ad delectationem principalem ipsius coitus, est castitas; quantum vero ad delectationes circumstantes, ut sunt aspectus, oscula, tactus, dicitur Pudicitia. Eadem tamen est ac castitas; et dicitur Pudicitia quatenus circa usum esse

solet pudor, ut ait D. Augustinus 14. de Civit. cap. 17. et 18. et Aristoteles 2. Reth. cap. 6. *Unde* D. Thom. *ait, Pudicitiam esse castitatem, prout pudore afficitur, etiam circa ipsa signa.* Ita Valentia disp. 9. quaest. 1. puncto 2. Tannerus disp. 3. quaest. 3. dub. 6.

6 IN Chastity the principal place is held by Virginity, which keeps itself untouched from every venereal act, *as St. Ambrose says lib. de Virginibus: Virginal chastity is an integrity devoid of contagion.* By integrity of the body, however, I understand that which has been violated by no voluntary obscenity, *as St. Augustine admonishes lib. 1. de Civitate Dei, cap. 18. and 25*; but once corrupted it cannot be restored, *as St. Jerome has it epist. 22. cap. 2, and St. Thomas quaest. 152. art. 1.*

IN Castitate principem locum tenet Virginitas, quae ab omni actu Venereo conservat se intactam, ut ait D. Ambrosius lib. de Virginibus, dicens: Castitas Virginalis est expers contagionis integritas. *Per integritatem autem corporis intelligo eam, quae nulla voluntaria obscaenitate violata est,* ut monet D. Augustinus lib. 1. de Civitate Dei, cap. 18. et 25. *semel autem corrupta non potest restitui,* ut habet D. Hieronymus epist. 22. cap. 2. et D. Thom. quaest. 152. art. 1.

7 INFERIOR indeed is abstinence from illicit coition; which is twofold: conjugal; and widowed. See all this in *St. Bonaventure 3. part. Centil. sect. 42, and the other places to be cited quaest. 9. and 10.*

INFERIOR vero est abstinentia a coitu illicito; quae est duplex, coniugalis; et vidualis. Haec omnia vide in D. Bonavent. 3. part. Centil. sect. 42. et aliis locis citandis quaest. 9. et 10.

8 THE potential parts of Temperance are certain virtues which are engaged in moderating delectable things; yet they fall short of the perfection of Temperance, because they labor not about things so difficult, such as the delectable things of touch; and these are eight, namely Continence, Mildness, Clemency, Modesty, Humility, Studiosity, Eutrapelia, Parsimony, or simplicity, or moderation.

POTENTIALES Temperantiae partes sunt quaedam virtutes, quae versantur in moderandis delectabilibus; sed tamen recedunt a perfectione Temperantiae, quia non laborant circa adeo difficilia, ut sunt delectabilia tactus, et hae sunt octo, scilicet Continentia, Mansuetudo, Clementia, Modestia, Humilitas, Studiositas, Eutrapelia, Parcitas, seu simplicitas, sive moderatio.

9 CONTINENCE is the virtue restraining the exorbitant motions of the will, which usually arise from the impulse of the passions of the sensitive appetite, moving the will toward things contrary to right reason. On this St. Thomas *quaest. 155*, and Aristotle, *7. Ethic.*

CONTINENTIA est virtus cohibens exorbitantes motus voluntatis, qui solent existere ex impulsu passionum appetitus sensitivi, moventis voluntatem ad ea, quae sunt contraria rectae rationi. De hac S. Thom. quaest. 155. *et Aristoteles.* 7. Ethic.

10 MILDNESS is the virtue establishing moderation in the appetite for vengeance. So St. Thomas *quaest. 157.*

MANSUETUDO est virtus moderationem statuens in appetitu vindictae. Ita D. Thom. quaest. 157.

11 CLEMENCY is the virtue applying a measure convenient to right reason in external punishment, and thus it belongs to superiors toward subjects, as St. Thomas teaches *loco citato.*

CLEMENTIA est virtus, modum adhibens rationi rectae convenientem in externa punitione, et sic competit superioribus erga subditos, ut docet D. Thom. loco citato.

12 MODESTY is the virtue placing moderation in the external actions of the body.

MODESTIA est virtus moderationem ponens in externis corporis actionibus.

13 HUMILITY is the virtue curbing by fear the motions of daring and of hope, so that one should not wish anything beyond one's merit attributed to oneself.

HUMILITAS est virtus, ira cohibens motus audaciae, et spei, ut non velit sibi tribui aliquid ultra meritum.

14 STUDIOSITY is the virtue prescribing a measure to the appetite in the desire of knowing.

STUDIOSITAS est virtus, modum praescribens appetitui in sciendi desiderio.

15 EUTRAPELIA is the virtue placing a measure in honest recreations and jests.

EUTRAPELIA est virtus, ponens modum in ludis honestatis, et iocis.

16 PARSIMONY is the virtue that makes use in moderation of external things pertaining to the body, such as ornament, clothing, etc. See this in St. Bonaventure *sermone 5. Hexaëmer., and the other places alleged.* It is also had in *3. part. Centil. sect. 43.*

PARVITAS est virtus, quae utitur moderate rebus externis ad corpus pertinentibus, ut ornatu, vestibus, etc. Haec vide in D. Bonavent. sermone 5. Hexaëmer. et aliis allegatis. *Haec habet etiam* 3. part. Centil. sect. 43.

Question IV: On shamefacedness

1 SHAMEFACEDNESS properly is not a virtue, although it is a certain laudable passion. So St. Thomas *art. 1,* Aristotle *2. Eth. cap. 7, and lib. 4. last cap.*

De VERECUNDIA.

VERECUNDIA proprie non est virtus, licet sit quaedam laudabilis passio. Ita D. Thom. art. 1. *Aristoteles* 2. Eth. cap. 7. et lib. 4. cap. ultim.

2 THE REASON is, for Virtue is an elective habit, or one operating by election, and if it has the perfect state it excludes in the agent the fear of a base and disgraceful thing, as of an evil difficult and arduous to avoid; nor does it actually admit anything base, wherefrom disgrace would be feared. But Shamefacedness, since it is nothing else than fear of some base and disgraceful thing, properly is not a habit but a passion; nor is its motion by election, but from a certain impulse of passion; nor does it exclude the fear, or opinion, of a base thing as possible, arduous, or difficult to avoid, but rather includes it.

RATIO est, nam Virtus est habitus electivus, sive ex electione operans, et si statum perfectum habet, excludit in operante timorem rei turpis, et probrosae, veluti mali difficilis, et ardui ad vitandum, neque actu admittit aliquid turpe, unde probrum timeatur. Verecundia autem, cum nihil sit aliud, quam timor alicuius rei turpis, et probrosae, proprie non est habitus, sed passio, neque motus eius est ex electione, sed ex impetu quodam passionis, neque excludit timorem, seu opinionem rei turpis, veluti possibilis, et arduae, seu difficilis ad vitandum, sed eum potius includit.

3 BUT its subject is not the old, nor the wicked, nor the perfect. For since shamefacedness is the fear of some baseness, two things are required for it: that the baseness be held evil by you, and that to the one feeling shame it be esteemed difficult to avoid. From defect of the former condition wicked men lack shamefacedness, of whom *Hierem. 3: Thou hast the forehead of a harlot, thou wouldst not blush.* From defect of the second condition the old and the perfect lack shamefacedness, who are nevertheless so disposed that, if anything base were in them, they would be ashamed, as Aristotle says *4. Eth. last cap.*

HUIUS autem subiectum non sunt senes, neque scelerati, neque perfecti, cum enim verecundia sit timor alicuius turpitudinis, duo ad eam requiruntur, et ut turpitudo pro te mala habeatur, et ut verecundanti aestimetur vitatu difficilis. Ex defectu prioris conditionis carent verecundia homines scelerati, de quibus Hierem. 3. Frons meretricis facta est tibi, noluisti erubescere. *Ex defectu secundae conditionis senes, et perfecti verecundia carent, qui tamen in hoc dispositi sunt, ut si in eis aliquid turpe esset, verecundarentur, ut ait Aristoteles* 4. Eth. cap. ultimo.

4 WHENCE St. Ambrose, *lib. 1. off. cap. 18: Beautiful is the virtue of the young, shamefacedness, and its sweet grace, which is seen not only in deeds but also in their very words.* See St. Bonaventure *lib. 1. Pharetrae, cap. 30.*

HINC D. Ambrosius, lib. 1. off. cap. 18. Pulchra virtus adolescentium verecundia, et suavis gratia, quae non solum in factis, sed etiam in ipsis spectatur sermonibus. *Vide D. Bonavent.* lib. 1. Pharetrae, cap. 30.

5 AND St. Jerome *epist. 14, cited by St. Bonaventure lib. 4. Pharetrae, cap. 14: Let shamefacedness adorn prudence, and let modesty, which has ever been the chief thing in women, surpass all virtues in thee.*

ET D. Hieronymus epist. 14. apud D. Bonavent. lib. 4. Pharetrae, cap. 14. Ornet prudentiam verecundia, et quod praecipuum in foeminis semper fuit, cunctas in te virtutes pudor superet.

6 AND St. Bernard *serm. 86. in Cant.: Shamefacedness is the special glory of conscience, the first-fruits of the virtues, and the mark of all honesty.*

ET D. Bernard. serm. 86. in Cant. Verecundia specialis gloria conscientiae est, virtutum primitiae, et insigne totius honestatis.

7 HE also there recites many Fathers admitting shamefacedness even in perfect men, not in order to evil, or present baseness, but to what is past, inasmuch as it is present in memory and has imminent evil effects.

MULTOS etiam Patres ibi recenset admittentes verecundiam etiam in viris perfectis, non in ordine ad malum, turpitudinemve praesentem, sed praeteritam, quatenus est praesens in memoria, et imminentes habet malos effectus.

8 IN *4. dist. 16. part. 1. dub. 11.* he places shamefacedness unto repentance in great sinners. Again he confirms this from the Fathers, *loc. cit. Pharetrae.* But no wonder: for they no longer have the character of the wicked, while they repent of their sins.

IN 4. dist. 16. part. 1. dub. 11. *ponit in magnis peccatoribus verecundiam ad poenitentiam. Id rursus ex Patribus confirmat* loc. cit. Pharetrae. *Sed nil mirum, non enim amplius habent rationem scelestorum, dum peccatorum eos poenitet.*

Question V: On honesty

1 IN MANY ways Honestum is taken. First, for what is exterior in the prosperity of fortitude, and the dignity of nobility; and a person worthy of honor is called honest; and for the seemliness of morals in exterior conversation, and for all things which have an external semblance together with honesty, as St. Bonaventure notes *in primo, dist. 1. art. 3. quaest. 2. ad 4, and on those words of Wisd. 10: Honored him;* it is taken also for seemliness in the face of men; thus an impediment of public honesty is placed by betrothal for contracting with the relatives of the spouse. It also signifies every good desirable per se. Simply, however, Honesty regards the good of virtue, as the Holy Doctor admonishes *p. p. Centil. sect. 9.*

De HONESTATE.

MULTIS modis sumitur Honestum. Primo pro exteriori in fortitudinis prosperitate, et dignitate nobilitatis, et dicitur persona honore digna, honesta; et pro decentia morum in exteriori conversatione, et pro cunctis, quae externam habent simulationem cum honestate, ut notat D. Bonavent. in primo, dist. 1. art. 3. quaest. 2. ad 4. et ad ea verba sap. 10. Honestavit illum; *sumitur etiam pro decentia in facie hominum, sic honestatis publicae impedimentum ponitur ex sponsalibus ad contrahendum cum sponsi consanguineis. Significat etiam omne bonum per se expetibile. Simpliciter tamen Honestas respicit bonum virtutis, ut monet S. Doctor* p. p. Centil. sect. 9.

2 THEREFORE Honestum, says St. Thomas *quaest. cit. art. 2, from St. Augustine lib. 83. qq. quaest. 30, is spiritual comeliness*. For that is beautiful and comely which has its parts proportionately disposed, from St. Dionysius *c. 4. de div. nom. part. 1.* Thus therefore spiritual comeliness is placed in this, that the life and morals of a man be well proportioned according to the spiritual clarity of right reason, which pertains to the character of the honest, and of virtue.

HONESTUM igitur ait D. Thom. quaest. cit. art. 2. ex D. August. lib. 83. qq. quaest. 30. esse spirituale decorum. *Illud enim est pulchrum, et decorum, quod habet suas partes proportionate dispositas ex D. Dionys.* c. 4. de div. nom. part. 1. *Sic igitur decor spiritualis in eo positus est, ut vita, moresque hominis sint bene proportionati secundum spiritualem rectae rationis claritatem, quod ad rationem honesti, ac virtutis pertinet.*

3 HONESTY therefore is called an integral part of Temperance by way of a certain condition which shines in Temperance itself with a special reason. So St. Thomas, from Macrob. *lib. 1. in somn. Scip., Ambrose lib. 1. de off. c. 43.*

HONESTAS igitur dicitur pars integralis Temperantiae per modum cuiusdam conditionis, quae in ipsa Temperantia speciali ratione elucet. Ita D. Thom. ex Mactob. lib. 1. in somn. Scip. Ambr. lib. 1. de off. c. 43.

4 THE REASON is, because, although honesty is common to every virtue, yet it is ascribed to Temperance by a certain special reason, which repels from man that which is most base and most unseemly, namely brutal voluptuousness; which indeed is the condition, or affection, of the virtue of Temperance.

RATIO est, quia, licet honestas cuicumque virtuti communis sit, speciali tamen quadam ratione adscribitur Temperantiae, quae ab homine id, quod est turpissimum, et indecentissimum repellit, scilicet, brutales voluptates, quae quidem est conditio, seu affectio virtutis Temperantiae.

Question VI: On abstinence

1 I ASSERT first, that Abstinence is a special virtue. It is proved from the first of the second *of Peter* chapter 1, where in that science which virtue is, he commands abstinence to be observed.

De ABSTINENTIA.

ASSERO primo, Abstinentiam esse virtutem specialem. Probatur ex secunda Petri *primo, ubi in scientia, quae virtus est, mandat abstinentiam observari.*

2 IT IS PROVED secondly, for it has a special honesty in moderating the appetite concerning food, as St. Bonaventure teaches *in the places alleged in the preceding questions*.

PROBATUR secundo, habet enim specialem honestatem in moderando appetitu circa cibum, ut docet D. Bonavent. locis allegatis quaestionibus superioribus.

3 IT IS PROVED thirdly. That which is consonant with reason in a special manner, and consists in a mean, is a virtue; such is abstinence; for it is a special mode of temperance, contributing very much to perfection; see St. Thomas *ad 3*.

> *PROBATUR tertio. Quod consonum est rationi speciali modo, et in mediocritate consistit, est virtus; talis est abstinentia; est enim specialis modus temperantiae, ad perfectionem plurimum conferens; vide D. Thom.* ad 3.

4 Hence God commanded abstinence to those whom he destined for undertaking arduous things; thus of St. John the Baptist it is said *Lucae 1: He shall be great before the Lord; wine and strong drink he shall not drink*. By the name of sicera, moreover, is understood every kind of liquor by which drunkenness can be incurred, as the Holy Doctor notes in Apologia Pauper. *cap. 2. resp. 2*, where he gives the reason of this precept; for it befits a vessel enslaved to heavenly grace to abstain from the enticements of the world; which reason can be applied to all men in praise of this virtue, since all are vessels capable of divine grace, and destined to receive it.

> *Hinc abstinentiam Deus praecepit eis, quos ad ardua subeunda destinabat, sic De Divo Ioanne Baptista dicitur* Lucae 1. Erit magnus coram Domino, vinum et siceram non bibet. *Nomine autem sicerae intelligitur omne liquoris genus, quo ebrietas incurri possit, ut nota S. Doctor in Apologia Pauper.* cap. 2. resp. 2. *ubi reddit huius praecepti rationem; decet namque vas caelesti gratiae mancipatum, a saeculi illecebris abstinere; quae ratio cunctis hominibus in laudem huius virtutis applicari potest, cum sint omnes vasa, divinae gratiae capacia, et ad eam recipiendam destinata.*

5 I pass over many examples of saints who applied themselves with particular study to abstinence; you have them adorned with various reasons and festive discourses in the Seraphic Doctor in the place cited. But since the principal reason of abstinence stands in fasting, I shall now treat of it; and having briefly finished this capital question, I shall the better weigh the great doubts it contains.

> *Mitto plura sanctorum exempla, qui peculiari studio abstinentiae incubuere; ea habes variis ornata rationibus, et festivitatibus apud Seraphicum loco citato. Verum cum praecipua abstinentiae ratio in ieiunio stet; de eo iam agam; et capitalem hanc quaestionem breviter absolutam, ut dubitationes, quas continet grandes, melius expendam.*

Sole Subquestion: On Fasting

1 Heretics, whose God is the belly, so hunger after gluttony that not only do they abolish every precept of fasting, but moreover fasten upon it the charge of superstition; thus, being carnally wise, after they have lost all sense of Chastity and modesty, they beslaver themselves with the delicacies of foods, and, captivated in their eyes, they cannot see the clearest testimonies of sacred Scripture, which extol the merit of fasting; because they will not.

> ***De Ieiunio.***
>
> *Haeretici, quorum Deus venter est, ita gulae inhiant, ut nedum omne ieiunii praeceptum tollant, sed insuper superstitionis crimen ei affingant; sic carnaliter sapientes, postquam omnem Castitatis, et pudicitiae sensum amisere, escarum deliciis inviscantur, captique oculis, sacrae scripturae clarissima testimonia, quae ieiunii meritum extollunt, videre nequeunt; quia nolunt.*

2 FIRST of all the Aëtians gave origin to this error, who in the time of the Fasts fed themselves on sumptuous dishes in contempt of the precept; Jovinian followed these, as Bonerius reports from St. Jerome, and St. Augustine *in 2. exam. de fidei unitate*; then the Manichaeans, Waldenses, and Lollards followed at divers times, and transmitted their heresies, though so often cooked, nevertheless raw, to the most recent sectaries, whom I shall recall and refute in *dubitatione 3*.

> *PRIMI omnium Aëtiani huic errori originem dedere, qui tempore Ieiuniorum lautis ferculis in praecepti despectum pascebantur; hos secutus est Iovinianus, ut e D. Hieronymo, et D. Augustino refert Bonerius* in 2. exam. de fidei unitate; *deinde Manichaei, Vvaldenses, et Lollandi subsequuti sunt diversis temporibus, suasque haereses, toties licet coctas, crudas tamen transmisere ad novissimos sectarios, quos referam, et refellam* dubitatione 3.

Doubt I: What fasting is, and of how many kinds

1 It is to be noted from St. Bonaventure here, that Fasting signifies a certain abstinence.

> Quid sit Ieiunium, et quotuplex.
>
> *Notandvm ex D. Bonavent. hic, Ieiunium significare abstinentiam quandam.*

2 FIRST, then, in the order of genus it signifies abstinence from all illicit voluptuousness, of which St. Augustine, *tract. 17. in Ioan., and Isa. 58: Is not this rather the fast that I have chosen; loose the bands of impiety, etc.* Properly, however, it signifies abstinence from food and drink.

> *PRIMO autem in genere significat abstinentiam a voluptatibus omnibus illicitis, De quo S. Augustinus,* tract. 17. in Ioan. et Isa. 58. Nonne hoc est magis ieiunium, quod elegi, solve colligationes impietatis, etc. *Proprie tamen significat abstinentiam a cibo, et potu.*

3 SECONDLY, therefore, Fasting is called moral abstinence from foods and drinks according to the common norm of the virtue of Temperance, and this ought to be perpetual.

> *SECUNDUM ergo Ieiunium dicitur moralis abstinentia a cibis, et potibus secundum communem normam virtutis Temperantiae, et hoc perpetuum esse debet.*

4 THE THIRD fasting is called Natural, which consists in abstinence of every kind from food and drink; which fasting is required in those about to receive the Eucharist. Nor is it solved by the receiving of the Eucharist; yet not without the Purification, which would break the natural fast.

> *TERTIUM ieiunium dicitur Naturale, quod in omnimoda abstinentia a cibo, et potu consistit, quod ieiunium in sumpturis Eucharistiam exigitur. Neque solvitur sumptione Eucharistiae; sine tamen Purificatione, quae ieiunium naturale frangeret.*

5 THE FOURTH fasting is a certain special moderation, and a longer abstinence; and this is praised in the Scriptures.

> *QUARTUM ieiunium est specialis quaedam moderatio, et abstinentia longior, et haec laudatur in Scripturis.*

Doubt II: In what way natural fasting is broken

1 THIS fasting means abstinence from any eatable thing by way of food, drink, or medicine, even if modest, *de consecr. dist. 1. cap. Sacramenta.* Required indeed for such receiving is matter that can be altered in the stomach, as Lugo teaches *de Euch. disp. 15. sect. 2. num. 28.* If, however, per accidens it be not alterable, he violates it. Required also is the form, which is the vital passage into the stomach; for this gives that matter the being of food. From the varied consideration, surely, of this matter and form arise various opinions on the breaking of the natural fast.

> Quo pacto frangatur Ieiunium naturale.
>
> *Ieivnivm hoc dicit abstinentiam a quavis re comestibili per modum cibi, potus, vel medicinae, etiamsi modica,* de consecr. dist. 1. cap. Sacramenta. *Requiritur vero ad talem sumptionem materia, quae valeat alterari in stomacho, ut docet Lugo* de Euch. disp. 15. sect. 2. num. 28. *Si tamen per accidens id non fit alterabile, violat. Requiritur et*

forma, quae est vitalis traiectio in ventriculum; haec enim dat ei materiae esse cibi: Ex varia sane materiae huius et formae consideratione nascuntur opiniones variae de fractione naturalis ieiunii.

2 So also they say that noxious things are taken even by way of medicine, as poison. Many comprehend under this whatever is passed outside through the mouth; others deny it.

Sic et per modum medicinae sumi dicuntur etiam nociua, ut venenum. Multi haec comprehendunt, quidquid extra per os traiicitur; alii negant.

3 THEY ASK, then, first, whether if the remains of the food of the preceding day, sticking to the teeth, be voluntarily swallowed, they impede communion.

QUAERUNT autem primo, an si reliquiae cibi praecedentis diei, dentibus haerescentes, voluntarie deglutiantur, impediant communionem.

4 THAT THEY IMPEDE assert Vasquez *in 3. part. tract. 3. dub. 11. cap. 4. num. 30,* Filliucius *tom. 1. tract. 4. cap. 8. num. 236,* Nungus *3. part. Tom. 1. quaest. 80. art. 8,* Paludanus *in 4. dist. 8. quaest. 2. art. 2. concl. 2.* It seems to St. Thomas *3. part. quaest. 80. art. 8. ad 4.* Layman inclines so *lib. 5. tract. 4. cap. 6. num. 18.*

IMPEDIRE asserunt Vasquez in 3. part. tract. 3. dub. 11. cap. 4. num. 30. *Filliucius* tom. 1. tract. 4. cap. 8. num. 236. *Nungus* 3. part. Tom. 1. quaest. 80. art. 8. *Paludanus* in 4. dist. 8. quaest. 2. art. 2. concl. 2. *Videtur D. Thom.* 3. part. quaest. 80. art. 8. ad 4. *Inclinat Layman* lib. 5. tract. 4. cap. 6. num. 18.

5 YET I hold the opposite, as probable, with Suarez *3. part. tract. 3. disput. 68. sect. 4,* Henriquez *lib. 8. cap. 50,* Ioan. de Cruz *in direct. quaest. 5. dub. 4,* Mosseius *in sum. tom. 1. tract. 3. cap. 10. num. 13,* Pitigianensis *4. Tom. 1. dist. 18. quaest. 3. art. 3,* Camerata *de sacram. tract. 4. cap. 10. dub. 19,* Rodriquez *in sum. Tom. 1. cap. 103. num. 3,* Coninch. *de sacram. quaest. 80. art. 8. num. 47,* Diana *part. 3. Tract. 4. resol. 57* — where, however, he says they should be persuaded to spit them out. The reason is, because they fall not by way of food, but of saliva.

OPPOSITUM tamen sentio probabile cum Suarez 3. part. tract. 3. disput. 68. sect. 4. *Henriquez* lib. 8. cap. 50. Ioan. *de Cruz* in direct. quaest. 5. dub. 4. *Mosseius* in sum. tom. 1. tract. 3. cap. 10. num. 13. *Pitigianensis* 4. Tom. 1. dist. 18. quaest. 3. art. 3. *Camerata* de sacram. tract. 4. cap. 10. dub. 19. *Rodriquez* in sum. Tom. 1. cap. 103. num. 3. *Coninch.* de sacram. quaest. 80. art. 8. num. 47. *Diana* part. 3. Tract. 4. resol. 57. *ubi tamen suadendum ait, ut expuantur. Ratio est, quia non per modum cibi, sed salivae cadunt.*

6 HE ADDS, if anyone draw in a little water through the nostrils, which fall into the stomach, it does not impede him from communion, because it has not been passed by way of food or drink. And he teaches, if anything be drawn in by way of respiration, even if it can nourish or alter, as a fly. So also Fagundez *de praecep. Eccles. praecep. 3. cap. 5. num. 14, and others.* Bassaeus adds V. *Communio*: if one swallow blood falling from the head, drops of rain, or any particle of broth passed in unnoticed in the preliminary tasting.

ADDIT, si quis per nares aliquantulum aquae trahat, quae in stomachum decidat, non impedire a communione, quia non est transmissa per modum cibi, vel potus. Et docet, si quid per modum respirationis attractum sit, etiamsi possit nutrire, vel alterare, ut musca. Ita et Fagundez de praecep. Eccles. praecep. 3. cap. 5. num. 14. et alii. *Addit Bassaeus V.* Communio*, si deglutiat sanguinem e capite cadentem, si pluviae guttas, aliquas aut iusculi particulam in praegustando inuite traiiciat.*

7 THEY ASK secondly, whether if one swallow paper, chalk, a little piece of wood, or something similar eatable, they break the natural fast and impede the most holy communion.

> *QUAERUNT secundo, si quis deglutiat chartam, cretam, frustulum ligni, aut quid simile comestibile, frangant ieiunium naturale, et impediant communionem sanctissimam.*

8 THAT THEY IMPEDE many bring forward, cited by Diana *p. p. 34 Tract. 14. de celebr. miss. resol. 51, and Parte 4. tract. 4. resol. 104.* So Henriquez *lib. 8 cap. 49, and in the gloss, line O.,* Nungus *tract. 1. in 1. part. quaest. 50. art. 8,* Villalobos *tom. 1. tract. 7. diffic. 39,* Reginaldus *tract. 2. lib. 29 cap. 6. num. 118,* Naldus *V. Euch. num. 10,* Layman *lib. 5. tract. 4. cap. 6,* Scortia *de sacrificio Missae, lib. 2. cap. 7.*

> *IMPEDIRE afferunt multi apud Dianam* p. p. 34 Tract. 14. de celebr. miss. resol. 51. et Parte 4. tract. 4. resol. 104. *Ita Henriquez* lib. 8 cap. 49. et in glossa, lin. O. *Nungus* tract. 1. in 1. part. quaest. 50. art. 8. *Villalobos* tom. 1. tract. 7. diffic. 39. *Reginaldus* tract. 2. lib. 29 cap. 6. num. 118. *Naldus* V. Euch. num. 10. *Layman* lib. 5. tract. 4. cap. 6. *Scortia* de sacrificio Missae, lib. 2. cap. 7.

9 ABOUT Tobacco, if taken in the mouth it be swallowed, the same teach, Diana *part. 5. tract. 13. resol. 1, and others.*

> *DE Tabaco, si ore sumptum deglutiatur, docent idem Diana* part. 5. tract. 13. resol. 1. et alii.

10 AND indeed this opinion is to me the more probable, although they hold the opposite as more probable: *Sum. Corona part. 4. cap. 4. num. 65,* Ioan. de la Cruz *p. 2 de Euch. quaest. 5. dub. 4,* Ludovicus de S. Iuan: *sum. part. 1. Tract. de Euch. cap. 23. concl. 4,* Diana *loco cit., and part. 3. tract. 4. resol. 38,* who concedes the same of the remainder of yesterday's food, with Tabiena *V. commun. §. 42,* Tannerus *tract. 4. disp. 5. quaest. 8. dub. 4. num. 79,* Sanchez *select. disp. 41. num. 23,* Pasqualig. *decis. 312,* Ioan. Cruz *quaest. 5. dub. 4,* Baunius *punct. cit. tract. 10. quaest. 22* — namely, that if it be swallowed, it does not impede communion.

> *ET quidem haec sententia mihi probabilior est, etiamsi oppositam magis probabilem teneant* Sum. Corona part. 4. cap. 4. num. 65. Ioan. *de la Cruz* p. 2. *de* Euch. quaest. 5. dub. 4. *Ludovicus de S. Iuan:* sum. part. 1. Tract. de Euch. cap. 23. concl. 4. *Diana* loco cit. et part. 3. tract. 4. resol. 38. *qui idem concedit de reliquia cibi diei hesternae cum Tabiena* V. commun. §. 42. *Tannerus* tract. 4. disp. 5. quaest. 8. dub. 4. num. 79. *Sanchez* select. disp. 41. num. 23. *Pasqualig.* decis. 312. *Ioan. Cruz* quaest. 5. dub. 4. *Baunius* punct. cit. tract. 10. quaest. 22. *nempe si deglutiatur, communionem non impedire.*

Doubt III: Whether fasting itself is a good work, and of precept

1 THE necessity of the fasts used in the Church heretics have attacked, apud Valentiam *disp. 9, quaest. 2, puncto 1,* Bellarmine *lib. 2 de bonis operibus, in particulari,* who defend it gravely. Others, however, blame not fasting precisely, but certain of its circumstances, which are employed according to the prescription of the Church.

> An Ieiunium proprium sit opus bonum, et praeceptum.
>
> *IEIUNII in Ecclesia usitati necessitatem oppugnarunt haeretici apud Valentiam* disp. 9. quaest. 2. puncto 1. *Bellarminum* lib. 2. de bonis operibus, in particulari, *qui graviter eam defendunt. Alii vero, non ieiunium praecise, sed quasdam eius circumstantias, quae iuxta Ecclesiae praescriptum adhibentur, vituperant.*

2 Thus most recently dogmatize the sectaries, Luther *lib. de visione Danielis,* Calvin *lib. 4 Instit. cap. 12,* Kemnitius in *fest. 25* Tridentini, and others of this chaff.

Sic novissime dogmatizant sectarii, Luther. lib. de visione Danielis, *Calvinus* lib. 4 Instit. cap. 12. *Kemnitius in* fest. 25. *Tridentini, et alii huius furfuris.*

3 FIRST, then, it is certain that fasting, as it is an act of Temperance for taming the flesh, is a good, even if one abstains from foods which otherwise one might lawfully use.

PRIMO quidem certum est, ieiunium, ut est actus Temperantiae ad edomandam carnem, esse bonum, etsi abstineatur a cibis, quibus alioqui uti liceret.

4 *IT IS PROVED* by the Holy Doctor in *Diaeta, tit. 2, cap. 6, Exodi 24*, where Moses fasted forty days; *3 Reg. 19*, where Elias likewise spent the same number of days in fasting. *Ioel. 2: Convertimini ad me in ieiunio, etc. Iudith. 8*, where the almost perpetual fasts of this holy widow are *praised*.

PROBATUR *a S. Doctore in* Diaeta, tit. 2. cap. 6. Exodi 24. *ubi Moyses ieiunavit quadraginta diebus 3.* Reg. 19. *ubi et Elias totidem dies ieiunio transegit.* Ioel. 2. Convertimini ad me in ieiunio, etc. Iudith. 8. *ubi perpetua fere huius sanctae viduae ieiunia* laudantur.

5 From the New Testament, *Matth. 6*, where Christ hands down the manner of fasting; *Marci 9*, where he says: *Hoc genus daemoniorum non eiicitur, nisi in oratione, et ieiunio*.

Ex novo testamento Matth. 6. *ubi Christus modum ieiunandi tradit* Marci 9. *ubi ait:* Hoc genus daemoniorum non eiicitur, nisi in oratione, et ieiunio.

6 IN 2 *Lucae* the Holy Doctor proves it by the example of Anna, *quae non discedebat de Templo, ieiuniis, et obsecrationibus serviens; Tob. 12: Bona est oratio cum ieiunio*.

IN 2. Lucae *id probat S. Doctor exemplo Annae,* quae non discedebat de Templo, ieiuniis, et obsecrationibus serviens, Tob. 12. Bona est oratio cum ieiunio.

7 SERM. 4 *prima Dominicae*, he brings forward. The fast of Christ, to which he was led by the Holy Spirit. The fast of the Ninevites, praised *Ionae 3*. The fast of Moses *Deuter. 9*, and the others brought forward above.

SERM. 4. prima Dominicae, *inducit. Ieiunium Christi, ad quod ductus est a Spiritu Sancto. Ieiunium Ninivitarum laudatum* Ionae 3. *Ieiunium Moysi* Deuter. 9. *et alia supra allata.*

8 *IT IS PROVED* by the Holy Doctor in the cited places, from the Fathers, whom see there.

PROBATUR *a S. Doctore locis citatis, ex Patribus quos ibi vide.*

9 IT IS PROVED there by reason. That which stands in the place of arms for taming the passions, insofar as they impede salvation, is useful and holy: Such is fasting: Therefore. The reason is from SS. Basil *de laudibus ieiunii*, Athanasius *de virginitate*, Cyprian *serm. de Ieiunio*, Ambrose *lib. de Elia, et ieiunio, cap 4*, Leo *serm. 7 de ieiunio septimi mensis*, and D. Augustine *de utilitate ieiunii*, of which Possidonius makes mention in the *Indice operum Augustini*, where he has an elegant similitude; for if I were to mount a horse which, being ferocious, could easily throw me headlong, would I not strive to tame it, by withdrawing the stronger foods from its fierceness and putting in hay? So too now.

PROBATUR ibidem ratione. Id quod armorum vice est ad edomandas passiones, prout impediunt salutem, utile, et sanctum est: Tale est ieiunium: Ergo. Ratio est SS. Basilii de laudibus ieiunii, *Athan.* de virginitate, *Cypriani* serm. de Ieiunio, *Ambrosii* lib. de Elia, et ieiunio, cap 4. *Leonis* serm. 7. de ieiunio septimi mensis, *et D. Augustini* de utilitate ieiunii, *cuius meminit Possidonius in* Indice operum Augustini, *ubi elegantem habet similitudinem; si*

enim equo insiderem, qui ferox me facile praecipitare posset, nonne eum edomare conarer, subtrahendo ferocienti validiora cibaria, et foenum immittendo; ita et nunc.

10 IT IS CERTAIN also that fasting is useful for other holy ends. First, for rendering prayer more efficacious: So it is had in *Tob. 12, prima ad Corinth. 7, Act. 13 et 14*.

CERTUM est etiam, utile esse ieiunium ad alios fines sanctos. Primo ad orationem validiorem reddendam: Sic habetur Tob. 12. prima ad Corinth. 7. Act. 13. et 14.

11 SECOND, for stirring up penance the more, as is intimated *Ioel 2 et Ionae 3 supra*.

SECUNDO ad magis excitandam poenitentiam, ut innuitur Ioel 2. et Ionae 3. supra.

12 THIRD, for a readier contemplation, as is said of Daniel; for the lean bird is the swifter of flight. So it is compared by D. Chrysostom *homil. 2 in Genes*.

TERTIO ad expeditiorem contemplationem, ut dicitur de Daniele; avis enim macilenta expeditior est. Sic comparatur a D. Chrysostom. homil. 2. in Genes.

13 FOURTH, for avoiding the scandal of the infirm *Rom. 14, prima Corinth. 8*.

QUARTO ad vitandum infirmorum scandalum Rom. 14. prima Corinth. 8.

14 FIFTH, for withdrawing the food of the pot of covetousnesses; for it is said: *Luxuriat raro non bene pasta caro; Subtrahe ligna foco, si vis extinguere flammam*.

QUINTO ad subtrahendam escam ollae cupiditatum; dicitur enim: Luxuriat raro non bene pasta caro; Subtrahe ligna foco, si vis extinguere flammam.

15 SIXTH, for curing sickness a diet is advised.

SEXTO, ad curandum morbum diaeta suadetur.

16 SEVENTH, for putting the wolves to flight from the wood, as is said *Marci 9*.

SEPTIMO ad fugandos Lupos e nemore, ut dicitur Marci 9.

17 EIGHTH, for storming the town in which a strong man armed keeps guard; for a siege wears down the defenders *Lucae 11*. See these and other things in D. Bonaventure *Diaeta tit. 2 cap. 6*.

OCTAVO ad expugnandum oppidum, in quo fortis armatus munitur; obsidio enim defensores expugnat Lucae 11. *Vide haec, et alia in D. Bonavent.* Diaeta tit. 2. cap. 6.

18 IT IS CERTAIN, thirdly, beyond controversy: Fasting, although of itself it is not an evil, when referred to the aforesaid ends, yet if it have not joined to it other good works also, which are necessary, and indeed, unless it be propped up by the grace of God, is unprofitable unto salvation. The Holy Doctor proves it by that *Isa. 58: Hoc est ieiunium, quod elegi; Dissolve colligationes impietatis, etc. Nolite ieiunare sicut usque ad hanc diem*.

CERTUM est tertio extra controversiam: Ieiunium, quamvis ex se non sit malum, relatum ad praedictos fines, tamen si non habeat coniuncta etiam alia opera bona necessaria, atque adeo, nisi fulciatur gratia Dei, inutile est ad salutem. Id probat S. Doctor illo Isa. 58. Hoc est ieiunium, quod elegi; Dissolve colligationes impietatis, etc. Nolite ieiunare sicut usque ad hanc diem.

19 This the SS. Fathers warn of, Jerome *lib. 2 cont. Iovin*, Gregory *homil. 16 in Evang*, Maximus *homil. prima de ieiunio*.

> *ID monent SS. PP. Hieronym.* lib. 2. cont. Iovin. *Gregor.* homil. 16. in Evang. *Maximus* homil. prima de ieiunio.

20 FOURTHLY it is certain, if we abstain from certain foods as being defiled by their nature, the fast will not be holy, but impious. For this was the error of the Tatianists, as D. Augustine relates *lib. de haeresibus, cap. 25*.

> *QUARTO certum est, si ab aliquibus cibis, tanquam inquinatis e natura sua, abstineamus, non fore sanctum ieiunium, sed impium. Hic enim fuit error Tatianorum, ut refert D. Augustinus* lib. de haeresibus, cap. 25.

21 OUR controversy, therefore, with the heretics is: Whether fasting is rightly taken up as a command of the Church, binding under pain of mortal sin.

> *NOSTRA igitur cum haereticis controversia est: An ieiunium recte suscipiatur, ut praeceptum ab Ecclesia, cogente sub mortali.*

22 For the sectaries, raising up the heresy of the Aërians, which Epiphanius records *haeresi 75*, boast that this kind of fast is superstitious.

> *SECTARII enim haeresim suscitantes Aërii, quam refert Epiph.* haeresi 75. *iactant huiusmodi ieiunium esse superstitiosum.*

23 Yet the Catholic Church declares this holy command.

> *ECCLESIA tamen Catholica, sanctum hoc praeceptum declarat.*

24 IT IS PROVED first by the arguments by which I showed *p. p. Tract. 1 disp. 5 proaemiali, et prima secundae, Tract. de legibus, disp. 5* that the Church can make laws binding in Conscience.

> *PROBATUR primo argumentis, quibus ostendi* p. p. Tract. 1. disp. 5. proaemiali, et prima secundae, Tract. de legibus, disp. 5. *Ecclesiam posse leges ferre, obligantes in Conscientia.*

25 Moreover this law of Fastings is proved from many Councils, especially *Gangr. can. 19*, where it is said: *Si quis ieiunia, quae communiter custodiuntur ab Ecclesia, dissolvit, sit anathema*. In the Council of Tiburtina *can. 35* it is said, *Irasci Dominum, si quis Quadragesimae, aut ieiuniorum diebus non coerceatur a ieiunando*; and in the Fourth Council of Carthage *can. 63*: *Statuitur ut clericus, qui tempore ieiunii absque inevitabili necessitate, ieiunium rumpit, inter minores habeatur*; and in the Council of Agde *can. 12* it is commanded *ut omnes Ecclesiae filii in Quadragesima ieiunent*; and in the Council of Mainz under Charlemagne *can. 35* those are anathematized who dissolve the appointed fast; and in the Eighth Council of Toledo: *Frangentes ieiunium Quadragesimae, privantur in Paschate communione*; and in the sixth Synod *cap. 56* it is had: *Visum est, ut omnis Dei Ecclesia, quae est in universo terrarum orbe, unum ordinem sequens, ieiunium perficiat, et abstineat, sicut ab omni mactabili, sic ab ovis, et caseo. Si autem hoc non servaverint, si sint quidem Clerici, deponantur; si autem Laici, segregentur*. See also other authorities *prima secundae, disp. 17 de consc. quaest. 10*, where the propositions condemned by Alexander VII are treated of.

> *PROBATUR vero haec lex Ieiuniorum ex multis Conciliis, praecipue* Gangr. can. 19. *dicitur:* Si quis ieiunia, quae communiter custodiuntur ab Ecclesia, dissolvit, sit anathema. *Concilio Tibur.* can. 35. *dicitur,* Irasci Dominum, si quis Quadragesimae, aut ieiuniorum diebus non coerceatur a ieiunando, *et in Concilio Carthag. IV.* can. 63. Statuitur ut clericus, qui tempore ieiunii absque inevitabili necessitate, ieiunium

rumpit, inter minores habeatur, *et in Concil. Agath.* can. 12. *iubetur,* ut omnes Ecclesiae filii in Quadragesima ieiunent, *et in Concil. Mogunt. sub Carolo M.* can. 35. *anathematizantur, qui indictum ieiunium dissolvunt, et in Concilio Toletano VIII.* Frangentes ieiunium Quadragesimae, privantur in Paschate communione: *Et in sexta Synodo* cap. 56. *habetur:* Visum est, ut omnis Dei Ecclesia, quae est in universo terrarum orbe, unum ordinem sequens, ieiunium perficiat, et abstineat, sicut ab omni mactabili, sic ab ovis, et caseo. Si autem hoc non servaverint, si sint quidem Clerici, deponantur; si autem Laici, segregentur. *Vide et alias authoritates* prima secundae, disp. 17. de consc. quaest. 10. *ubi agitur de propositionibus, ab Alex. VII. damnatis.*

26 The SS. Fathers pursue this truth with abundant arguments, calling heretics those who deny it, especially Epiphanius *haeresi 75*, Augustine *lib. de haeresibus, cap. 53*.

EAM veritatem profusis orationibus prosequuntur SS. PP. qui eam negantes, haereticos conclamant, praecipue Epiphanius haeresi 75. *Augustinus* lib. de haeresibus, cap. 53.

27 YOU OBJECT first, that to abstain from foods is the doctrine of devils, which the Lord created to be received *1. Tim. 4* and *Matth. 15: Non quod intrat in os, coinquinat, 1. Corinth. 1: De eo, quod in macello venit, manducate*.

OBIICIES primo, esse doctrinam daemoniorum abstinere a cibis, quos creavit Dominus ad percipiendum 1. Tim. 4. *et* Matth. 15. Non quod intrat in os, coinquinat, 1. Corinth. 1. De eo, quod in macello venit, manducate.

28 IT IS ANSWERED, that those ancient heretics are reproved who said one must abstain from foods as unclean by nature; or the Judaizers, who wanted abstinence from foods still to be kept according to the Mosaic ceremonial law. But *Matth. 15* wills that one be not defiled of oneself, but only by reason of an external precept, insofar as they are opposed to things intrinsically forbidden. Paul, moreover, shows that one must not inquire too scrupulously whether meats have been sacrificed to idols.

RESPONDETUR, reprehendi eos veteres haereticos, qui abstinendum dicebant a cibis, tanquam natura immundis. Vel Iudaizantes, volebant adhuc abstineri a cibis, iuxta legem moysaycam caeremonialem. Id vero Matth. 15. *vult, non coinquinari per se, sed tantum ratione praecepti extrinseci, pro ut opponuntur intrinsece vetitis. Paulus vero ostendit, non esse nimis scrupulose inquirendum; an carnes sint idolis immolatae.*

29 Moreover these commands are had as declared *cap. Non oportet, cap. Placuit de consecr. dist. 3, cap. Quadragesima, dist. 5 cap. 1, et cap. Consilium, de observ. ieiun*.

Caeterum haec praecepta habentur declarata cap. Non oportet, cap. Placuit de consecr. dist. 3. cap. Quadragesima, dist. 5. cap. 1. et cap. Consilium, de observ. ieiun.

30 ECCLESIASTICAL fasts, therefore, are had from the ancient practice of the Church, and indeed the fast of Lent was instituted by the Apostles, and is had in *can. 68 Apostolorum*, as Epiphanius testifies *haeresi 75*, Jerome *epist. ad Marcellam*, Leo *serm. 6 in Quadrag*, and it is gathered from Augustine *epist. 118 ad Ioan. et lib. 4 de Baptism. cap. 24*.

IEIUNIA igitur Ecclesiastica ex antiqua Ecclesiae praxi habentur, et quidem Ieiunium Quadragesimae institutum est ab Apostolis, et habetur can. 68. Apostolorum, *ut testatur Epiphanius* haeresi 75. *Hieron.* epist. ad Marcellam, *Leo* serm. 6. in Quadrag. *et colligitur ex Augustino* epist. 118. ad Ioan. et lib. 4. de Baptism. cap. 24.

31 TELESPHORUS the Pope sanctioned that the clergy should begin the Lenten fast from Septuagesima *cap. Quadragesima, dist. 4*. But this custom has been abrogated, as Balaeus warns *V. Ieiun. 2*. By the common law, from Apostolic tradition, as D. Leo notes *serm. de Pent*, and as Bellarmine

proves *cap. 19*, Baronius *anno 57*, and as is related *cap. statuimus, dist. 76*, we have the fast of the four Seasons (Ember days). By the same law one fasts on the Vigils of the Nativity of the Lord and of the Assumption of the B. V. *cap. ex parte, de observ. ieiun*. Likewise on the Vigils of the Apostles *cap. Consilium, ibi. Exceptis SS. Philippi, et Iacobi, ob tempus Paschae, et D. Ioannis ob Nativitatis solemnia*.

> *TELESPHORUS P. sancivit, ut clerici quadragesimale ieiunium inciperent a Quinquagesima* cap. Quadragesima, dist. 4. *Sed haec consuetudo abrogata est, ut monet Ballaeus* V. Ieiun. 2. *Iure communi ex traditione Apostolica, ut notat D. Leo* serm. de Pent. *et probant Bellarm.* cap. 19. *Baron.* anno 57. *et refertur* cap. statuimus, dist. 76. *habemus ieiunium 4. Temporum. Eodem iure ieiunatur Vigiliis Nativitatis Domini, et Assumpt. B. V.* cap. ex parte, de observ. ieiun. *Itidem in Vigiliis Apostolorum* cap. Consilium, ibi. Exceptis SS. Philippi, et Iacobi, ob tempus Paschae, et D. Ioannis ob Nativitatis solemnia.

32 Now certain vigils of the Apostles were not kept.

> *Erant autem aliquae Apostolorum vigiliae, non servatae.*

33 The VIGILS of Pentecost, of St. John the Baptist, of St. Laurence, and of All Saints bind by custom alone, as Sylvester notes *num. 5*, Sylvius *quaest. 147 art. 5 quaesito 7*, Fagundez *cap. 5*, apud Balaeum.

> *VIGILIAE Pentecost. S. Ioan. Baptistae, S. Laurentii, et omnium SS. sola consuetudine cogunt, ut notant. Syluester* num. 5. *Syluius* quaest. 147. art. 5. quaesito 7. *Fagundez* cap. 5. *apud Ballaeum.*

34 There are some who doubt whether this custom has been introduced so as to bind: Pasqualigo *decif. 171*.

> *SUNT dubitantes: an haec consuetudo invecta sit ad obligandum, Pasqualig.* decif. 171.

35 IF the Vigil of St. John the Baptist falls on the feast of Corpus Christi, it is transferred by the precept of Urban VIII, *die 15 Oct. 1638 edito*.

> *SI Vigilia S. Ioan. Baptistae ineidat in festo Corporis Christi, transfertur ex praecepto Urbani VIII.* die 15. Oct. 1638. edito.

36 The Bishop also can transfer vigils falling on some solemnity of a place; and so for other causes. The same holds for regular Prelates with their subjects. For although Pontifical Law does not subject them to itself, yet its prudent execution does.

> *POTEST et Episcopus vigilias incidentes in aliquam loci solemnitatem transferre; sic et aliis e causis. Idem valent Praelati regulares cum suis. Licet enim Ius Pontificium his non subditur, subditur tamen prudens executio.*

37 ABSTINENCE also on Friday and Saturday is had from the ancient practice of the Church.

> *ABSTINENTIA etiam Fer. 6. et Sabbathi, ex antiqua Ecclesiae praxi habetur.*

38 It is a pleasure to add the saying of D. Jerome *epist. 28*, apud D. Bonaventure *Spec. cap. 3*: *Unaquaque Provincia abundet in suo sensu, et praecepta maiorum leges Apostolicae arbitretur*. See the Holy Doctor also *serm. 5 Ciner. et serm. 3 et 5 primae Dom. Quadr*.

> *LIBET apponere D. Hieronymi effatum* epist. 28. *apud D. Bonavent.* Spec. cap. 3. Unaquaque Provincia abundet in suo sensu, et praecepta maiorum leges Apostolicae arbitretur. *Vide S. Doctorem etiam* serm. 5. Ciner. et serm. 3. et 5. primae Dom. Quadr.

Doubt IV: From what things one must abstain in the fast of the Church

1 FIRST, essential is abstinence from flesh meats, as far as Lent is concerned *cap. Statuimus, dist. 4. Quoad caetera ieiunia, cap. de esu carn. de consec. dist. 3*, and the Council of Gerona *c. 3*, and the perpetual tradition of the Church. So D. Bonaventure above, cir., and D. Thomas *q. 147 art. 8*.

> *PRIMO essentialis est abstinentia a carnibus, quoad Quadragesimam* cap. Statuimus, dist. 4. Quoad caetera ieiunia, cap. de esu carn. de consec. dist. 3. *et Concil. Gerundense* c. 3. *et perpetua Ecclesiae traditione. Ita D. Bonav. supra cir. et D. Thom.* q. 147. art. 8.

2 Yet snails, tortoises, and fishes are granted, and animals that approach these more than they do land animals and birds, as Balaeus notes, verbo *Ieiun. 1 num. 3*, Bonacina *disp. ultim. quaest. 1 puncto 2*, Pasqualigo *de ieiun. decif. 67*.

> *CONCEDUNTUR tamen Limaces, Testudines, et Pisces, et animalia, quae ad haec accedunt magis, quam ad terrestria, et volatilia, ut monet Ballaeus verbo* Ieiun. 1. num. 3. *Bonacina* disp. ultim. quaest. 1. puncto 2. *Pasqualig.* de ieiun. decif. 67.

3 In Lent eggs also are forbidden, because they are seminal. *Denique, dist. 4*, which is from D. Gregory the Great to Augustine in England, where he does not establish a new precept, but declares the old one. Therefore some speak badly who say it is forbidden by custom alone.

> *IN Quadragesima vetantur etiam ova, quia Seminalia sunt.* Denique, dist. 4. *quod est D. Gregor. M. ad Augustinum in Angliam, ubi non condit novum praeceptum, sed declarat vetus. Itaque male dicunt aliqui, sola id esse consuetudine vetitum.*

4 Likewise dairy foods are forbidden in Lent, unless a received custom otherwise admit, as the common doctors teach with D. Thomas *quaest. 147 art. 8 ad 3*. But use is duly introduced where there is a scarcity of oil. It is enough, however, if the custom endure for some years, in the judgment of upright men, as Tannerus says *disput. 3 quaest. 3 dub. 5*, warning that the same is to be observed in the other circumstances of fasting, setting forth the common sense from D. Augustine *epist. 86 et 119*, with D. Bonaventure in *speculo animae, cap. 3*.

> *ITIDEM vetantur lacticinia in Quadragesima, nisi mos aliter receptus admittat, ut docent communiter eum D. Thom.* quaest. 147. art. 8. ad 3. *Usus autem rite inducitur, ubi est penuria olei. Sat est autem, si consuetudo perduret aliquot annos, iudicio proborum, ut ait Tannerus* disput. 3. quaest. 3. dub. 5. *monens, idem servandum in aliis ieiunii circumstantiis, communem efferens sensum e D. August.* epist. 86. et 119. *cum D. Bonavent. in* speculo animae, cap. 3.

5 In some places abounding in oil, dairy foods are forbidden even outside Lent, where the just customs are to be observed, as the Holy Doctor said with D. Jerome.

> *IN quibusdam locis oleo redundantibus vetantur lacticinia, etiam extra Quadragesimam, ubi observandae sunt iustae consuetudines, ut dicebat S. Doctor cum D. Hieronymo.*

6 But where they are granted, lard or fat drippings is not admitted; for these approach flesh, whatever Diana may say *part. 1 tract 9 resol. 21*; Pasqualigo *decif. 74*. Indeed, rightly: to whom flesh is granted, these things also are granted, and eggs, etc. But one dispensed in Lent as to eggs remains bound by the fast; for these stand together with fasting, as Pius V declares in the *Bulla Cruciatae*. So Sylvester ad *loc. cit.*, D. Thomas *art. 4*, Sanchez *lib. 4 cap. 11 num. 49*, Llamas *3 part. method. cap. 5 §. 26*, Balaeus *V. Ieiun. 1 num. 4*.

UBI vero conceduntur, non admittitur lardus, vel sagimen; haec enim ad carnem accedunt, quidquid dicat Diana part. 1. tract 9. resol. 21. *Pasqualig.* decif. 74. *Recte quidem, cui conceditur caro; conceduntur et haec, atque ova, etc. Dispensatus vero in Quadragesima ad ova, tenetur adhuc ieiunio; haec enim cum ieiunio stant, ut declarat Pius V. in* Bulla Cruciatae. *Ita Sylvester ad* loc. cit. *D. Thom.* art. 4. *Sanchez* lib. 4. cap. 11. num. 49. *Llam.* 3. part. method. cap. 5. §. 26. *Ballaeus* V. Ieiun. 1. num. 4.

7 SECOND, the one fasting must abstain from several refections, so that within the space of the natural day he be refreshed heavily but once. All agree with D. Bonaventure above and D. Thomas *art. 6*, apud Valentiam *loco cit*, and Balaeum *num. 8*.

SECVNDO, debet ieiunans abstinere a pluribus refectionibus, ita ut intra spatium diei naturalis semel tantum reficiatur graviter. Consentiunt omnes cum D. Bonavent. supra, et D. Thom. art. 6. *apud Valentiam* loco cit. *et Ballaeum* num. 8.

8 It is so, however, that if outside that meal you drink broth or milk, you break the fast, but not if wine, as the common doctors teach with D. Thomas *art. 6*, D. Bonaventure in *confess. cap. 2 particula 7*, apud Valentiam and Balaeum.

ITA vero; si extra eam bibas ius, vel lac, solves ieiunium, non si vinum, ut docent communiter eum D. Thom. art. 6. *D. Bonavent. in* confess. cap. 2. particula 7. *apud Valentiam, et Ballaeum.*

9 They add, against D. Thomas *4 dist. 15 quaest. 3 art. 4 quaest. 1*, Sylvius *1 2 quaest. 147 art. 6*, that even if wine be drunk, so that hunger be driven off, it breaks the fast: Vega *tract. 2 cap. 14 casu 2*, Homob. *de exam. part. 2 tract. 8 cap. 7 quaestio 20*, Fillincinus *cap. 2 tract. 27 part. 2 quaest. 10*, Molfesius *tom. 1 tract. 10 cap. 3 num. 25*, Fagundez *tract. 4 lib. 1 cap. 3*, Diana *p. p. tract. 9 resol. 23*, Lezana *V. Ieiun*, Balaeus there *num. 8*. Yet the contrary is probable; and indeed even D. Bonaventure *loco cit* reprehends these potations.

ADDUNT contra D. Thom. 4. dist. 15. quaest. 3. art. 4. quaest. 1. *Syluium* 1. 2. quaest. 147. art. 6. *etiamsi vinum bibatur, ut fames pellatur, Vega* tract. 2. cap. 14 casu 2. *Homob.* de exam. part. 2. tract. 8. cap. 7. quaestio 20. *Fillincinus* cap. 2. tract. 27. part. 2. quaest. 10. *Molfesius* tom. 1. tract. 10. cap. 3. num. 25. *Fagundez* tract. 4. lib. 1. cap. 3. *Diana* p. p. tract. 9. resol. 23. *Lezana* V. Ieiun. *Ballaeus ibi* num. 8. *Contrarium tamen probabile est; et sane etiam D. Bonavent.* loco cit. *has potitationes reprehendit.*

10 Nor does a drink before the meal violate the fast. So commonly the teachers (TT). See Villalobos *tom. 1 tract. 23 diff. 8*, Homob. *loco cit*.

NEQUE potio ante prandium violat ieiunium, Ita communiter TT. Vide Villalob. tom. 1. tract. 23. diff. 8. *Homob.* loco cit.

11 One may also, lest wine harm him, take some tiny thing, say 6 almonds, provided it not be done often in fraud; or something of a medicinal antidote may be taken. So Tannerus *num. 90*, Diana *p. p. tract. 9 resol. 24*, with others.

POTEST etiam, ne vinum noceat, aliquid pauculum sumi, puta 6. amygdalae, dummodo non fiat saepe in fraudem; Vel sumi aliquid antidoti medicinae. Sic Tannerus num. 90. *Diana* p. p. tract. 9. resol. 24. *cum aliis.*

12 You will ask: Whether you sin as often as you eat much.

QUAERES: An toties pecces, quoties multum comedis.

13 Diana answers *resol. 53*: sin is committed only in a second notable eating, by which the fast is broken. So also Villalobos *tom. 1 tract. 23 diff. 6*, Sanchius *select. dist. 14 num. 42*, Tannetus *disp. 3 quaest. 3 dub. 5 num 95*, bringing forward many against others who say one sins as many times. See also Bassaeum *num. 10*. If, however, you eat flesh meats, you will sin as many times, for these are forbidden without exception; but the precept or vow of fasting forbids only the breaking, which is done in the first eating. See those cited.

> *RESPONDET Diana* resol. 53. *peccari in sola comestione secunda notabili, qua ieiunium frangitur. Sic et Villalobos* tom. 1. tract. 23. diff. 6. *Sancius* select. dist. 14. num. 42. *Tannetus* disp. 3. quaest. 3. dub. 5. num 95. *multos adducens contra alios dicentes, toties peccare. Vide et Bassaeum* num. 10. *Si tamen carnes edas, toties peccabis, hae enim individue vetantur; At ieiunii praeceptum, aut votum solam fractionem vetat, quae prima comestione fit. Vide relatos.*

14 You will ask what smallness of matter excuses from breaking.

> *PETES, quae parvitas materiae excuset a fractione.*

15 Diana *part. 5 tract. 5 resol. 11*, with Turrianus *part. 5 cap. 256 dub. 27* and others, judge that two ounces are small matter.

> *DIANA* part. 5. tract. 5. resol. 11. *cum Turriano* part. 5. cap. 256. dub. 27. *et aliis censent, binas uncias esse parvam materiam.*

16 This they grant also in the eating of flesh: Sanchez *lib. 2 cap. 8 num. 17*, Tannerus *disp. 3 quaest. 3 num. 95*, Bonacina *disp. ult. de praecep. Eccles. quaest. 1 punct. 2*, Diana *part. 1 tract. 9 resol. 45 et part. 5 tract. 5 resol. 32*, who says it is such as cooks taste. Pasqualigo, however, *decis. 41*, says it is that which does not suffice for nourishing.

> *HANC etiam in esu carnis concedunt Sanchez* lib. 2. cap. 8. num. 17. *Tannerus* disp. 3. quaest. 3. num. 95. *Bonacina* disp. ult. de praecep. Eccles. quaest. 1. punct. 2. *Diana* part. 1. tract. 9. resol. 45. et part. 5. tract. 5. resol. 32. *qui ait, eam esse, quam Coqui degustant. Pasqualigus vero* decis. 41. *eam dicit, quae non sufficiat ad nutriendum.*

17 It is DOUBTED: Whether one who interrupts his meal on account of business may return without breaking the fast.

> *DUBITATUR: An interrumpens prandium ob negotium, possit redire sine ieiunii fractione.*

18 Fagundez answers *lib. 1 cap. 14 in 4 praecep. Eccles*, Fernandez *part. 2 cap. 8 §. 3*, Toletus *lib. 6 cap. 2*, Bassaeus *num. 15*, Portel. *V. Ieiun*, and others apud these, that it is licit, provided he has departed with the mind of continuing, and this is true even if a notable delay intervene; which Portel. marks as half an hour, but Sanchius *disp. 52* even two hours; better Reginaldus *tract. 1 lib. 4 cap. 14 num. 177*, Azor *p. p. lib. 7 c. 11 quaestio 1*, Diana *resol. 32*, who commit it to the judgment of a good man.

> *RESPONDENT Fagundez* lib. 1. cap. 14. in 4. praecep. Eccles. *Fernandez* part. 2. cap. 8. §. 3. *Toletus* lib. 6. cap. 2. *Bassaeus* num. 15. *Portel.* V. Ieiun. *et alii apud hos, dummodo recesserit animo continuandi, licere, et hoc verum, etsi notabilis mora intercedat; quam Portel. dimidiam horam signat, Sancius vero* disp. 52. *etiam duas horas, melius Reginaldus* tract. 1. lib. 4. cap. 14. num. 177. *Azor* p. p. lib. 7. c. 11. quaestio 1. *Diana* resol. 32. *id iudicio boni viri demandant.*

19 But if he depart with the mind of not returning, and a grave delay intervene: Diana, with others, asserts it is licit to return by changing the intention; others say it is licit if the delay be small, say a quarter or half an hour. See Portellum, Fernandez, Sanchium above, Bassaeum *num. 15*.

> *QUOD si recedat animo non redeundi, et gravis mora intercedat; asserunt licere redite, Diana cum aliis, mutando intentionem; Alii dicunt licere, si parva sit mora, puta quadrantis, vel mediae horae. Vide Portellum, Fernandez, Sancium supra, Bassaeum* num. 15.

20 Although in the fast there is given only one notable refection, yet a collation is permitted even for nourishment, as the common doctors teach apud Bassaeum *num. 9*, Lublinum *part. 2 sum. v. Ieiunium*. Of this something must be said in the following doubts.

> *QUAMVIS autem unica in ieiunio detur refectio notabilis, permittitur tamen refectiuncula etiam ad nutritionem, ut docent communiter apud Bassaeum* num. 9. *Lublinum* part. 2. sum. v. Ieiunium. *De hac nonnulla sunt dicenda dubiis sequentibus.*

21 The Doctors heap up many questions concerning the occasion given to others of violating the fast. I shall indicate them in a few words.

> *MULTAS quaestiones congerunt Doctores circa exhibitam aliis ansam ieiunium violandi. Eas indicabo paucis.*

22 Some say that he who is not bound by the fast may invite to supper a friend whom he knows to be accustomed to violate the fast. So Diana *p. t. tr. 9 Resol. 58*.

> *DICUNT aliqui, eum, qui ieiunio non tenetur, posse invitare ad coenam amicum, quem nouit solere violare ieiunium. Sic Diana* p. t. tr. 9. Resol. 58.

23 But this is to invite to sin, as Fagundez warns *praecept. 4 lib. 1 cap. 10*, Sylvius *2 2 q. 147 art. 5 quaestio unic*, and others with Bassaeo *num. 12*.

> *SED hoc est ad peccatum inuitare, ut monet Fagundez* praecept. 4. lib. 1. cap. 10. *Syluius* 2. 2. q. 147. art. 5. quaestio unic. *et alii cum Bassaeo* num. 12.

24 Others say one may from courtesy invite a friend who will justly sup. See Pasqualigum *decis. 573*; for thus one is invited if it is licit, and to what is licit.

> *DICUNT alii, posse iuste coenaturum inuitare ex urbanitate amicum. Vide Pasqualigum* decis. 573. *sic enim inuitatur, si licet, et ad quod licet.*

25 These courtesies seem to me pernicious; for to these is given the occasion of ruin.

> *HAE urbanitates mihi videntur perniciosae, datur enim his ansa ruinae.*

26 HENCE innkeepers in the places of Catholics impiously give flesh to a guest bound [to fast], and are to be punished by law.

> *HINC Caupones in locis Catholicorum impie carnes hospiti darent obligato, et iure sunt puniendi.*

27 Likewise these men cannot set out flesh in places of heretics, if they can do otherwise without grave loss.

> *SIMILITER nequeunt etiam hi carnes apponere in locis haereticotum, si absque graui damno aliter facere possunt.*

28 Nor is it licit for an innkeeper to set out a supper for guests by which they break the fast, if he can refuse it without great inconvenience.

> *APPONERE etiam coenam hospitibus, qua fragant ieiunium, non licet Cauponi, si absque magno incommodo eam valeat negare.*

29 But if they demand it in contempt of the precept, it is never licit. See Pasq. *decis. 368*, Bassaeum *num. 13*.

> *SI vero in contemptum praecepti postulent, nunquam licet. Vide Pasq.* decis. 368. *Bassaeum* num. 13.

30 But in doubt whether the guest is bound, the innkeeper can provide for this, who is in possession of ministering, as Bassaeus says, who deservedly urges the innkeeper rather to ask the guest most politely whether he wishes to eat flesh?

> *IN dubio vero; an hospes teneatur, potest id praestare Caupo, qui est in possessione ministrandi, ut ait Bassaeus, qui merito hortatur Cauponem, ut perbelle potius interroget hospitem, an carnes velit manducare?*

Doubt V: On the evening collation

1 A SINGLE meal, as I said, belongs to the essence of the fast; but by admitted custom the evening collation has also been allowed for some refreshment. We must therefore consider what quantity and what quality of food is allowed.

> ***De Collatione serotina.***
>
> *UNICA comestio, ut dixi, est de essentia ieiunii, sed consuetudine admissa est collatio serotina etiam ad aliquod refocillamentum. Videndum est igitur, quae quantitas, et qualitas cibi admittatur.*

2 AS TO quantity, the first opinion allows three ounces. So James de Graff, *Decis. part. 1. lib. 2. cap. 37. num. 29.*

> *QUOAD quantitatem, Prima opinio tres uncias admittit. Ita Iacobus de Graff. in* Decis. part. 1. lib. 2. cap. 37. num. 29.

3 THE SECOND opinion extends it to four ounces. So Homob. in *Exam. Eccles. part. 1. tract. 6. cap. 20. quaest. 9.* Azor *part. 1. lib. 7. c. 8. quaestio 8.* Sà *n. 8.* Lezana *4. v. Ieiun.* Victorellus *in notis ad Manuale Nauar. cap. 21.* and others.

> *SECUNDA sententia extendit ad uncias quatuor. Ita Homob. in* Exam. Eccles. part. 1. tract. 6. cap. 20. quaest. 9. *Azor* part. 1. lib. 7. c. 8. quaestio 8. *Sà* n. 8. *Lezana* 4. v. Ieiun. *Victorellus* in notis ad Manuale Nauar. cap. 21. *et alii.*

4 THE THIRD opinion grants six ounces: Villalob. *tom. 1. tract. 23. disp. 7.* Filliucius *tract. 27. part. 2.* Fagundez *4. part. lib. 1. cap. 4.* Diana *part. 1. tract. 9. resol. 1.* Sancius *d. 52.*

> *TERTIA sententia sex uncias concedit, Villalob.* tom. 1. tract. 23. disp. 7. *Filliucius* tract. 27. part. 2. *Fagundez* 4. part. lib. 1. cap. 4. *Diana* part. 1. tract. 9. resol. 1. *Sancius* d. 52.

5 THE FOURTH opinion permits eight ounces. So Fagundez *de praecep. Eccles. tract. 4. lib. 1. cap. 4.* who says Suarez also answered thus. These opinions to be probable among the more recent authors, Bassaeus says, *V. Ieiun. 1.*

QUARTA sententia uncias octo permittit. Ita Fagundez de praecep. Eccles. tract. 4. lib. 1. cap. 4. *qui dicit sic etiam respondisse Suarez. Has esse probabiles Recentioribus ait Bassaeus* V. Ieiun. 1.

6 THE FIFTH opinion grants a fourth part of what is necessary for supper. So Reginaldus *tract. 1. lib. 4. cap. 14. dub. 10.* Layman *lib. 4. tract. 8. cap. 1.* Filliucius *tom. 2. tract. 27. part. 2. cap. 3. quaestio 7.* where he testifies that this was so defined in a famous Academy. But Diana, *Loco citando*, calls it lax; while Turrianus *in select. centur. 2. dub. 34.* calls it scandalous.

QUINTA sententia concedit quartam partem eorum, quae ad caenam sunt necessaria. Ita Reginaldus tract. 1. lib. 4. cap. 14. dub. 10. *Layman* lib. 4. tract. 8. cap. 1. *Filliucius* tom. 2. tract. 27. part. 2. cap. 3. quaestio 7. *ubi sic in celebri Academia definitum testatur. Sed Diana* Loco citando *laxam vocat, At Turrianus* in select. centur. 2. dub. 34. *Scandalosam.*

7 DIANA, *p. p. Tract. 9.*, who *de Ieiunio resol. 1.*, embraces the fourth.

DIANA p. p. Tract. 9. *qui* de Ieiunio resol. 1. *quartam amplectitur.*

8 HE CONCLUDES, however, with Lessius *lib. 4. cap. 2. dub. 2.* Bonacina *de legibus, disp. ultim. quaest. 1. puncto 3.* Tannero *disp. 3. quaest. 3. dub. 5. num. 92.* that as to quantity one must stand by the custom of places; by the custom, however, of good men who are of fearful conscience, not of the lax, as Fernandez also teaches *part. 2. cap. 8. §. Tolet. lib. 6. cap. 2.* Coened. *quaest. 4.*

CONCLUDIT vero cum Lessio lib. 4. cap. 2. dub. 2. *Bonacina* de legibus, disp. ultim. quaest. 1. puncto 3. *Tannero* disp. 3. quaest. 3. dub. 5. num. 92. *circa quantitatem standum esse locorum consuetudini; Consuetudini tamen bonorum, qui sunt timoratae conscientiae, non autem laxorum, ut docent etiam Fernandez* part. 2. cap. 8. §. Tolet. lib. 6. cap. 2. *Coened.* quaest. 4.

9 SOMEONE will wonder that I alone wish to go before the others. I confess that none of these opinions pleases me, but I seek a proportion, with Bonacina *part. 3.* Lezana *V. Ieiun. num. 4.* Diana *loco cit.* Nauar. *num. 13.* Caietano *V. Ieiun.* Lessio *lib. 4. cap. 2. dub. 2. num. 11.* yet not one of places, as these say, but of persons.

MIRABITUR quis, me solum velle caeteris praecedere, fateor nullam ex his opinionibus mihi probari, sed proportionem quaero cum Bonacina part. 3. *Lezana* V. Ieiun. num. 4. *Diana* loco cit. *Nauar.* num. 13. *Caietano* V. Ieiun. *Lessio* lib. 4. cap. 2. dub. 2. num. 11. *non tamen etiam locorum, ut hi dicunt, sed personarum.*

10 FOR FIRST, since the evening collation has been granted by custom for a slight refreshment, the custom is not to be judged by places but by persons throughout the whole Church of God, since in it the precept is universal as a whole. Therefore, since for the fast only one meal is necessary, we must see what quantity can make a second meal; but this is not an absolute quantity, but one relative to persons. Hence, since persons vary in the quantity of food to be taken, various quantities also will have to be assigned; for there are some for whom eight ounces will be almost a whole supper, or at least half, or a third part.

PRIMO enim, cum serotina collatio ad refectiunculam ex consuetudine concessa sit, non est consuetudo attendenda penes loca, sed penes personas in tota Dei Ecclesia, cum in ea tota praeceptum sit uniuersale. Cum igitur ad ieiunium unica sit necessaria comestio, oportet videre, quae quantitas secundam possit facere comestionem, hoc autem non est quantitas absoluta, sed relata ad personas. Itaque, cum variae sint, in quantitate cibi sumenda, personae, variae erunt etiam quantitates assignandae; sunt enim aliqui, quibus octo unciae erunt fere coena integra, vel dimidia saltem, vel tertia pars.

11 WHEREFORE I think great prudence is necessary, that the matter be done justly; and accordingly, since in the same place there are diversities of complexions, ages, etc., each must be charged to refresh himself moderately, by as much as a small portion of supper is set forth, say a sixth; for that of a fourth part I reject, as lax. To this Azor alludes, *lib. 7. cap. 8. quaestio 8.*: nobles are granted a somewhat larger collation, because they are of weaker health and accustomed to more delicate banquets. Tannerus subscribes, *num. 91.* Sancius *select. disp. 52.* but it displeases me; for complexions must be reckoned, in which very many nobles are in excellent condition, while many of the non-noble are weakened by labors, slender diet, illnesses, and other discomforts of life. Indeed often a smaller allowance must be granted to nobles, who live in idleness. I should like to know what nobility adds to complexions, unless perhaps to declining labors. Badly indeed does Bassaeus say that thus nothing is determined and scruples are stirred up.

> *QUARE prudentia magna necesse esse reor, ut res iuste perficiatur , atque adeo , cum in eodem loco sint diversitates complexionum , aetatum , etc. cuique iniungendum , ut modice reficiatur , quantum parvula portio coenae ,puta sexta exhibetur , nam illam quartae partis respuo , ut laxam. Huc alludit Azor* lib. 7. cap. 8. quaestio 8. *nobilibus paulo maiorem collationem concedi , quia debilioris sunt valetudinis, et assueti delicatioribus epulis. Subscribit Tannerus* num. 91. *Sancius* select. disp. 52. *sed mihi displicet; sunt enim computandae complexiones , in quibus plurimi nobiles optime se habent, et ignobiles multi debilitati laboribus, victu tenui , aegritudinibus , et aliis vitae incommodis afficiuntur. Imo saepe nobilibus minor concedenda stipes , qui otiosi vivunt. Vellem scire , quid nobilitas addat complexionibus , nisi forte ad labores declinandos. Male vero Bassaeus ait sic nil determinari . et scrupulos suscitari.*

12 THE GREATER difficulty concerns the quality of foods.

> *MAIOR difficultas versatur circa qualitatem ciborum.*

13 THEREFORE Diana asserts that fish, eggs, milk-dishes, and other substantial foods customary at supper cannot be taken. The reason is, because custom never prescribed such foods. But Villalobos reports *tom. 1. tract. 23. dub. 7.* Azor *p. p. lib. 7. cap. 8. quaestio 9.* Reginaldus *tom. 1. lib 4. dub. 14.* Fillincius *prima 2. tract. 27. part. 2. cap. 2. dub. 6.* Layman *lib. 4. tract. 8. cap. 1.* Fagundez *de praecep. Eccles. tract. 4. lib. 1. cap. 4.* Angles *de ieiunio , quaest. 9. art. 2.* Vivaldum *in Candel. part. ultim. cap. 11.* Betarducium *in sum. cor. part. 1. cap. 1.* Ledesmam *tom. 2. tract. 17. cap. 2. diff. 5.* Graff. *decis. part. 1. lib. 2. cap. 57.* Vegam *part. 1. cap. 15, casu 5.* Antonium de isteratis *part. 2. cap. 19.* Molfesium *tom. 1. tract. 10. cap. 3.* Sylvium *2. 2. q. 147. art. 6. quaestio 2.* and others.

> *ASSERIT igitur Diana , non posse sumi pisces, ova , lacticinia, et alios cibos substantiales , solitos in coena fumi. Ratio est , quia nunquam consuetudo praescripsit tales cibos. Refert autem Villalobos* tom. 1. tract. 23. dub. 7. *Azor* p. p. lib. 7. cap. 8. quaestio 9. *Reginaldus* tom. 1. lib 4. dub. 14. *Fillincius* prima 2. tract. 27. part. 2. cap. 2. dub. 6. *Layman* lib. 4. tract. 8. cap. 1. *Fagundez* de praecep. Eccles. tract. 4. lib. 1. cap. 4. *Angles* de ieiunio , quaest. 9. art. 2. *Vivaldum* in Candel. part. ultim. cap. 11. *Betarducium* in sum. cor. part. 1. cap. 1. *Ledesmam* tom. 2. tract. 17. cap. 2. diff. 5. *Graff.* decis. part. 1. lib. 2. cap. 57. *Vegam* part. 1. cap. 15, casu 5. *Antonium de isteratis* part. 2. cap. 19. *Molfesium* tom. 1. tract. 10. cap. 3. *Sylvium* 2. 2. q. 147. art. 6. quaestio 2. *et alios.*

14 THEREUPON he censures Bonacina *Tract. de legib. dub. ult. puncto 3.* for teaching the opposite; but on this side are Bassaeus, Pasqualig. *decis. 113.* and others among these authors.

> *EXINDE reprehendit Bonacinam* Tract. de legib. dub. ult. puncto 3. *oppositum docentem ; sed cum hoc est Bassaeus , Pasqualig.* decis. 113. *et alii apud istos.*

15 THEY ASK, however, whether in the evening refreshment a broth from cooked bread, or bread with almonds, can be of the supper kind, even in that quantity which could be taken separately.

> *QUAERUNT vero , an in serotina refectiuncula fumi queat iusculum ex pane cocto , vel pane cum amygdalis , etiam tum ea quantitate , quae separatim sumi posset.*

16 LAYMAN answers negatively *lib. 4. tract. 8. cap. 1.* Fillincius *tom. 2. tract. 27. part. 1. cap. 2.* Yet Azor concedes it *part. 1. lib. 7. cap. 9. quaestio 8.* Reginaldus *tom. 1. lib. 4. cap. 14. num. 185.* Bonacina *loco citato.*

> *NEGATIVE respondent Layman* lib. 4. tract. 8. cap. 1. *Fillincius* tom. 2. tract. 27. part. 1. cap. 2. *Concedunt tamen Azor* part. 1. lib. 7. cap. 9. quaestio 8. *Reginaldus* tom. 1. lib. 4. cap. 14. num. 185. *Bonacina* loco citato.

17 FOR the night of the Nativity, however, Diana *resol. 35.* allows sixteen ounces of bread, or of sweetmeats, with Fagundez *praecep. 4. lib. 1. cap. 24.* and Llamas admits this custom even for religious *part. 3. cap. 5. §. 25.*

> *PRO sero autem Nativitatis , Diana* resol. 35. *uncias sexdecim ex pane , vel ex dulciariis admittit , cum Fagundez* praecep. 4. lib. 1. cap. 24. *et hanc consuetudinem etiam pro religiosis admittit Llamas* part. 3. cap. 5. §. 25.

18 OTHERS, however, do not admit this opinion: Navar. *man. cap. 25.* Rodriquez *Tom. 1. cap. 12.* Angles *in 4. tract. de ieiunio , quaest. 9. art. 2. diffic. 4.* Comparing Diana, who was endowed, or rather burdened, with a tall body.

> *ALII tamen hanc opinionem non admittunt, Navar.* man. cap. 25. *Rodriquez* Tom. 1. cap. 12. *Angles* in 4. tract. de ieiunio , quaest. 9. art. 2. diffic. 4. *Compator Dianae , qui erat corpore procero dotatus , seu potius oneratus.*

19 YOU WILL ASK: whether on a fast day it is lawful to take the evening collation in the morning, and to take supper at night.

> *QUAERES : An in die ieiunii liceat collationem serotinam mane sumere , et nocturno tempore coenam capere.*

20 Azor denies it *part. 1. lib. 7. cap. 8. quaestio 6.* Llamas *part. 3. cap. 5. §. 16.* Fagundez *praecep. 4. lib. 1. cap. 4. num. 16.* Valentia *quaest. 2. puncto 3.* citing Nauarum and Caietan.

> *NEGANT Azor* part. 1. lib. 7. cap. 8. quaestio 6. *Llamas* part. 3. cap. 5. §. 16. *Fagundez* praecep. 4. lib. 1. cap. 4. num. 16. *Valentia* quaest. 2. puncto 3. *Nauarum, et Caietanum adducens.*

21 YET the more probable opinion is that it, even if done without reasonable cause, is only venial. So Layman *lib. 4. tract. 8. cap. 1.* Fernandez *part. 2. cap. 8. §. Tolet. lib. 6. cap. 1.* Fillincius *tom. 2. tract. 27. part. 2. cap. 2.* Lessius *lib. 4. cap. 2. dub. 2.* Villalobos *Tom. 1. tract. 23. dub. 7.* The reason is, because the substance of the fast is not broken, but only the circumstance of that little supper. So also Bassaeus *V. Ieiun. 1.*

> *PROBABILIOR est tamen sententia assertina , etsi absque causa rationabili fiat , esse tantum veniale. Ita , Layman* lib. 4. tract. 8. cap. 1. *Fernandez* part. 2. cap. 8. §. Tolet. lib. 6. cap. 1. *Fillincius* tom. 2. tract. 27. part. 2. cap. 2. *Lessius* lib. 4. cap. 2. dub. 2. *Villalobos* Tom. 1. tract. 23. dub. 7. *Ratio est, quia non muratur substantia ieiunii , sed tantum circumstantia illius caenullae. Sic et Bassaeus* V. Ieiun. 1.

22 DIANA, however, notes *resol. 33.* that this change, for a just cause, as on account of study, business, a journey, reading, etc., is not evil. Besides those cited he alleges Cenedum *in qq. Can. quaest.*

45. Bettam *part. 1: casu 3.* Naldum *verb. Ieiunium ,* Tannerum *disp. 3. quaest. 3. dub. 5. num. 92.*

> *NOTAT vero Diana* resol. 33. *mutationem hanc ex iusta causa , ut propter studium, negotia , iter, lectionem , etc. non esse malam. Allegat praeter citatos , Cenedum* in qq. Can. quaest. 45. *Bettam* part. 1: casu 3. *Naldum* verb. Ieiunium , *Tannerum* disp. 3. quaest. 3. dub. 5. num. 92.

Doubt VI: On the hour of the meal on a fast day

[1] OMITTING the outdated usages concerning the hour of the meal on fast days, the time is now set at midday, not before, except for a special cause, as Lessius notes from *cap. solent , et Gloss.* ibidem *de consecr. dub. 7. lib. 4. cap. 2. dub. 2.* Bellarm. *lib. 1. de bonis operibus , in partie. cap. 2.* Tannerus *disp. 3. quaest. 3. dub. 5. num. 96.*

> *OMISSIS usibus antiquatis circa horam refectionis in diebus ieiunii , circa meridiem nunc tempus statuitur , non ante , nisi ex causa peculiari , ut ex* cap. solent , et Gloss. *ibidem* de consecr. dub. 7. *notat Lessius* lib. 4. cap. 2. dub. 2. *Bellarm.* lib. 1. de bonis operibus , in partie. cap. 2. *Tannerus* disp. 3. quaest. 3. dub. 5. num. 96.

[2] THERE is, however, a question: whether anticipating the hour of the meal without necessity, by the mere will of eating, is mortal sin.

> *EST autem quaestio ; an praevenire horam prandii absque necessitate , sola comedendi voluntate , sit mortale.*

[3] THE FIRST opinion is that anticipating it, even notably, is only venial. So Gabriel *in 4. dist. 16. quaest. 3. art. 3. dub. 1.* Angel. *verb. Ieiunium , quaest. 2.* after Monocent. Ioan. Andr. Archid. Ostiensem. So also Tannerus *num. 46.* Lessius *n. 13.* Molfesius *tom. 1. tract. 10. cap. 5.* Tolerus *lib. 6. cap. 2.* Villalob. *tom. 1. tract. 23. diffic. 9.* Fillincius *tom. 2. tract. 27. part. 2. cap. 4. n. 70.* Bonacina *de legibus , disp. ult. quaest. 1. puncto 4.* Fernand. *exam. part. 2. cap 8. §. 3.* Palatius *in sum. Caiet. verb. ieiunium ,* Richardus *in 4. dist. 15. art. 3. quaest 8.* Diana *part. 1. tract. 9. de Ieiun. resol. 27.* citing others, and Bassaeus *num. 16.*

> *PRIMA opinio est , praevenire etiam notabiliter esse tantum veniale. Ita Gabriel* in 4. dist. 16. quaest. 3. art. 3. dub. 1. *Angel.* verb. Ieiunium , quaest. 2. *post Monocent. Ioan. Andr. Archid. Ostiensem. Sic et Tannerus* num. 46. *Lessius* n. 13. *Molfesius* tom. 1. tract. 10. cap. 5. *Tolerus* lib. 6. cap. 2. *Villalob.* tom. 1. tract. 23. diffic. 9. *Fillincius* tom. 2. tract. 27. part. 2. cap. 4. n. 70. *Bonacina* de legibus , disp. ult. quaest. 1. puncto 4. *Fernand.* exam. part. 2. cap 8. §. 3. *Palatius* in sum. Caiet. verb. ieiunium , *Richardus* in 4. dist. 15. art. 3. quaest 8. *Diana* part. 1. tract. 9. de Ieiun. resol. 27. *alios adducens , et Bassaeus* num. 16.

[4] THE SECOND opinion is that it is mortal sin. So Fagundez *praecep. 4. lib. 1. cap. 13.* Reginaldus *tom. 1. lib. 4. cap. 15. num. 191.* Azor *part. 1. lib 7. cap. 11. quaestio 4.* Caietanus *2. 2. cap. 147. art. 7.* Nauar. *man. cap. 21. num. 27.* Paludanus *in 4. dist. 15. quaest. 4. art. 4.* Couar. *lib. 4. variar. cap. 20.* Syluester *verb. ieiunium ,* Homob. *de exam. Ecclesiae , part. 1. tract. 6. cap. 10. quaest. 90.* Ledesma *tom. 2. tract. 17. dub. 4.* Ioan. de la Cruz *part. 1. praecep. 4. art. 4. dub. 8.* Diana does not refuse it. This, on account of the authority of the Doctors, is highly probable, Bassaeus says.

> *SECUNDA sententia est esse mortale. Ita Fagundez* praecep. 4. lib. 1. cap. 13. *Reginaldus* tom. 1. lib. 4. cap. 15. num. 191. *Azor* part. 1. lib 7. cap. 11. quaestio 4. *Caietanus* 2. 2. cap. 147. art. 7. *Nauar.* man. cap. 21. num. 27. *Paludanus* in 4. dist. 15. quaest. 4. art. 4. *Couar.* lib. 4. variar. cap. 20. *Syluester* verb. ieiunium , *Homob.* de exam. Ecclesiae , part. 1. tract. 6. cap. 10. quaest. 90. *Ledesma* tom. 2. tract. 17. dub. 4. *Ioan. de la Cruz* part. 1. praecep. 4. art. 4. dub. 8. *non renuit Diana. Hanc ob Doctorum authoritatem valde esse probabilem ait Bassaeus.*

5 THE OPINION of St. Bonaventure is given in *speculo animae , cap. 3.* in these words: *Si tempore ieiunii , quod est in praecepto , cum hora comedendi secundum iura , et consuetudinem assignetur post meridiem , qui horam notabiliter anticipat sine causa , sola comedendi libidine , fraudem facit , nec tale ieiunium reputatur , ut si quis forte hora tertia comederet , et sic se impleret , quod tota illa die non esuriret. Qui autem fraudem facit legi , peccat in legem : Unde Chalcedonense Concilium ait : Nullatenus iudicandi sunt ieiunare , qui ante comedunt , quam vespertinum celebretur officium , quod tempore quadragesimali dicitur.* But otherwise after None.

> *SENTENTIA D. Bonavent. habetur in* speculo animae , cap. 3. *his verbis :* Si tempore ieiunii , quod est in praecepto , cum hora comedendi secundum iura , et consuetudinem assignetur post meridiem , qui horam notabiliter anticipat sine causa , sola comedendi libidine , fraudem facit , nec tale ieiunium reputatur , ut si quis forte hora tertia comederet , et sic se impleret , quod tota illa die non esuriret. Qui autem fraudem facit legi , peccat in legem : Unde Chalcedonense Concilium ait : Nullatenus iudicandi sunt ieiunare , qui ante comedunt , quam vespertinum celebretur officium , quod tempore quadragesimali dicitur. *Alias autem post Nonam.*

6 From which we have that he holds the second opinion, if the fraud is grave; and he does not posit the anticipation as notable, according to the second opinion, from which Molfesius posits one hour, Azor a quarter, Fillincius above half an hour, Fagundez half an hour; Diana says that religious, who have the privilege of anticipating one hour, can also anticipate half an hour without sin.

> *Ex quo habemus , eum tenere secundam sententiam , si gravis fraus sit , neque ponit anticipationem esse notabilem , iuxta secundam sententiam , ex qua Molfesius unam horam ponit , Azor quadrantem, Fillincius supra mediam horam , Fagundez mediam horam ; Diana ait religiosos, qui habent privilegium anticipandi unam horam, posse etiam dimidiam absque peccato praevenire.*

7 HE POSITS, therefore, that anticipating Vespers, which are said before midday, by at least half an hour, according to the Council of Chalcedon, and much more to gorge oneself in the morning, is a fraud of the fast.

> *PONIT igitur anticipare Vesperas, quae dicuntur ante meridiem, saltem media hora, iuxta Concil. Chalcedonense, et multo magis se in mane ingurgitare, esse fraudem ieiunii.*

8 THE ASSERTION is now evident from the Council of Chalcedon. It is proven by the reasoning of St. Bonaventure: for the law of the fast intends the mortification of the flesh, and to fill oneself in this way is against the form and end of the fast; whence the argument of the first opinion falls, that this is an accidental difference: Many Doctors, in Bassaeus *num. 16.* concede that one may dine one hour before midday.

> *ASSERTIO iam patet ex Concilio Chalced.* Probatur *ratione D. Bonavent. nam lex ieiunii intendit mortificationem carnis, et hoc modo se replete est contra formam, et finem ieiunii; ex quo ruit argumentum primae sententiae, hanc esse differentiam accidentalem: Multi DD. apud Bassaeum* num. 16. *concedunt posse prandere una hora ante meridiem.*

Doubt VII: Who are bound to fast

1 IT IS CERTAIN from the Councils and Fathers, cited *dub. 3. et ex praxi antiquissima Ecclesiae,* that the Ecclesiastical precept of fasting binds under mortal sin all the baptized, of legitimate age, not impeded, as the Theologians commonly teach with St. Bonaventure *dist. 15.* and in other places cited there, as Valentia notes *disp. 9. quaest. 2. puncto 5.* Tannet, *disp. 3. q. 3. dub. 5. cum D. Thom. quaest. 147. art. 4.*

Qui teneantur ieiunare.

CERTUM est ex Conciliis, et Patribus, relatis dub. 3. et ex praxi antiquissima Ecclesiae, *praeceptum Ecclesiasticum de ieiunio cogere sub mortali omnes baptizatos, in aetate legitima, non impeditos, ut communiter docent Theologi cum D. Bonavent.* dist. 15. *et aliis locis, ibi adductis, ut notat Valentia* disp. 9. quaest. 2. puncto 5. *Tannet,* disp. 3. q. 3. dub. 5. cum D. Thom. quaest. 147. art. 4.

2 AND indeed they are not bound from eating flesh before the seventh year, as Tannerus teaches *num. 9.* and others cited in him and in Diana *resol. 42.* Sanchez *tom. 1. lib. 1. cap. 12.* Villalob. *tom. 1. tract. 23. dub. 4.* Sanchez *in select. disp. 41. num. 31.*

ET quidem ab esu carnium non tenentur ante septennium, ut docent Tannerus num. 9. *et alii apud ipsum, et apud Dianam* resol. 42. *Sanchez* tom. 1. lib. 1. cap. 12. *Villalob.* tom. 1. tract. 23. dub. 4. *Sanchez* in select. disp. 41. num. 31.

3 WHETHER, however, they are bound immediately after the seventh year, I said in my *Tract. de legibus.*

AN vero statim post septennium teneantur, dixi Tract. de legibus.

4 BUT all, not impeded, are bound by the perfect Ecclesiastical fast after the twenty-first year, which is the completion of growth even of the just and perfect, as defined in *Conc. Vienn.*

IEIUNIO vero Ecclesiastico perfecto tenentur omnes, non impediti, post annum vigesimum primum, qui est complementum augmentationis etiam iusti, et perfecti, ut definitur in Conc. Vienn.

5 THEY RAISE the question whether, if the 21st year is completed in the morning, one is bound from that point; and they cite Portel. *addit ad dub. Regul. V. Ieiunium;* Sanchez *de matrim. tom. 1. lib. 2. disp. 24. num. 23.* Yet this does not please Sancio *select. disp. 54.* See Diana *resol. 49.*

MOVENT quaestionem, an si compleatur 21. annus in mane, teneatur ab eo puncto, et afferunt Portel. addit ad dub. Regul. V. Ieiunium; *Sanchez* de matrim. tom. 1. lib. 2. disp. 24. num. 23. *Haec tamen non placet Sancio* select. disp. 54. *Vide Dianam* resol. 49.

6 I THINK this to be a Metaphysical question, the more so since growth, or augmentation, is not completed in one day or another of the twenty-first year, but has a breadth; and in many it even exceeds these years, as Diana often observed *part. 1. Tract. 9. resol. 49.* Pasqual. *decis. 252.* Sanctius *select. disp. 54.*

ARBITROR hanc esse quaestionem Metaphysicam, eo magis, quo incrementum, seu augmentatio non completur una die, vel altera anni vigesimi primi, sed habet latitudinem; et in pluribus etiam hos annos excedit, ut saepe vidit, Diana part. 1. Tract. 9. resol. 49. *Pasqual.* decis. 252. *Sanctius* select. disp. 54.

7 THREE impediments indeed are counted: Impotency, Necessity, and Piety. So St. Thomas *quaest. cit. art. 4.* and other Theologians *4. dist. 15.* Valentia *disp. 9. quaest. 2. dub. 5.* Tanner. *num. 99.* citing others.

IMPEDIMENTA vero numerantur tria, Impotentia, Necessitas, et Pietas. Ita D. Thom. quaest. cit. art. 4. *et alii Theologi* 4. dist. 15. *Valentia* disp. 9. quaest. 2. dub. 5. *Tanner.* num. 99. *alios allegantes.*

Subdoubt I: Who are reckoned unable to fast

1 THOSE are reckoned impotent who, without grave inconvenience, cannot morally carry on their life; or who, being weak, cannot sustain themselves with one meal, or are too much burdened by it,

so that they cannot digest; as the sick, the sickly, convalescents, and those whom fasting notably harms. Among the sick are also the old; for, as Caietanus says here *art. 4.* Valentia *puncto 5.* old age is an incurable disease. But the age beyond which they are not bound to fast is commonly assigned by the Theologians at sixty years. Many, however, say that if at that age they are still robust, they are bound. Of these about thirty Doctors are counted by Diana *resol. 29.*

> ***Quinam impotentes censeantur ieiunio.***
>
> *IMPOTENTES censentur, qui absque gravi incommodo nequeunt moraliter suam vitam agere, vel debiles cum sint, non valent una refectione consistere, vel nimis ea gravantur, ut concoquere nequeant; ut aegroti, valetudinarii, convalescentes, et quibus ieiunium notabiliter nocet. Inter aegros sunt et senes, nam ut ait Caietanus hic* art. 4. *Valentia* puncto 5. *senectus est morbus incurabilis. AEtas autem, ultra quam non tenentur ieiunare, assignatur sexaginta annorum communiter a Theologis. Plurimi tamen dicunt, si ea aetate adhuc robusti, sint, teneri. Ex his triginta fere numerantur a Diana Doctores* resol. 29.

2 OTHERS, however, with whom Diana sides, free from the fast all old men whatsoever above the sixtieth year. Llamas *part. 3. cap. 5. §. 20.* where he asserts that Pius V, questioned on this matter, so answered viva voce. Molfesius *tom. 1. tract. 10. cap. 4.* Ortiz *summa, c. 19.* Angles *in 4. part. 2. quaest. 6. dub. 6.* Sanchez *de matr. tom. 2. lib. 7. disp. 22. num. 17.* Portel. *in dub. leg. part. 1. verb. ieiunium.*

> *ALII tamen, quibus Diana adhaeret, quoscunque senes supra sexagesimum annum a ieiunio liberant. Llamas* part. 3. cap. 5. §. 20. *ubi asserit interrogatum hac de re Pium V. ita respondisse viva voce. Molfesius* tom. 1. tract. 10. cap. 4. *Ortiz* summa, c. 19. *Angles* in 4. part. 2. quaest. 6. dub. 6. *Sanchez* de matr. tom. 2. lib. 7. disp. 22. num. 17. *Portel.* in dub. leg. part. 1. verb. ieiunium.

3 THE REASON is, because that age has a deceptive health, and is midway between disease and health, as Gal. says *lib. 5. et 6. de tuenda sanitate,* and although some seem strong, yet they rush toward death, and thus are continually in danger of the gravest fall, unless they are refreshed with food. Then Pius V and the succeeding Pontiffs, denying to clerics and religious the eating of milk-dishes by virtue of the Bull of the crusade, nevertheless excepted the sixty-year-old, as it were agreeable to reason, that in that age provision be made for the weakness of nature.

> *RATIO est, quia illa aetas habet sanitatem fallacem, et est media inter morbum, et sanitatem, ut ait Gal.* lib. 5. et 6. de tuenda sanitate*, et licet aliqui videantur validi, tamen ad interitum ruunt, et ita continuo in periculo sunt casus gravissimi, nisi cibis refocillentur. Deinde Pius V. et Pontifices subsequentes, negantes clericis, et religiosis esum lacticiniorum virtute Bullae cruciatae, exceperunt tamen senes sexagenarios, quasi rationi consentaneum sit, ut in ea aetate defectui naturae consulant.*

4 MOST WELL does St. Bonaventure *in spec. animae, cap. 5.* posit impotency from age without fixing the years, for many are more impotent in their fortieth year than others in their sixtieth. Therefore one must consider the complexion and state, etc., which hurry a man to old age, as Lessius notes *de iust. lib. 4. cap. 2. dub. 6.* Tanner. *disp. 3. quaest. 5. dub. 5. num. 101.* Bassaeus *V. Ieiunium, 2.* Fagundez *de praecep. 4. eccles. lib. 1. cap. 8.* Reginaldus *tom. 1. lib. 4. cap. 17. sect. 1. num. 209.* Bonacina *de leg. disp. 10. quaest. 1. part. ultim.* saying that a sixty-year-old can be so sound in strength that by no reason is he excused.

> *OPTIME S. Bonavent.* in spec. animae, cap. 5. *ponit impotentiam ex aetate non praefiniens annos, quia sunt multi impotentiores in quadragesimo anno, quam alii in sexagesimo. Ideo spectanda est complexio status, etc. quae hominem ad senectam rapiunt, ut notant Lessius* de iust. lib. 4. cap. 2. dub. 6. *Tanner.* disp. 3. quaest. 5. dub. 5. num.

101. *Bassaeus* V. Ieiunium, 2. *Fagundez* de praecep. 4. eccles. lib. 1. cap. 8. *Reginaldus* tom. 1. lib. 4. cap. 17. sect. 1. num. 209. *Bonacina* de leg. disp. 10. quaest. 1. part. ultim. *dicentes, posse sexagenarium esse adeo viribus integrum, ut nulla ratione eximatur.*

5 ADOLESCENTS also are reckoned impotent up to the twenty-first year, which is that of growth, as Valentia notes *loco cit.* and others with St. Thomas *quaest. 147. art. 4. ad 2.* there Syluios Sanc. *sel. disp. 54.* Lezana *V. Ieiun. num. 6.* Bassaeus *ibi.*

IMPOTENTES etiam censentur adolescentes usque ad vigesimum primum annum, qui est augmenti, ut notant Valentia loco cit. *et alii cum D. Thom.* quaest. 147. art. 4. ad 2. *ibi Syluios Sanc.* sel. disp. 54. *Lezana* V. Ieiun. num. 6. *Bassaeus* ibi.

6 SIMILARLY also pregnant women and nursing women, who must supply food to their offspring; it is the common opinion, in Diana *resol. 14.* nor should I exclude those who are robust, for the offspring must not in doubt be exposed to danger. Diana brings the case *resol. 30.* whether a pregnant woman, who is in grave danger of lust, is bound to fast with danger to the offspring. Fernandez asserts it *in Exam. part. 4. cap. 12. §. 6.* Against whom Homob. rises up *in Exam. part. 2. tract. 8. cap. 7. quaest. 17.* Diana *resol. 30.* Pasqualig. *disp. 289.* with whom I see that one must subscribe without hesitation; for since other remedies are prepared by God, as prayer, frequent Sacraments, and the grace of God never fails in necessities, and moreover since God has commanded that we not kill, and accordingly this is a grave necessity of keeping both precepts, not killing and not committing adultery, I think it impious to say that it is in our power to kill, or that we are compelled, as it were because God with His grace fails the necessary opportunity of an otherwise inevitable temptation.

SIMILITER et praegnantes, et nuttientes, quae debent proli victum suggerere, est communis sententia apud Dianam resol. 14. *neque excludas eas, quae robustae sunt, non enim in dubio sunt adducendae proles ad discrimen. Casum autem affert Diana* resol. 30. *an mulier gravida, quae in periculo gravi luxuriae est, teneatur ieiunare cum periculo prolis. Asserit Fernandez* in Exam. part. 4. cap. 12. §. 6. *Contra quem insurgit Homob.* in Exam. part. 2. tract. 8. cap. 7. quaest. 17. *Diana* resol. 30. *Pasqualig.* disp. 289. *quibus ego resolute subscribendum video; cum enim alia remedia a Deo parata sint, ut oratio, frequentia Sacramentorum, et gratia Dei non desit unquam in necessitatibus, insuper cum Deus praeceperit, ne occidamus, atque adeo haec sit necessitas gravis servandi utrumque praeceptum non occidendi, et non moechandi, arbitror impium dicere in nostra potestate esse occidere, aut nos cogi, quasi Deus sua gratia desit necessariae opportunitati inevitabilis alioqui tentationis.*

7 THE POOR also are excused, who have not wherewith to eat enough. Indeed, those who have not wherewith to season, what fatness, are excused by Silvester *verb. Ieiunium, quaest. 5. num. 16. cap. 21. quaest. 8.* Tanner. *num. 107.* especially in places where eggs and milk-dishes are lawful. See St. Thomas *art. 4. ad 4.*

EXCUSANTUR etiam pauperes, non habentes, quo satis vescantur. Imo, qui non habent, quo condiant, quam pinguedinem, excusantur a Sylvestro verb. Ieiunium, quaest. 5. num. 16. cap. 21. quaest. 8. *Tanner.* num. 107. *praecipue in locis, quibus licita sunt ova, et lacticinia. Vide D. Thom.* art. 4. ad 4.

8 Indeed those who have nothing but flesh are excused by Bellarmino *lib. 2. de bonis operibus, in particul. cap. 9.* Azor *lib. 7. cap. 27. quaestio 7.* Tanner. *num. 106.* Therefore he excuses those serving heretics, with Lessio *disp. 5. n. 35.* Indeed he excuses those who, destitute, eat the leftovers given them from the banquets of Bacchanalians; but these things are not to be granted so absolutely; I excuse, indeed, those who have no congruous food, but only vegetables and fruit, Pasqualig. *disp. 179.* Bassaeus *V.*

Ieiun. 2. for with bread a relish is necessary: Therefore the Saintly Doctor *loco cit*. *speciali* requires that the poverty be notable.

> *Imo qui non habent, nisi carnes, excusantur a Bellarmino* lib. 2. de bonis operibus, in particul. cap. 9. *Azor* lib. 7. cap. 27. quaestio 7. *Tanner.* num. 106. *Ideo famulantes haereticis excusat cum Lessio* disp. 5. n. 35. *Imo excusat eos, qui inopes datas sibi reliquias a Bacchanalibus comedunt, sed haec non sunt adeo absolute concedenda; excuso sane eos, qui non habent congruum alimentum, sed sola olera, et fructus, Pasqualig*. disp. 179. *Bassaeus* V. Ieiun. 2. *necesse enim est cum pane pulmentum: Ideo S*. *Doctor.* loco cit. speciali, *exigit, ut sit paupertas notabilis*.

Subdoubt II: On necessity excusing from fasting

1 THE NECESSITY excusing from fasting is reckoned when one cannot attend to a work necessary for himself or his own, or even highly useful, while at the same time fasting, as is evident from the doctrine of St. Thomas *art*. *4*. Caietani there, Valentia *disp*. *9*. *quaest*. *2*. *puncto 5*. St. Bonaventure in *spec*. *cap*. *3*. Thus are excused those who by their own labor, incompatible with it, must acquire their food.

> ***De necessitate excusante a Ieiunio.***
>
> *NECESSITAS excusans a ieiunio censetur, cum quis operi sibi, aut suis necessario, vel etiam valde utili, non potest vacare, simul ieiunando, ut patet ex doctrina D. Thom.* art. 4. *Caietani ibi, Valentia* disp. 9. quaest. 2. puncto 5. *D. Bonavent*. *in* spec. cap. 3. *Sic excusantur, qui proprio labore incompatibili, debent victum acquirere*.

2 BUT all things must be prudently weighed: the kind of craft, the artisan's complexion, etc. Therefore some seem to me senselessly to define as excused shoemakers, tailors, smiths, barbers, and the other artisans, indiscriminately. Rightly does Bassaeus *num*. *2*. establish a judging conscience: whether the labor be sufficient, or a just necessity of necessary labor, as the Saintly Doctor says *loco citato*.

> *SUNT autem prudenter omnia pensitanda, genus artis, complexio artificis, etc. Ideo mihi insipide videntur aliqui definire excusati sutores, sartores, ferrarios, barbitonostes, et caeteros artifices; indifferenter. Rite Bassaeus* num. 2. *arbitram statuit conscientiam; num sit labor sufficiens, seu iusta necessitas laboris necessarii, ut ait S*. *Doctor* loco citato.

3 SHOEMAKERS are excused by Azor *part*. *1*. *lib*. *7*. *cap*. *17*. *quaestio 8*. Lessius *lib*. *4*. *cap*. *2*. *dub*. *6*. *num*. *45*. Reginaldus *Tom*. *1*. *lib*. *4*. *cap*. *17*. *sect*. *2*. Bonacina *de legibus, disp*. *ultim*. *quaest*. *1*. *punct*. *ultim*. Layman *lib*. *4*. *tom*. *8*. *cap*. *3*. for the effort is great. Better does Villalobos *tom*. *1*. *tract*. *23*. *diffic*. *14*. refer it to prudent judgment. For the craft is little laborious, and it can be that many are not impeded; others indeed are impeded, which must be judged from the age, strength, etc., of the laborer.

> *SUTORES excusant Azor* part. 1. lib. 7. cap. 17. quaestio 8. *Lessius* lib. 4. cap. 2. dub. 6. num. 45. *Reginaldus* Tom. 1. lib. 4. cap. 17. sect. 2. *Bonacina* de legibus, disp. ultim. quaest. 1. punct. ultim. *Layman* lib. 4. tom. 8. cap. 3. *est enim magnus conatus. Melius Villalobos* tom. 1. tract. 23. diffic. 14. *remisit iudicio prudenti. Est enim ars parum laboriosa, et potest esse, ut multi non impediantur; alii vero impediantur, quod iudicandum est, ex aetate, viribus, etc. laborantis*.

4 COMMONLY tailors and barbers are not excused, in Diana *resol*. *8*. among whom is also Villalobo *difficult*. *3*. Ioan. de la Cruz *in rect*. *part*. *1*. *praecep*. *3*. *art*. *4*. *dub*. *9*. and others who excuse potters, silversmiths, weavers, fullers, masons, painters, curriers; yet not painters, tailors, and barbers,

because these crafts are not so laborious. Tannerus subscribes *numero 102.* citing Lessius *dub. 6.* Toletus *lib. 6. cap. 6.*

> *COMMUNITER non excusantur sartores, et barbitonsores apud Dianam* resol. 8. *inter quos est etiam Villalobo* difficult. 3. *Ioan. de la Cruz* in rect. part. 1. praecep. 3. art. 4. dub. 9. *et alii, qui excusant figulos, argentarios, textores, fullones, caementarios, pictores, coriarios; non tamen pictores, sartores, et barbitonsores, quia hae artes non sunt adeo laboriosae. Subscribit Tannerus* numero 102. *adducens Lessium* dub. 6. *Toletus* lib. 6. cap. 6.

5 THEM, however, Ledesma excuses *24. quaest. 17. art. 3. dub. 9.* Fagundez *praecep. 4. lib. 1. cap. 8. num. 15.* and he proves it by the privilege of Eug. IV., which seems to excuse all artisans; but that it does not excuse all, Bassaens observes, Diana *resol. 8.* with Reginaldo *Tom. 1. lib. 4. cap. 17. num. 116.*

> *Eos tamen excusant Ledesma* 24. quaest. 17. art. 3. dub. 9. *Fagundez* praecep. 4. lib. 1. cap. 8. num. 15. *et probat privilegio Eug. IV. quod videtur excusare omnes artifices; at non eum excusare omnes observat Bassaens, Diana* resol. 8. *eum Reginaldo* Tom. 1. lib. 4. cap. 17. num. 116.

6 CONCERNING diggers, smiths, and the like, for some intervening day on which they do not labor, it is thought to be defined by the judgment of the prudent, Medina *lib. 1. cap. 24. §. 10.* Sylvius *2. 2. quaest. 187. art. 4.* Villalobos *sum. tom. 1. tract 23. diff. 9.*

> *DE fossoribus, Ferrariis, et similibus pro aliquo die intermedio, quo non laborant, arbitrio prudentis definiendum putat Medina* lib. 1. cap. 24. §. 10. *Sylvius* 2. 2. quaest. 187. art. 4. *Villalobos* sum. tom. 1. tract 23. diff. 9.

7 BUT Diana judges absolutely *resol. 9.* that such men are not bound if one or two intervening days are assigned to the fast, because they need to restore their strength; and so think also Ioan. de la Cruz *part. 1. praecep. 3. art. 4. dub. 9.* Azor *tom. 1. lib. 7. cap. 17. quaesito 8.* Fagundez *praecep. 4. lib. 1. cap. 8. num. 16.* and others.

> *SED absolute censet Diana* resol. 9. *tales non teneri, si unus, vel duo dies intermedii, sint ieiunio destinati, quia egent restaurare vires, et ita sentiunt etiam Ioan. de la Cruz* part. 1. praecep. 3. art. 4. dub. 9. *Azor* tom. 1. lib. 7. cap. 17. quaesito 8. *Fagundez* praecep. 4. lib. 1. cap. 8. num. 16. *et alii.*

8 THEY ASK also concerning Procurators and Advocates, whom some excuse if the labor be unremitting and they themselves so weak that they cannot otherwise satisfy their office. See Dian. *resol. 12.* So also Diana excuses scribes laboring all day *part. 4. tract. 4. resol. 130.* Pasqualig. *disp. 335.*

> *QUAERUNT etiam de Procuratoribus, et Advocatis, quos aliqui excusant, si labor sit improbus, et ipsi adeo debiles, ut satisfacere aliter nequeant suo officio. Vide Dian.* resol. 12. *Sic et scribas rora die laborantes excusat Diana* part. 4. tract. 4. resol. 130. *Pasqualig.* disp. 335.

9 THAT which many say — that only those workmen are bound who are at the same time able to fast — seems Scrupulous to Fernando *part. 2. cap. 8. §. 2.* Fagundez *praecep. 4. lib. 1. cap. 6. num. 16.* and Diana *resol. 13.*

> *ILLUD vero, quod multi dicunt, teneri conducere eos solos operarios, qui simul ieiunare valent, Scrupulosum videtur Fernando* part. 2. cap. 8. §. 2. *Fagundez* praecep. 4. lib. 1. cap. 6. num. 16. *et Dianae* resol. 13.

10 THEY HAVE SPOKEN also of Preachers hired for pay. But many think they are bound, in Diana *resol. 11.* but I do not see why they should be excused if not led by pay; yet if for pay, they should not be excused, since on both sides the labor is the same, even assumed, as I suppose, for the utility of the peoples. Therefore they teach that in either case they are excused, Bonacina *tract. de legibus, disp.*

ultim. quaest. 1. punct. ult. Filliucius *tom. 2. tract. 27. part. 2. cap. 6. num. 124.* Lessius *lib. 4. cap. 1. dub. 6. num. 44.* Diana *loco cit.*

> *DIXERUNT etiam de Concionatoribus ex mercede conductis: Eos vero teneri censent multi apud Dianam* resol. 11. *sed non video cur excusentur, si non ad mercedem ducti; at ad mercedem non excusentur, cum utrinque sit idem labor etiam assumptus, ut suppono, ad utilitatem populorum. Igitur utroque casu excusari docent Bonacina* tract. de legibus, disp. ultim. quaest. 1. punct. ult. *Filliucius* tom. 2. tract. 27. part. 2. cap. 6. num. 124. *Lessius* lib. 4. cap. 1. dub. 6. num. 44. *Diana* loco cit.

11 HE EXCUSES also musicians, Sancius *disp. 49.* Diana *loco cit.* if they cannot otherwise sing; and clerics for taking eggs in order to restore a melodious voice.

> *EXCUSANT et musicos Sancius* disp. 49. *Diana* loco cit. *si aliter canere nequeant; et clericos ad ova sumenda ob Canoram reddendam vocem.*

12 IT IS DIFFICULT for me to define concerning those who are wearied by no necessity, indeed by unremitting labors; for many loosen the reins, saying: *The precept binds only those whom it finds powerful, not those whom it finds impotent.* So Bonacina *tract. 1. dub. 2. quaest. 8. punct. 1. num. 16.* Lublin. *p. p. v. Ieiun. num. 19.* Diana *p. p. tract. 9. resol. 40. et 52.* Sancius *select. disp. 54. num. 14.* Layman *lib. 4. tract. 8. cap. 3.* Sanchez *lib. 5. consil. cap. 1. dub. 7.* Pasqualig. *disp. 317. Quoad laborantes inaniter.*

> *ARDUUM mihi est definere de his, qui nulla necessitate, imo laboribus improbis lassantur; multi enim laxant habenas dicentes,* Praeceptum ligare eos tantum, quos reperit potentes, non eos, quos offenderit impotentes. *Ita Bonacina* tract. 1. dub. 2. quaest. 8. punct. 1. num. 16. *Lublin.* p. p. v. Ieiun. num. 19. *Diana* p. p. tract. 9. resol. 40. et 52. *Sancius* select. disp. 54. num. 14. *Layman* lib. 4. tract. 8. cap. 3. *Sanchez* lib. 5. consil. cap. 1. dub. 7. *Pasqualig.* disp. 317. Quoad laborantes inaniter.

13 AS TO those who weary themselves for a base end, there are those who excuse them, even if they foresaw the impotency. So Medina *lib. 1. sum. cap. 23.* Diana *loc. cit. Resol. 40.* Bonacina *num. 16.* Sancius *disp. 54.* Bassaeus *num. 7.*

> *QUOAD lassantes se fine turpi, sunt, qui eximant, etsi impotentiam praeviderent. Ita Medina* lib. 1. sum. cap. 23. *Diana* loc. cit. Resol. 40. *Bonacina* num. 16. *Sancius* disp. 54. *Bassaeus* num. 7.

14 I REFUTE the opinion of these with this reasoning, with Navar. *cap. 21. num. 17.* Bonacina *num. 16.* Layman *num. 5. Who does something, as licit, which is against the law standing in its vigor, cheats the law, and therefore sins.* Such are these men with regard to the law of fasting: Therefore. The major is conceded by the adversaries. The minor is proven. For at that point at which they labor, they are bound to the law, and they cast it aside for the time of execution, like one who would drink the Breviary so as not to say the office.

> *HORUM sententiam refello hac ratione cum Navar.* cap. 21. num. 17. *Bonacina* num. 16. *Layman* num. 5. Qui aliquid agit, ut licitum, quod est contra legem, in suo vigore stantem, fraudat legem, et ideo peccat. *Tales sunt isti circa legem ieiunii: Ergo. Maior conceditur ab adversis. Minor probatur. Nam eo puncto, quo laborant, tenentur legi, et eam abiiciunt pro tempore executionis, sicuti qui Breviarium ptoiiceret, ne diceret officium.*

15 I prove secondly: *He who destroys the end of the law by refusing the means enjoined is guilty.* Such are these. For the end of the law is the ordering of the soul, not only through maceration, but through the acts of the virtue of Abstinence. St. Bonaventure teaches this in *speculo animae, cap. 3.* saying that necessary labor is required.

Probo secundo: Destruens finem legis recusando media iniuncta, est reus. *Tales sunt hi. Nam finis legis est ordinatio animae, non modo per macerationem, sed per actus virtutis Abstinentiae. Hoc docet S. Bonavent. in* speculo animae, cap. 3. *dicens exigi necessarium laborem.*

16 THERE REMAIN those undertaking journeys on foot, whom the Doctors commonly excuse, in Bonacin. *punct. ult.* Bassaeum *num. 7.* But how long the journey should be, Rodriquez *tom. 2. 99. reg. quaest. 100. art. 3.* establishes at six leagues. Others at seven Italian miles; better, with Bassaeo and others, I shall say that the journey must be weighed: if arduous through places, the time, if it exceeds by heat or rigor, especially the strength of the traveler must be pondered. See Pasqualigum *decif. 313.* Many will that the journey be such that it cannot at least conveniently be postponed; so Angles *flor. quaest. 6. de ieiun. diff. 10.* Lessius *lib. 4. cap. 2. num. 456.*

REMANENT iter pedestres agentes, quos eximunt communiter Doctores apud Bonacin. punct. ult. *Bassaeum* num. 7. *Quantum autem esse debeat iter, Rodriquez* tom. 2. 99. reg. quaest. 100. art. 3. *statuit sex leucas. Alii septem miliaria Itala; melius cum Bassaeo, et aliis dicam pensitandum iter, si ardua per loca, tempus, si aestu, vel rigore excedat, praecipue itinerantantis vires ponderandas. Vide Pasqualigum* decif. 313. *multi volunt debere esse iter, quod saltem commode differri nequeat; ita Angles* flor. quaest. 6. de ieiun. diff. 10. *Lessius* lib. 4. cap. 2. num. 456.

17 OTHERS deny this condition; for Eug. IV. also declares that those exercising laborious crafts are excused, even if they be rich and could refrain from labor. So Sanc. *disp. 54. num. 21.* Pasqualig. *decis. 314.* Medin. *lib. 1. instr. c. 14. §. 10.*

ALII negant hanc conditionem; nam et Eug. IV. declarat eximi exercentes artes laboriosas, etiamsi divites sint, et possent non laborare. Ita Sanc. disp. 54. num. 21. *Pasqualig.* decis. 314. *Medin.* lib. 1. instr. c. 14. §. 10.

Subdoubt III: On cases of piety excusing from fasting

1 UNDER this title is excused he who can perform some good work better than fasting, as to preach, to teach in schools, to hear confessions: Likewise to go on pilgrimage with a certain special edification of others, as with Caietano verb. *Ieiunium,* Navarro *man. cap. 21. num. 18.* Valentia teaches *puncto 5.* Tannerus *num. 103.*

De casibus pietatis excusantibus a Ieiunio.

TITULO hoc excusatur, qui aliquod opus bonum ieiunio melius praestare non potest, ut est concionari, docere in scholis, confessiones audire: Item cum peculiari quadam aliorum aedificatione peregrinari, ut cum Caietano verb. Ieiunium, *Navarro* man. cap. 21. num. 18. *docet Valentia* puncto 5. *Tannerus* num. 103.

2 AND concerning Preachers this they assert also, Ioan de la Cruz *part. 1. praecep. 3. art. 4. dub. 9.* Tabiena, *verb. Ieiunium,* Filliucius *tom. 2. tract. 27. part. 2. cap. 6.* Azor *part. 1. lib. 7. cap. 28. quaestio 1.* Graff. *part. 1. lib. 2. cap. 37.* Antonius de litteratis, *part. 1. cap. 39.* Fernandez in *Exam. part. 2. cap. 8. §. 2.* Nauar. *cap. 21.* Gabriel 4. *dist. 16. quaest. 3. art. 1.* Reginaldus *tom. 1. lib. 4. cap. 17. num. 219.* Sylvius 2. 2. *quaest. 147. art. 4.* and others: But they understand this when they cannot conveniently fast. I think, however, with Diana *resol. 10.* that this occurs in Lent, when preaching is continual, but not if only on Sundays. So also Bassaeus V. *Ieiun.. 2 num. 8.*

ET de Concionatoribus id asserunt etiam Ioan de la Cruz part. 1. praecep. 3. art. 4. dub. 9. *Tabiena,* verb. Ieiunium, *Filliucius* tom. 2. tract. 27. part. 2. cap. 6. *Azor* part. 1. lib. 7. cap. 28. quaestio 1. *Graff.* part. 1. lib. 2. cap. 37. *Antonius de litteratis,* part. 1. cap. 39. *Fernandez in* Exam. part. 2. cap. 8. §. 2. *Nauar.* cap. 21. *Gabriel 4.* dist. 16. quaest. 3. art. 1. *Reginaldus* tom. 1. lib. 4. cap. 17. num. 219. *Sylvius 2.* 2. quaest. 147.

art. 4. *et alii : Sed hoc intelligunt quando commode ieiunare non possunt. Arbitror autem cum Diana* resol. 10. *id occurrere in Quadragesima, cum continue praedicatur, non autem si solis diebus Dominicis. Sic et Bassaeus V.* Ieiun.. 2 num. 8.

3 CONCERNING Lectors he says, with Fagundez *praecep. 4. lib. 1. cap. 8. num. 19.* that not all are to be excused, but only those whose labor is unremitting, or who are so weak that they cannot study sufficiently, etc. So also Bassaeus.

DE Lectoribus ait cum Fagundez praecep. 4. lib. 1. cap. 8. num. 19. *non omnes excusandos, sed tantum illos, quorum labor improbus est, vel adeo debiles sunt, ut sufficienter non possint studere, etc. Sic et Bassaeus.*

4 AS TO those making pilgrimage to the holy places, that they are not excused if they can conveniently postpone, St. Thomas teaches *art. 4. ad 3.* Sylvius *ibi*, Villal. *tom. 1. tract. 23. dub. 4.* Fernan. *part. 2. cap. 8. §. 2.*

QUOAD peregrinantes ad loca sancta, non excusari, si commode valeant differre, docent D. Thom. art. 4. ad 3. *Sylvius* ibi, *Villal.* tom. 1. tract. 23. dub. 4. *Fernan.* part. 2. cap. 8. §. 2.

5 FOR INDEED that these are greater goods, and excluding from the fast without other cause, Sanctius teaches *disp. 54. num. 1.* Palao *part. 1. tract. 3. dub. 1.* Pasqual. *disp. 341.* Bassaeus *num. 9.* Ortiz *sum. cap. 19.* Diana *resol. 56.*

ENIM vero haec esse maiora bona, et sine alia causa a ieiunio eximentia, docent Sanctius disp. 54. num. 1. *Palao* part. 1. tract. 3. dub. 1. *Pasqual.* disp. 341. *Bassaeus* num. 9. *Ortiz* sum. cap. 19. *Diana* resol. 56.

6 A SPOUSE may not fast if impeded from the moderate rendering of the debt, for this is the stricter obligation of the justice of divine natural law: that other, of human law.

POTEST coniux non ieiunare, si impeditur a moderata redditione debiti, nam haec est strictior obligatio iustitiae iuris naturalis divini: illa vero humani.

7 LIKEWISE she is excused on account of the good of marriage alleged by the husband, who forbids the fast, lest of course she be weakened, or displease by pallor or squalor. So Pasqualig. *disp. 281.* Sanc. *disp. 54. num. 24.* Sanchez *lib. 9. de matrim. disp. 3. num. 11.* Bonacina *punct. ult. num. 14.* Fagundez *praecep. 4. lib. 1. cap. 8. num. 18.* Bassaeus *num. 10.* Provided he does not forbid it, as a heretic, out of contempt. So, if discords were imminent which she could not sustain, she can obey a husband commanding her not to fast. So Sanchez *num. 53.*

Itidem excusatur ob bonum matrimonii a marito praetensum, qui vetat ieiunium, ne nimirum debilitetur, neve pallore, vel squallore displiceat. Ita Pasqualig. disp. 281. *Sanc.* disp. 54. num. 24. *Sanchez* lib. 9. de matrim. disp. 3. num. 11. *Bonacina* punct. ult. num. 14. *Fagundez* praecep. 4. lib. 1. cap. 8. num. 18. *Bassaeus* num. 10. *Dummodo non vetaret, ut haereticus, in contemptum. Ita, si discordiae imminerent, quas sustinere nequiret, potest, marito praecipienti ne ieiunet, obedire. Sic Sanchez* num. 53.

Question VII: On sobriety

1 Sobriety is akin to abstinence: the latter exercises moderation in foods; the former in drinks. Concerning this, Ecclesiasticus 31: *Wine was created for joy among men, in sobriety*, etc.

De SOBRIETATE.

> *AFFINIS est abstinentiae Sobrietas: Illa enim in cibis; haec in potibus moderationem adhibet. De hac Ecclesiastici 31.* AEqua vita hominibus vinum in sobrietate, *etc.*

2 That this is a special virtue is proved, because it has a special difficulty in removing an impediment contrary to reason. Such is sobriety, which labors in temperance with regard to wine, which disturbs reason. On which the Holy Doctor in the *Diaeta, tit. 3. de Consiliis Euang. cap. 4.*

> *HANC esse virtutem specialem probatur, quia habet specialem difficultatem in removendo impedimento, rationi cnntrario. Talis autem est sobrietas, quae laborat in temperantia circa vinum, quod rationem perturbat. De quo S. Doctor in* Diaeta, tit. 3. de Consiliis Euang. cap. 4.

3 I assert secondly, that the drinking of wine is not of itself illicit. Thus against certain ancient heretics, St. Thomas *quaest. 194. art. 3.* citing St. Jerome *lib. 1. cont. Iouinian. as is also related in Can. Ab exordio, dist. 35.*

> *ASSERO secundo, non esse illicitum potum vini per se. Ita contra veteres quosdam haereticos, D. Thom.* quaest. 194. art. 3. *ex D. Hieronymo* lib. 1. cont. Iouinian. ut refertur etiam Can. Ab exordio, dist. 35.

4 It is proved from Ecclesiasticus 31: *Wine was created from the beginning for joy, and not for drunkenness. Wine moderately drunk is the exultation of the soul and heart.* The same is granted in 1 Timothy 5. But that many evils arise from wine by accident is clear from Ecclesiasticus 31. See St. Bonaventure, *serm. 2. Dominica prima post Epiphaniam.*

> *PROBATUR ex Ecclesiastici 31.* Vinum in iucunditatem creatum est, et non in ebrietatem, ab initio. Exultatio animae, et cordis vinum moderate potatum. *Idem conceditur prima Tim. 5. Per accidens vero multa mala e vino oriri constat Ecclesiastici 31. Vide D. Bonavent.* serm. 2. Dominica prima post Epiphaniam.

5 I assert thirdly, that sobriety is necessary for the young, and for women because of their proneness to pleasures; but for the old, and for honored persons, that they preserve the rigor of reason. Thus St. Thomas, *quaest. 149. art. 4.* This the Apostle teaches in *1 Timoth. 3. Titus 2.*

> *ASSERO tertio, sobrietatem necessariam esse iuvenibus, et mulieribus ob pronitatem ad voluptates: senibus vero, et honoratis personis obtuendum rationis rigorem. Ita S. Thom.* quaest. 149. art. 4. *Haec docet Apostolus prima* Timoth. 3. Titum 2.

6 Hence among the Romans there was a law that women should not drink wine, as St. Bonaventure notes, *serm. 2. de S. Antonio Paduano, as Valerius Maximus relates, lib. 2. cap. 1.*

> *HINC apud Romanos lex erat, ut mulieres vinum non biberent, ut notat D. Bonavent.* serm. 2. de S. Antonio Paduano, ut refert Valerius maximus lib. 2. cap. 1.

Question VIII: On chastity

1 Chastity is defined by St. Bonaventure, *3. part. Centil. sect. 42.*: *It is abstinence from every illicit sexual union.*

> De CASTITATE.
>
> *CASTITAS definitur a D. Bonavent.* 3. part. Centil. sect. 42. Est abstinentia ab omni coitu illicito.

2 I assert that it is a virtue.

> *ASSERO, eam esse virtutem.*

3 It is proved by St. Bonaventure, *de profectu religiosi, lib. 2. cap. 42. and in Diaeta, tit. 3. cap. 4.* first from Ecclesiasticus 16: *The consideration of a continent soul is not worthy of weighing*, and Matthew 13, and 2 Corinthians 4, where it is called *the treasure of the soul.*

> *PROBATUR a D. Bonavent.* de profectu religiosi, lib. 2. cap. 42. et in Diaeta, tit. 3. cap. 4. *primo ex 16. Eccles.* Non est digna ponderatio continentis animae, *et Matth. 13. et 2. Cor. 4. dicitur* thesaurus animae.

4 It is proved by him by reason, because it is concerned with a special and arduous object, which is the moderation of venereal matters, which is different from the moderation of foods, even though the latter is a strong disposition toward it, as the Holy Doctor discusses admirably and more fully in the *alleged places*.

> *PROBATUR ab eo ratione, quia circa obiectum speciale arduum versatur, quod est moderatio venereorum, quae est diversa a moderatione ciborum, etsi haec sit valida ad eam dispositio, ut egregie, et latius disserit,* allegatis locis, *S. Doctor.*

5 The Seraphic Doctor also describes its degrees *de gradibus virtutum, cap. 4.*: the lowest degree indeed is conjugal chastity; higher is viduity; highest of all virginal, such as that of John, as the Holy Doctor says *in 4. dist. 33. dub. 3.* where he also says that Abraham had this in habit, namely that insofar as it lay with him, he would have wished to be a virgin and to have remained one, since he was so holy and temperate; but he took a wife for the sake of succession.

> *HVIUS gradus describit Seraphicus etiam* de gradibus virtutum, cap. 4. *infimus enim gradus est castitas coniugalis; altior vidualis; altissima virginalis, qualis fuit Ioannis, ut ait S. Doctor* in 4. dist. 33. dub. 3. *ubi etiam dicit Abraham hanc habuisse in habitu, quia scilicet quantum ex se est, virgo esse voluisset, et permansisset, cum esset adeo sanctus, et temperatus; sed uxorem duxit ad successionem.*

6 He says, however, in *3. dist. 26. quaest. 2. ad 4.* that the truly chaste man takes pleasure in the act and use of this virtue, as Aristotle teaches 7. *Eth. and first Rhetor.*

> *AIT autem in* 3. dist. 26. quaest. 2. ad 4. *vere castum complacere in actu, et usu huius virtutis, ut docet Aristoteles 7.* Eth. et primo Rhetor.

7 I beseech you, read through the Seraphic Doctor treating of Chastity in the *alleged places*, who also in the *Bibl. pauperum, cap. 90.* brings forward many things about Chastity from the Scriptures.

> *OBSECRO perlegite Seraphicum Doctorem, de Castitate disserentem* locis allegatis, *qui etiam in* Bibl. pauperum, cap. 90. *multa de Castitate e Scripturis affert.*

Question IX: On virginity

1 We treated above of Chastity, insofar as it is the matter of a vow; now we shall contemplate its every kind of integrity, insofar as it is immune from every corruption of mind and body: the Seraphic Doctor treats of it in various places, and especially in the *Diaeta, tit. 4.* where he places it on an ivory throne among the other virtues, doubtless because, like ivory, Chastity is cold against concupiscence; solid, by persevering firmly; and shining white, by living innocently; whence just as ivory wrapped in a linen cloth preserves it from burning, so Chastity, while it is fostered within in the mind, wards off from without the fire of the body. Next the Holy Doctor shows that Virginity obtains the hundredfold fruit, since it is more excellent than chastity, whether conjugal or widowed; for conjugal Chastity claims for itself only the thirtyfold fruit; widowed chastity the sixtyfold; but virginal chastity obtains

the hundredfold; which moreover attains to God in a threefold manner, namely by running, through good operation, by swimming, through intense devotion, and by flying, through supernal contemplation; and thus the Virgins follow the Lamb whithersoever he goeth, as is said *Apocal. 14.*

EGIMUS supra de Castitate, prout est materia voti; nunc eius omnimodam integritatem contemplabimur, quatenus ab omni mentis, et corporis corruptione immunis est: eam variis in locis tractat Seraphicus Doctor, et praecipue in Diaeta, tit. 4. *ubi illam in throno eburneo inter caeteras virtutes collocat, nimirum quia ad instar eboris Castitas frigida est contra concupiscentiam; solida, firmiter perseverando; et candida innocenter conversando; unde sicut ebur lineo panno involutum, illum ab ustione conservat; sic Castitas, dum intus in mente fovetur; foris corporis incendium avertit. Deinde ostendit S. Doctor Virginitatem fructum consequi centesimum, cum sit praestantior castitate, seu coniugali, seu viduali; coniugalis enim Castitas fructum tantum tricesimum sibi vindicat; vidualis sexagesimum; sed virginalis centesimum obtinet; quae praeterea Deum consequitur tripliciter, currendo scilicet per bonam operationem, natando per intensam devotionem, et volando per supernam contemplationem; et sic Virgines sequuntur Agnum quocumque ierit, ut dicitur* Apocal. 14.

Doubt I: Whether virginity is a virtue

1 I assert that it is a most noble Virtue.

ASSERO, eam esse Virtutem nobilissimam.

2 *It is proved* by St. Bonaventure first from the definition of Virtue, from Aristotle 2. Eth. cap. 6.: *Virtue is that which makes its possessor good, and renders his work good;* for it is a good quality of the mind: but such is Virginity: *Therefore.* The minor is proved *in the body*: virginal Continence says three things. The first is, abstinence from every illicit sexual union. The second is, abstinence from every licit sexual union. The third, integrity of mind and flesh, which are of signal perfection, for which reason therefore a splendid Encomium is given to it by St. Cyprian, when it is called Beauty.

PROBATUR *a D. Bonavent. primo definitio-ne Virtutis, ex Aristotele 2. Eth. cap. 6.* Virtus est, quae bonum facit habentem, et opus eius bonum reddit; *est enim bona qualitas mentis: sed talis est Virginitas:* Ergo. *Minor probatur* in corpore, *Continentia virginalis tria dicit. Primum est, abstinentia ab omni coitu illicito. Secundum est, abstinentia ab omni coitu licito. Tertium, integritas mentis, et carnis, quae sunt insignis perfectionis, cui propterea a D. Cypriano datur Encomium insigne, dum dicitur Decor.*

3 *It is proved* secondly from the definition of Virginity which St. Augustine gives in de S. Virginitate cap. 13.: *Virginity in corruptible flesh is a meditation upon perpetual incorruption.* Then thus: That is a Virtue which has, with respect to its object, a special difficulty in doing good: such is Virginity, which intends, or meditates, continence from venereal matters, difficult to overcome: *Therefore.* It is confirmed by St. Bonaventure first, for if to be continent from illicit union is a virtue, as I said in the preceding quaestio: *Therefore* also to be temperate from everything licit.

PROBATUR *secundo ex definitione Virginitatis, quam habet S. Augustinus de S. Virginitate cap. 13.* Virginitas in carne corruptibili incorruptionis perpetuae est meditatio. *Tunc sic: Illa est Virtus, quae habet circa obiectum bonum specialem difficultatem: talis est Virginitas, quae intendit, seu meditatur continentiam a venereis, difficile vincendis:* Ergo. *Confirmatur a S. Bonavent. primo, si enim continere a copula illicita, est virtus, ut dixi quaest. praecedenti:* Ergo *et ab omni licito temperari.*

4 *It is confirmed* secondly, because by Virginity we merit the Aureole, or a special reward in glory, for therefore the Virgins *Apoc. 14.* accompany the Lamb.

CONFIRMATUR *secundo, quia Virginitate meremur Aureolam, seu praemium speciale in gloria, ideo enim Virgines* Apoc. 14. *Agnum comitantur.*

5 *You will object* first. Every virtue which does not tend immediately to the end, as the Theological virtues do, consists in a mean; but Virginity is not Theological, nor does it consist in a mean, but in the extreme, while it abstains from all: *Therefore*.

OBIICIES *primo. Omnis virtus, quae non tendit immediate in finem, ut sunt Theologicae, in medio consistit; sed Virginitas non est Theologica, nec in medio consistit, sed in extremo, dum ab omnibus abstinet:* Ergo.

6 The Holy Doctor answers here, and in *serm. 5. Hexaëmer.* The major is not understood to mean consisting in a mean with respect to the object, for thus no one would be chaste unless he knew the half of all the women in the world, for that is the mean between some and none; but it is understood to mean that it is a mean between delights and sorrows; for he who feels nothing at all of the passions of the flesh is judged insensible, and this he has by the disposition of his matter; but he who wholly consents to them is lustful; but he who is excited, and yet does not consent, such a one is virtuous; but this is altogether well in Virgins, because in some way the flesh is excited, though not as in the corrupt. This, however, is understood as spoken with regard to the political virtues and fallen nature; for by superabundant grace it can be that one does not feel, and yet has the virtue, as is evident in Christ, and His sweetest Mother.

RESPONDet *S. Doctor hic, et* serm. 5. Hexaëmer. *Maiorem non intelligi consistere in medio quoad obiectum, quia sic nullus esset castus, nisi cognosceret medietatem omnium mulierum de mundo, quia illud est medium inter aliquam, et nullam; sed intelligitur, ut sit medium inter delectationes, et tristitias; nam, qui nihil omnino sentit de passionibus carnis, hic insensibilis iudicatur, et hoc habet per materiam; qui vero omnino eis consentit, luxuriosus est; qui vero excitatur, et tamen non consentit, talis virtuosus est; sed hoc omnino bene est in Virginibus, quia aliquo modo caro excitat, quamvis non ita, sicut in corruptis. Hoc autem intelligitur loquendo secundum virtutes politicas, et naturam lapsam; nam per superabundantem gratiam potest esse, quod non sentiat, et tamen virtutem habeat, ut patet in Christo, et eius Matre dulcissima.*

7 *You will object* secondly. Every virtue is a matter of precept, nor does anyone use a virtue badly, nor is it expelled without sin; but Virginity is not a matter of precept, and some use it badly, and it is lost without sin, as in marriage: *Therefore* all virtues are connected; but this is not to be said of Virginity; likewise they are recovered by penance, not so Virginity.

OBIICIES *secundo. Omnis virtus est in praecepto, nec ullus male virtute utitur, nec expellitur sine peccato; sed Virginitas non est in praecepto, eaque male utuntur aliqui, et sine peccato amittitur, ut in matrimonio:* Ergo *omnes virtutes sunt connexae; sed hoc non est dicendum de Virginitate; similiter recuperantur poenitentia, non sic Virginitas.*

8 The Holy Doctor *notes* that in Virginity there are three things. The first is to abstain from vice, and this is the habit. The second, abstinence from every union, even licit, and this is the state of perfection. The third is integrity of mind and body, and this is called beauty. What therefore is objected presses upon the state, or the beauty, not upon the habit. For by reason of the state it is not a matter of precept, because it tends to the extreme, and can be lost without sin. By reason also of the beauty it can be lost without fault, against the man's will, as in those violated by force; some also use it badly, nor when lost is it recovered.

NOTAT *S. Doctor, in Virginitate esse tria. Primum est abstinete a vitio, et hic est habitus. Secundum, abstinentia ab omni copula, etiam licita, et hic est status perfectionis. Tertium est integritas mentis, et corporis, et dicit decorem. Quae*

igitur obiiciuntur, urgent de statu, vel decore, non de habitu. Ratione enim status, non est in praecepto, quia ad extremum tendit, et potest perdi sine peccato. Ratione etiam decoris perdi potest sine culpa, homine invito, ut in violatis vi; male etiam aliqui ea utuntur, nec amissa recuperatur.

Doubt II: Whether virginity excels conjugal continence

1 The Holy Doctor distinguishes in this way: we can consider in the Virgin the habit of the virtue as it is opposed to vice, the state of perfection of it, and its beauty.

DISTINGUIT S. Doctor hoc pacto: Possumus in Virgine considerare habitum virtutis pro ut vitio opponitur, statum perfectionis eius, et decorem.

2 With respect to the habit, he who by his nature recedes from vice and advances toward virtue, and does not stop here, is more perfect: such is the Virgin, tending toward virtue as it is opposed to vice, in which sense a continent widow, or a married woman, can be continent out of interior love of the virtue and hatred of the opposed vice; or it can also be that a virgin excels.

QUOAD habitum, ex natura sua quidem recedens a vitio, et accedens ad virtutem, neque hic sistens, perfectior est: talis autem est Virgo, tendens ad virtutem, pro ut vitio opponitur, quo sensu potest esse ut continens vidua, aut coniugata ex interiori amore virtutis, et odio vitii oppositi contineat; vel potest esse etiam, ut virgo praecellat.

3 With respect to the beauty, Virginity always excels marriage, because in the latter there is corruption; in the former incorruption.

QUOAD decorem, Virginitas semper praecellit coniugio, quia in eo est corruptio; in hac autem incorruptio.

4 With respect to the state, one must distinguish the states of the times. For either they are compared according to the same time, whether of law, or of grace. In the time of the law marriage was preferred; for then Virginity was forbidden, and the barren woman was cursed; but in the time of the law of grace, where fruitfulness of the womb is not required, but incorruption and purity of mind, Virginity is preferred.

QUOAD statum oportet distinguere status temporum. Vel enim comparantur secundum idem tempus, seu legis, seu gratiae. Tempore legis praeferebatur coniugium; tunc enim Virginitas erat vetita, et sterili maledicebatur; sed in tempore legis gratiae, ubi non requiritur foecunditas ventris, sed incorruptio, et puritas mentis, perfertur Virginitas.

5 But if each is considered in its own times, as conjugal continence in the time of the law, and virginity in the time of grace; each in its best condition; then state is not preferred to state, nor merit to merit, provided that Charity be equal; and this is what St. August. said *de bono coniugali, cap. 21.* cited by the Master, that the celibacy of John is not preferred to the marriage of Abraham; each taken in its own time.

SI autem considerentur pro suis quaeque temporibus, ut continentia coniugalis tempore legis, et virginitas tempore gratiae; sicut in suo optimo; sic status statui non praefertur, nec meritum merito, dum tamen Charitas sit aequalis, et hoc est, quod dixit D. August. de bono coniugali, cap. 21. *apud magistrum, quod caelibatus Ioannis non praefertur coniugio Abrahae; singula pro suo tempore sumpta.*

6 Therefore virginal continence is more worthy by reason of the states referred to the time of grace, and by reason of the beauty of virginity.

Igitur continentia virginalis est dignior ratione statuum, relatorum ad tempus gratiae, et ratione decoris virginitatis.

7 I assert therefore, that virginity excels conjugal continence, and the virgin the married woman.

> *Assero igitur, virginitatem praecellere coniugali continentiae, et virginem coniugatae.*

8 The first part is of faith against Jovinian the heretic, as Jerome relates *in two books against him*, and St. Augustine *lib. de haeres., cap. 82.* The other part is of faith against Luther in the *Epithalamium*, where he says the married woman, before God, is better than the virgin.

> *Prima pars est de fide contra Iovinianum haereticum, ut referunt Hieronymus* duobus libris, contra eum*, et D. Augustinus* lib. de haeres., cap. 82. *Altera pars est de fide contra Lutherum in* Epithalamio*, ubi coniugatam coram Deo, meliorem virgine dicit.*

9 *It is proved* therefore first by the Holy Doctor, because the virtue which is concerned with an object more placed in the arduous is of greater perfection; but the object of virginity is more arduous than that of conjugal continence: Therefore. This is nearly the argument by which the Apostle in 1 *Cor. 7.* proves our assertion, for there he persuades virginity as more perfect, and permits marriage to those not daring to aspire to so great a perfection, *because it is better to marry than to burn, and* he concludes, *Therefore he that joineth his virgin in marriage doth well: and he that doth not join her, doth better.*

> Probatur *ergo primo a S. Doctore, quia virtus, quae est circa obiectum, magis in arduo positum maioris est perfectionis; sed obiectum virginitatis est magis arduum, quam coniugalis continentiae: Ergo. Hoc fere est argumentum, quo Apostolus prima ad* Cor. 7. *probat nostrum assertum, ibi enim virginitatem suadet, tanquam perfectiorem, et non audentibus ad tantam aspirare perfectionem, permittit coniugium,* quia melius est nubere, quam uri, et *concludit,* Igitur qui matrimonio iungit virginem suam bene facit: et qui non iungit, melius facit.

10 *Hence* St. Bonaventure adds another argument from the same Apostle. The works of perfection are of counsel, and those of lesser perfection are of indulgence: but virginity is of counsel: *But concerning virgins I give counsel, 1 Cor. 7.* but marriage is of indulgence: *By indulgence I speak.* It is confirmed by St. Bonavent. *in Compend. Theol. lib. 5. cap. 70.* for as something sublime Christ persuades virginity, saying: *He that can take, let him take it.*

> Hinc *aliud argumentum subdit S. Bonavent. ex eodem Apostolo. Opera perfectionis sunt consilii, et minoris perfectionis sunt indulgentiae: sed virginitas est consilii:* De virginibus autem consilium do, prima Cor. 7. *matrimonium autem indulgentiae est:* Secundum indulgentiam dico. *Confirmatur a D. Bonavent.* in Compend. Theol. lib. 5. cap. 70. *tanquam enim sublime suadet Christus virginitatem, dicens:* Qui potest capere, capiat.

11 *He proves* thirdly, to whom a greater fruit belongs, that is more perfect: but a greater fruit is offered to virginity, which is the hundredfold; but to continence the thirtyfold: Therefore. The minor is evident from the PP. on the parable.

> Probat *tertio, cui amplior fructus convenit, id perfectius est: sed virginitati amplior fructus exhibetur, qui est centesimus; continentiae autem trigesimus: Ergo. Minor patet e PP. ad parabolam.*

12 *He proves* fourthly by the argument of Christ *Matthew 22.* That state which is more like the Angels is more perfect: such is virginity: Therefore.

> Probat *quarto argumento Christi* Matthaei 22. *Qui status est similior Angelis, est perfectior: talis est virginitas: Ergo.*

13 The Holy Doctor uses *the same* argument *de profectu Religiosi, cap. 52. et seqq.*

> Eodem *argumento utitur S. Doctor* de professu Religiosi, cap. 52. et seqq.

[14] That virgins *in concreto* also precede the married: it is proved from the Holy Fathers by St. Bonavent. *lib. 1. Phar. cap. 38.* St. Augustine *de S. Virginitate, c. 12.* says: *Certainly the Virgins will have something great besides the rest in that common immortality of the saints, since they have something already not of the flesh in the flesh.* And *cap. 27.* on those words: *For they are virgins, and follow the Lamb whithersoever he goeth. Whither do we think this lamb goes? Surely whither no one can either dare or be able to follow him, except you. Whither do we think he goes, into what leaps and meadows? where I believe the grass is joys, not the vain joys of this age, insane and lying, nor joys such as in the very kingdom of God belong to the others who are not virgins; but distinguished from the lot of all the rest. The joys of the virgins of Christ are of Christ, in Christ, with Christ, after Christ, through Christ, on account of Christ. The proper joys of the Virgins of Christ are not the same as those of those who are not virgins, though they are Christ's. For others have other joys, but none such.*

> Quod *vero etiam virgines in concreto praecedant coniugatis; Probatur e SS. Patribus a D. Bonavent.* lib. 1. Phar. cap. 38. *D. Augustinus* de S. Virginitate, c. 12. *ait:* Profecto habebunt magnum aliquid Virgines praeter caeteros in illa communi sanctorum immortalitate, quoniam habent aliquid iam non carnis in carne. *Et* cap. 27. *ad ea verba:* Virgines enim sunt, et sequuntur Agnum quocunque ierit. Quo ire putamus hunc agnum? Certe quo nemo eum sequi vel audeat, vel valeat, nisi vos. Quo putamus eum ire, in quos saltus, et prata? ubi credo gramina sunt gaudia, non gaudia huius saeculi vana, insani, et mendacis, nec gaudia, qualia in ipso regno Dei caeteris non virginibus; sed a caeterorum omnium sorte distincta. Gaudia virginum Christi sunt, de Christo, in Christo, cum Christo, post Christum, per Christum, propter Christum. Gaudia propria Virginum Christi, non sunt eadem non virginum, quamvis Christi. Nam sunt aliis alia, sed nullis talia.

[15] *The same,* epist. 79.: *Let a girl rejoice more that she is noble by birth, but more noble by holiness, in that she is about to attain in the heavens a special sublimity through divine companionship, than if she were to raise on earth through human marriage a sublime offspring.*

> Idem *epist. 79.* Gaudeat magis puella nobilis genere, sed nobilior sanctitate, quod sit per divinum consortium praecipuam in caelis consecutura sublimitatem, quam si esset per humanum connubium prolem in terra propagatura sublimem.

[16] St. Cyprian *de disciplina, et habitu virg. cap. 3.* on those words: *they follow the Lamb, etc.* says: *If continence follows Christ, and virginity is destined for the kingdom of God, what have the virgins of Christ to do with earthly adornment.*

> *D. Cyprianus* de disciplina, et habitu virg. cap. 3. *ad ea verba:* sequuntur Agnum, etc. *inquit* Si Christum continentia sequitur, et regno Dei virginitas destinatur, Quid est virginibus Christi cum terreno cultu.

[17] St. Ambrose *tract. de hort. ad Virgines: Those who do not marry, nor take wives, are as the Angels of God on earth, so that as if stripped of the infirmity of the body, they think not as belonging to man, but as belonging to God.* The same in de Virginibus: *Consider that the Virgins merited to see the resurrection of the Lord before the Apostles: for among these Peter had been married.*

> *D. Ambrosius* tract. de hort. ad Virgines: Qui non nubunt, neque uxores ducunt, sicut Angeli Dei in terris sunt, ut tanquam exuti corporis infirmitate, non qua hominis sunt, sed qua Dei, cogitent. *Idem de Virginibus:* Considerate, quia Virgines prae Apostolis resurrectionem Domini videre meruerunt: inter hos enim Petrus fuerat coniugatus.

[18] St. Jerome *epist. 11. cited by St. Bonavent. cap. 41.: Since the hundredth, and sixtieth, and thirtieth fruit befit the Gospels as seed sown in good earth; and the hundredfold holds the first degree for the crown of virginity: the*

sixtyfold for the labor of widows is in second number: the thirtyfold bears witness by the very joining of fingers to the bonds of marriage, etc.

> *D. Hieronymus* epist. 11. apud D. Bonavent. cap. 41. Cum in semente terrae bonae, centesimum, et sexagesimum, et trigesimum fructum Evangelia deceant; et centenarius pro virginitatis corona primum gradum teneat: sexagenarius pro labore viduarum in secundo sit numero: tricenarius foedera nuptiarum ipsa digitorum coniunctione testetur, etc.

19 *You will object* first, with Brentius, to St. Augustine *lib. de bono coniugali, cap. 21. where he says: The merit of continence is not unequal in John, who never experienced marriage, and in Abraham, who begat sons.*

> Obiicies *primo cum Brentio D. Augustinum* lib. de bono coniugali, cap. 21. ubi ait: Non est impar meritum continentiae in Ioanne, qui nullas expertus est nuptias, et in Abraham, qui filios generavit.

20 Bellarminus answers *lib. 2. de monachis, cap. 32. from St. Bonavent. here*, that he speaks according to the states of different men; for thus virginity is not compared with conjugal continence, but each is taken disparately for its own state, in which the perfection of Abraham could have been not inferior, if the Charity had been equal.

> Respondet *Bellarminus* lib. 2. de monachis, cap. 32. ex D. Bonavent. hic, *loqui secundum status diversorum; sic enim non comparatur virginitas coniugali continentiae, sed disparate utrumque accipitur pro suo statu, in quo potuit esse perfectio Abrahae non inferior, si aequalis fuisset Charitas.*

21 *You will object* secondly, it is more laborious to use evil well than to use good well, and the former is more perfect: but conjugal continence uses well the evil of concupiscence, breaking it for conjugal acts: Therefore.

> Obiicies *secundo, laboriosius est bene uti malo, quam bono uti bene, et illud est perfectius: sed continentia coniugalis bene utitur malo concupiscentiae, eam refringens ad actus connubiales: Ergo.*

22 The Holy Doctor answers, that what is more laborious, other things being equal, is more perfect; but virginity is more laborious, while it wholly bridles the evil of concupiscence. Next he says, that the other things are not equal, therefore a greater perfection does not follow; just as also the active life is more laborious than the contemplative, to which virginity leads, and yet the latter is more perfect, because it draws nearer to God.

> Respondet *S. Doctor, magis laboriosum, caeteris paribus, esse perfectius; sed laboriosior est virginitas, dum malum concupiscentiae omnino fraenat. Deinde ait, non esse paria caetera, ideo non sequi maiorem perfectionem; sicuti etiam vitai activa est laboriosior, quam contemplativa, ad quam ducit virginitas, et tamen haec est perfectior, quia magis Deo appropinquat.*

23 *You will object* thirdly. If the best of one genus is better than the best of another genus, then that is better: but the best fruitfulness, which is that of the B. Virgin, is better than the best virginity. For the B. Virgin is better because a mother than because a Virgin: Therefore.

> Obiicies *tertio. Si optimum unius generis est melius optimo alterius generis, et illud est melius: sed optima foecunditas, quae est B. Virginis, est melior optima virginitate. Melior enim est B. Virgo, quia mater, quam quia Virgo: Ergo.*

24 He answers, the minor would be true if that fruitfulness proceeded from the nature of material fruitfulness itself, but it proceeds from a singular operation of the Holy Spirit, which is not extended to other fruitfulnesses.

> Respondet, *Minorem fore veram, si illa foecunditas proveniret a natura ipsa foecunditatis materialis, sed provenit ex singulari Spiritus Sancti operatione, quae ad alias foecunditates non extenditur.*

25 *You will object* fourthly; that which conduces to more things, especially to glory, is better; but conjugal continence conduces to more things, namely, to offspring, and to the number of the elect; but virginity profits one alone: Therefore.

> Obiicies *quarto; quod ad plura conducit, maxime ad gloriam, est melius; sed continentia coniugalis conducit ad plura, nempe, ad proles, et ad numerum electorum; at virginitas uni soli prodest: Ergo.*

26 He answers, that which avails for more things is better insofar as it is intense as to one; but virginity avails for one thing more perfectly than the perfections of marriage, supposing the state in which human generations are not lacking from elsewhere.

> Respondet, *Id, quod valet ad plura, sic intensa ut unum, esse melius; at virginitas valet ad unum perfectius perfectionibus connubii, supposito statu, quo non desint humanae generationes aliunde.*

27 *You will object* fifthly: The barren earth is cursed

> Obiicies *quinto: Sterilis terra est maledicta*

28 The Holy Doctor answers. Virginity has the hundredfold fruit.

> *Respondet S. Doctor. Virginitatem habere fructum centesimum.*

29 *You will object* lastly. If man had stood, he would have had perfect virtues, yet not virginity.

> Obiicies *ultimo. Si homo stetisset, habuisset perfectas virtutes, non tamen virginitatem.*

30 It is answered, that then he would not have had the state of virginity, but only the habit, which state is truly more perfect in many respects after the fall, thus the state of fortitude with respect to Martyrdom, etc.

> Respondetur, *tunc non habiturum statum virginitatis, sed solum habitum, qui status vere perfectior est in multis post lapsum, sic status fortitudinis quoad Martyrium, etc.*

Doubt III: Whether the reward of virginity is the aureole

1 The Holy Doctor asserts that to the habit of virginity corresponds the Aureole, as is evident; and to the state the fruit; but to the beauty the Aureole; for aureolae are assigned to those acts which consider something extrinsic, such as the body, or one's neighbor, which leads to the fatherland. Therefore the aureole of doctrine will belong to Doctors, who instructed others; and to Martyrs, who handed over their bodies to death; and a certain aureole will belong to Virgins, who preserved their bodies incorrupt for Christ, and that aureole, and that joy, is called the Aureola.

> *ASSERIT S. Doctor, habitui virginitatis respondere Auream, ut patet; et statui fructum; Aureolam autem decori; aureolae enim assignantur his actibus, qui considerant aliquid extrinsecum, ut est corpus, vel proximus, quem ad patriam ducit. Ideo decor erit Doctoribus, qui alios erudierunt; et Martyribus, qui corpora ad mortem tradiderunt, et quidam decor erit Virginibus, quae corpus incorruptum pro Christi servarunt, et ille decor, illudque gaudium, Aureola dicitur.*

2 It is proved therefore first from Exodus 25. *where he commands an Aureola to be made over the table of the Sanctuary.* And Apoc. 12. *where the woman clothed with the Sun was crowned with twelve stars.*

PROBATUR ergo primo Exodi 25. ubi Aureolam iubet fieri super mensam Sanctuarii. *Et Apoc. 12.* ubi mulier amicta Sole erat coronata duodecim stellis.

3 Then, because the combat of the flesh is the greatest; therefore a noble crown is owed to it.

DEINDE, quia maxima est pugna carnis; ideo et nobilis ei corona debetur.

4 You will ask, why the aureola is owed to the virgin; for it is not owed to her on account of difficulty, for it is more difficult to deny one's will; nor on account of perfection, for it is more perfect to love one's enemy.

QUAERES, cur debeatur aureola virgini; non enim ex difficultate ei debetur, nam difficilius est voluntatem abnegare; neque ratione perfectionis, quia perfectius est inimicum diligere.

5 It is answered, that it is owed to her by reason of the beauty, as I said. The rest is easy in the Holy Doctor.

RESPONDETUR, ei deberi ratione decoris, ut dixi. Reliqua sunt facilia in S. Doctore.

Question X: On continence

1 CONTINENCE is the virtue restraining the exorbitant movements of the will, which usually arise from the movement of the passions of the sensitive appetite moving the will toward things contrary to right reason. On this Aristotle 7. Eth. The Holy Doctor defines it in Opusc. declarat. termin. Theol.: *Continence is the regimen of concupiscence by the governance of counsel.* It is gathered from Cicero 2. de Invent., as the Holy Doctor notes in Compend. Theol. lib. 5. cap. 35.

CONTINENTIA est virtus cohibens exorbitantes motus voluntatis, qui solent existere ex motu passionum appetitus sensitivi moventis voluntatem ad ea, quae sunt contraria rectae rationi. De hac Aristoteles 7. Eth. Hanc definit S. Doctor Opusc. declarat. termin. Theol. Continentia Temperantiae est regimen cupiditatis per consilii gubernationem. *Colligitur e Cicerone 2. de Invent. ut notat S. Doctor in Compend. Theol. lib. 5. cap. 35.*

2 On Continence you have many things from the Holy Fathers in St. Bonavent. lib. 3. Pharetrae, cap. 45., where it is also taken by them for Chastity, but we now treat of Continence, by which the will is strengthened against the assaults of the passions. Now this, since it does not also bring it about that such perturbed movements of the passions are checked, but only that the will, while they arise, is not conquered and drawn away from what is consonant with reason, is not a wholly perfect virtue; as Valentia notes, disp. 9. quaest. 1. puncto 2., although, inasmuch as it obtains victory against the arising passions, it can be in some manner called a virtue, as St. Thom. teaches, art. 1., from Aristotle 4. Eth. cap. 5.

DE Continentia habes multa ex PP. in D. Bonavent. lib. 3. Pharetrae, cap. 45. ubi ab illis sumitur etiam pro Castitate, sed nunc agimus de Continentia, qua firmatur voluntas contra passionum impetus. Haec autem, cum non etiam id efficiat, ut eiusmodi perturbati passionum motus compescantur, sed tantum ne ab eis insurgentibus voluntas vincatur, et dimoveatur ab eo, quod est rationi consentaneum, non est omnino perfecta virtus; ut notat Valentia disp. 9. quaest. 1. puncto 2. quamvis, ut obtinet quidem victoriam adversus insurgentes passiones, virtus aliqualiter dici queat, ut docet D. Thom. art. 1. ex Aristotele 4. Eth. cap. 5.

Question XI: On meekness

1 MILDNESS is the virtue establishing moderation in the appetite for vengeance, that is, in anger, or in the bearing of injuries, as St. Bonavent. teaches in Hexaëmer. serm. 5. and lib. 5. Compend. Theol. ver. cap. 49., where he asserts it to be the same virtue as meekness, of which it is said *Blessed are the meek, etc.* It differs from patience, which is in the bearing of bodily troubles.

> *MANSVETUDO est virtus statuens moderationem in appetitu vindictae, idest, in ira, seu in sustinentia iniuriarum, ut docet D. Bonavent. in Hexaëmer. serm. 5. et lib. 5. Compend. Theol. ver. cap. 49. ubi eandem eam cum mititate virtutem asserit, de qua dicitur* Beati mites, etc. *Differt a patientia, quae est in sustinentia molestiarum corporalium.*

2 That this is a virtue is evident, because it is concerned with an arduous object morally good, which is the moderation of anger.

> *HANC esse virtutem patet, quia versatur circa obiectum arduum moraliter bonum, quod est moderatio irae.*

3 It is also proved because *the prayer of the meek hath always pleased him,* as is said Judith 9., and Numbers 12., where Moses is called the meekest among men, and is praised; and Matthew 5.: *Blessed are the meek: for they shall possess the land.* This the Holy Doctor in Diaeta, tit. 7. cap. 2., who adds that Christ also is praised as mild, Jerem. 11.: *I was as a mild lamb,* and Psalm 44.: *For truth and mildness, etc.*

> *PROBATUR etiam quia* mansuetorum ei semper placuit oratio, *ut dicitur Iudit. 9. et Numer. 12. Moyses dicitur inter homines mitissimus, et laudatur et Matth. 5.* Beati mites: quoniam ipsi possidebunt terram. *Haec S. Doctor in Diaeta, tit. 7. cap. 2. qui addit, etiam Christum ut mansuetum laudari, Hierem. 11.* Ego quasi agnus mansuetus, *et Psalm. 44.* Propter veritatem, et mansuetudinem, etc.

4 On this see the splendid things there, especially concerning the nature of man, distinct from the wild beasts.

> *De hac vide ibi praeclara, maxime circa hominis naturam, a feris diversam.*

5 This gentleness, and instruction, and apt disposition of information in divine things, James 1. asserts:[3] *In mildness receive the ingrafted word.* Then they are not assailed, but inherit the land, as is said Matthew 5. Third, they are exalted, as Christ, who came mild, Matthew 21., and Psalm 75.: *God shall arise in judgment, to save all the mild of the earth.* Fourth, they are honored the more, Psalm 146.: *The Lord lifteth up the mild.* This the Holy Doctor in Diaeta, tit. 8. cap. 4.

[3] Editor's note: the print/OCR reads 'HANC vetitatem'; rendered as 'facilitatem' (docility/easiness), which fits the citation of James 1: 'in mansuetudine suscipite insitum verbum', since 'vetitatem' is not intelligible Latin.

> *HANC facilitatem, et eruditionem, et informationem in rebus divinis aptam dispositionem asserit Iacob. 1.* In mansuetudine suscipite insitum verbum. *Deinde non impugnantur, sed haereditant terram, ut dicitur Matth. 5. Tertio elevantur, sicut Christus, qui venit mansuetus, Matth. 21. et Psal. 75.* Exurget in iudicio Deus, ut salvet omnes mansuetos terrae. *Quarto, amplius honorantur, Psalm. 146.* Suscipiens Dominus mansuetos. *Haec S. Doctor in Diaeta, tit. 8. cap. 4.*

6 Yet the Holy Doctor warns that this virtue is not always to be employed, but sometimes severity, on those words of John 6.: *You seek me, because you saw signs,* therefore he says that severity and discipline are sometimes necessary for a master, when the disciple has been slow and dull. Therefore in serm. 5. Hexaëmer. he says that mildness is against Irascibility and anger, not so that man should not be angry at all, but when he ought, and as much as he ought, as is said 2. Eth. cap. 7. and lib. 4. cap. 6.

HANC tamen virtutem non semper adhibendam, sed aliquando severitatem, monet S. Doctor ad ea verba Ioan. 6. Quaeritis me, quia vidistis signa, *ait igitur, aliquando necessariam esse magistro severitatem, et disciplinam, cum discipulus fuerit defes, et grossus. Ideo serm 5. Hexaëmer. ait, mansuetudinem esse contra Irascibilitatem, et iracundiam, non ut penitus homo non irascatur, sed ubi debet, et quando debet, ut dicitur 2. Eth. cap. 7. et lib. 4. cap. 6.*

Question XII: On clemency

1 CLEMENTIA, or clemency, is the virtue applying a measure conformable to right reason in the very external punishment, and thus it belongs especially to superiors toward subjects, as St. Thom. teaches, quaest. 157. Wherefore mildness and clemency avail for the same effect; whence it happens that they are often named for the same thing. Thus Cicero defines it, lib. 2. de Invent., *clemency to be that by which minds, rashly drawn and provoked into hatred of someone, are held back by kindness.* Which definition fits both virtues.

CLEMENTIA est virtus modum adhibens rationi rectae convenientem in ipsa externa punitione, et sic potissime competit superioribus erga subditos, ut docet D. Thom. quaest. 157. Quare mansuetudo, et clementia ad eundem effectum valent; Quo fit, ut saepe pro eadem nominentur. Ita Cicero lib. 2. de Invent. definit, Clementiam esse, per quam animi, temere in odium alicuius illecti, concitatique comitate retinentur. *Quae definitio utrique virtuti aptatur.*

2 They are, however, diverse, for one thing is the difficulty, and so also the praise, in restraining anger itself; and another in moderating external punishment; yet they are often joined: and this the Holy Doctor intended in the declarat. terminorum, Theol., defining Clemency: *It is the virtue by* which the mind, rashly provoked into hatred of someone, is softened by benignity, where he seems at once to join mildness with clemency, as also St. Gregory, lib. 22. moral. cap. 7.: *The praise of perfect mildness and clemency is to endure adversity, and outwardly firmly, and inwardly mildly.*

SUNT tamen diversae, nam alia est difficultas, atque adeo etiam laus in refrenanda ipsa ira; et alia in moderanda punitione externa; saepe tamen coniunguntur: et hoc voluit S. Doctor in declarat. terminorum, Theol. definiens Clementiam: Est virtus per *quam animus in odium alicuius temere concitatus, benignitate remittitur, ubi videtur simul mansuetudinem cum clementia coniungere, sicuti etiam D. Gregorius, lib. 22. moral. cap. 7.* Perfectae mansuetudinis, et clementiae laus est, adversa perpeti, et exterius fortiter, et interius clementer.

3 St. Augustine, epist. 13.: *Spare the wicked, O mild man, and good: and the better you are, the milder be; and the higher you are in power, the lower you should become in piety.*

D. Augustinus epist. 13. Malis parce, vir mitis, et bone: et quanto melior es, tanto mitior esto; et quanto sis celsior potestate, tanto humilior fias pietate.

4 Seneca, de Clementia, lib. 1. cap. 22.: *Clemency itself in the ruler makes shame at sinning*, and cap. 20.: *I shall call him clement, not one who is facile in another's grief, but he who, though goaded by his own stings, does not leap forth: who understands that it belongs to a great soul to bear injuries with supreme power, and that nothing is more glorious than a Prince injured with impunity*, and cap. 3.: *Clemency befits no one of all more than the Prince, for a pestilential power is to be able to injure.* The Holy Bonav. relates all these things, lib. 2. *Pharetrae*, c. 40.

Seneca de Clementia, lib. 1. cap. 22. Verecundiam peccandi facit ipsa clementia regentis, *et cap. 20.* Clementem vocabo, non in alieno dolore facilem, sed eum, qui cum suis stimulis exagitetur, non prosilit: qui intelligit magni animi esse, iniurias in summa potentia pati, nec quicquam esse gloriosius Principe

impune laeso, *et cap. 3.* Nullum clementia ex omnibus magis, quam Principem decet, nam pestifera vis est valere ad nocendum. *Haec omnia refert S. Bonav. lib. 2.* Pharetrae, *c. 40.*

Question XIII: On modesty

1 Modesty is defined by St. Bonav. in the opusc. declaratorio term. Theologiz: *Modesty is the virtue which by the shamefastness of honesty procures a pure and stable authority.* The same in lib. 5. Compend. Theol. cap. 35.

De MODESTIA.

Modestia definitur a D. Bonav. in opusc. declaratorio term. Theologiz: Modestia est virtus, quae pudor honestatis comparat puram, et stabilem authoritatem. *Idem habet lib. 5. Compend. Theol. cap. 35.*

2 This indeed is the virtue establishing moderation in human actions, especially the external manners of the body, whose three parts St. Thom. says it has, q. 143. art. unic., namely Good ordering, Ornament, and Austerity.

Haec sane est virtus constituens moderationem in actionibus humanis, praesertim externis moribus corporis, cuius tres partes dicit esse S. Thom. q. 143. art. unic. scilicet Bonam ordinationem, Ornatum, et Austeritatem.

3 Good ordering establishes the measure in the external actions of the body; so that a thing either be done or not be done, or be done in that order in which it is expedient, as St. Thom. teaches, art. 1. By Ornament modesty affects things so that what is done be done comely. By Austerity, so that conversations with friends or others have a certain maturity which befits the person and the things themselves. Thus Valentia, disp. 9. quaest. 1. puncto 2.

Bona ordinatio constituit modum in externis corporis actionibus; ut id aut fiat, aut non fiat, aut eo ordine fiat, quo expedit, ut docet D. Thom. art. 1. Per Ornatum afficit modestia, ut quod fit, fiat decenter. Per Austeritatem, ut colloquia cum amicis, vel aliis habeant maturitatem quandam, quae personae, et rebus ipsis conveniat. Ita Valentia disp. 9. quaest. 1. puncto 2.

4 The Holy Doctor proves and declares this, lib. 2. Phar. cap. 41., by the authorities of the Fathers. St. Ambrose, lib. 1. de offic. cap. 18.: *Great is the virtue of modesty, which, though it be also somewhat more remiss of its own right, usurps nothing to itself, claims nothing for itself*: And cap. 43.: *In modesty especially are regarded and sought the tranquillity of the mind, the study of mildness, the grace of moderation, the care of honesty, the consideration of comeliness.* St. Augustine, de vita beata, disp. 3.: *Modesty is so called from measure, as temperance from temperature: where there is measure and temperature, nothing is more, and nothing less.* See other things there.

Haec probat, atque declarat S. Doctor lib. 2. Phar. cap. 41. authoritatibus Patrum. D. Ambrosius lib. 1. de offic. cap. 18. Magna virtus modestia, quae cum sit etiam sui iuris remissior, nihil sibi usurpans, nihil sibi vendicans: Et cap. 43. In modestia maxime tranquillitas animi, studium mansuetudinis, moderationis gratia, honestatis cura, decoris consideratio spectatur, et quaeritur. *D. Augustinus de vita beata, disp. 3.* Modestia dicta est a modo, sicut a temperie temperantia: Ubi autem modus est, atque temperies, nec plus est quidquam, nec minus. *Vide alia ibi.*

Question XIV: On humility

[1] Humility is a virtue so restraining the passion of Hope and of Boldness, that no one in that genus wishes anything to be attributed to himself beyond what befits him, with due regard for his own dignity. D. Thomas asserts this to be a certain species of modesty, and there art. 3 he teaches that it does not conflict with humility for someone to recognize the gifts he has received from God, according to 1 Cor. 2: *We have not received the spirit of this world, but the spirit that is of God, that we may know what things are given to us by God.* Nevertheless D. Thomas teaches that it belongs to Humility to reckon others as one's superiors, either by comparing what we have naturally with what another has by grace, or our defects with the good of another. Therefore the holy Doctor defines it in book 1 de profectu religiosorum cap. 19: *It is a voluntary inclination of the mind, arising from an intuition of one's own condition or frailty.* Or from D. Bernard, treatise on the twelve degrees of humility: *Humility is the virtue by which a man, through most true knowledge of himself, becomes lowly in his own eyes.*

> ***De HUMILITATE.***
>
> *Humilitas est virtus ita cohibens passionem Spei, et Audaciae, ut non velit quis illo in genere sibi quidquam tribui ultra id, quod ipsi congruit, habita ratione propriae dignitatis. Hanc asserit D. Thom. esse speciem quandam modestiae, et ibidem art. 3. docet, non repugnare humilitati, ut quis cognoscat dona, quae a Deo acceperit, iuxta id prima Cor.* 2. Non spiritum huius mundi accepimus, sed spiritum, qui ex Deo est, ut sciamus, quae a Deo donata sunt nobis. *Nihilominus tamen docet D. Thom. ad Humilitatem pertinere, ut quis alios reputet sibi superiores, vel comparando ea, quae nos habemus naturaliter cum his, quae alter habet ex gratia, vel defectus nostros cum bono alterius. Ideo eam definit S. Doctor lib. 1. de profect. relig. cap. 19.* Est ex intuitu propriae conditionis, vel fragilitatis voluntaria mentis inclinatio. *Vel ex D. Bernardo, tract. de duodecim gradibus humilitatis:* Humilitas est virtus, qua homo verissima cognitione sui, sibi metipsi vilescit.

[2] The holy Doctor adduces two motives for this abasement: Consider that you are smoke, and that you are not smoke: for that we are smoke, we do not have of ourselves, nor first from our own merits; therefore reason dictates, so that we not be puffed up on this account, but rather refer all things to the Giver, lest attributing to ourselves what belongs to God we be thieves; for he says Isa. 42: *My glory I will not give to another.* But that we are not smoke likewise admonishes us to be humbled, because it is an empty glory to boast of what one does not have, just as if a Pygmy should proclaim himself a giant; a pauper should style himself rich, like that High Priest of *Apoc.* 3, or an Ethiopian should proclaim himself whiter than snow.

> *Duo autem motiva affert S. Doctor huius demissionis: Considerate quod fumus, et quod non fumus: Quod enim fumus, non habemus, a nobis, neque ex meritis nostris primo; ideo ne hinc extollamur, ratio dictat, sed ut omnia referamus in Datorem, ne nobis adscribentes, quae sunt Dei, simus fures, ait enim Isa. 42.* Gloriam meam alteri non dabo. *Quod autem non fumus, pariter monet nos humiliari, quia gloria inanis est extolli de eo, quod non habemus, veluti si Pygmaeus se gigantem acclamet; inops se divitem praedicet, veluti ille Antistes* Apoc. *3. vel AEthiops se nive candidiorem proclamet.*

[3] A threefold Humility, the holy Doctor says, is necessary to us. The first toward ourselves, that considering our own worthlessness we abase ourselves. The second in humbly comporting ourselves, as is said Ps. 34: *As one mourning and sorrowful, so was I humbled.* The third in exercising ourselves in humble offices. So 2 Reg. 6 David said: *I will play, and be made viler than I have been, and I will be humble in my own eyes.*

> *Triplicem vero Humilitatem nobis esse necessariam ait S. Doctor. Prima ad nos, ut considerantes nostram vilitatem, nos ipsos decipiamus. Secunda humiliter nos habendo, ut dicitur Psalm. 34.* Quasi lugens, et contristatus sic humiliabar. *Tertia in humilibus nos obsequiis exercendo. Ita 2. Reg. 6. aiebat David:* Ludam, et vilior fiam, plusquam factus sum, et ero humilis in oculis meis.

4 Secondly, we must be humble in regard to our neighbor, and indeed first by esteeming them above ourselves, as is said Philip. 2: *In humility esteeming one another as superiors.* Second, by preventing one another with exterior honor, reverencing, inclining, yielding the first place, not detracting from anyone, but obeying and deferring. Third, we must bear with their weak works, as is said Ps. 34: *When they were troublesome to me, I clothed myself in sackcloth, I humbled myself, etc.* See the holy Doctor cap. 31 of the aforesaid book.

> *Secundo debemus esse humiles in ordine ad proximum, et quidem primo eos nobis superiores aestimando, ut dicitur Philip. 2.* Humilitate superiores sibi invicem arbitrantes. *Secundo honore exteriori invicem praevenientes, reverendo, inclinando, primum locum cedendo, non ei detrahendo, sed obediendo, et obsequendo. Tertio debemus eorum infirma opera tolerare, ut dicitur Psalm. 34.* Cum mihi molesti essent, induebar cilicio, humiliabam, etc. *Vide S. Doctor cap. 31. libri allati.*

5 Thirdly, we must humble ourselves before God. First by acknowledging him as our Lord, Creator, etc. Second, by subjecting ourselves to his will and scourges, acknowledging them as deserved by our demerits, as is said Mich. 7: *I will bear the wrath of the Lord, because I have sinned against him.* Third, so that we not be puffed up over his benefits, but say with the Psalmist: *Not to us, O Lord, not to us, but to your name give glory, Psalm 113.*

> *Tertio debemus humiliari ad Deum. Primo eum agnoscendo nostrum Dominum, Conditorem, etc. Secundo subiiciendo nos eius voluntati, et flagellis, ea agnoscendo debita nostris demeritis, ut dicitur Mich. 7.* Iram Domini portabo, quoniam ipsi peccavi. *Tertio ne de beneficiis eius extollamur, sed cum psalmista dicamus:* Non nobis Domine, non nobis, sed nomini tuo da gloriam, Psalm. 113.

6 He assigns three degrees of humility: The first is that, considering our own worthlessness and our sins, we acknowledge ourselves needy with a humble mind, neither boast, nor seek after praise and honors.

> *Tres gradus assignat humilitatis: Primus est ut nostram vilitatem, et nostra peccata considerantes, mente humili nos agnoscamus inopes, nec extollamur, nec laudes, et honores appetamus.*

7 The second degree is, when a man not only despises himself, but also patiently accepts being despised by others; indeed, because we love the truth, one even desires to be judged by others as lowly as he himself acknowledges himself to be.

> *Secundus gradus est, cum non solum se spernit homo, sed etiam ab aliis sperni patienter accipit; imo quia veritatem amamus, aliquis optat censeri ab aliis, qualem se ipse agnoscit abiectum.*

8 The third degree is, when even in great gifts a man does not flatter himself, but refers all to the Giver above: Such was the humility of the Blessed Virgin, who, when she perceived herself raised to the dignity of God's mother, confesses herself a handmaid, *Luke* 1, and Christ, being in the form of God, humbled himself, *Philip.* 2. Hence *Matth.* 11 he says: *Learn of me, for I am meek and humble of heart.* Such is the humility of the Angels and Saints in glory, to which the meek in their ways are likened.

See the holy Doctor cap. 33, and de gradibus virtutum c. 3, and P. P. Gentil. sect. 18. Rodriguez pursues this at length.

> *Tertius gradus est, quando in magnis etiam donis homo non sibi blanditur, sed totum refert in supernum Datorem: Talis fuit humilitas B. V. quae cum ad dignitatem Dei matris se evectam intenderet, ancillam se confitetur* Lucae *1. et Christus in forma Dei se humiliavit,* Philip. *2. Ideo* Matth. *11. ait:* Discite a me, quia mitis sum, et humilis corde. *Talis est humilitas Angelorum, et Sanctorum in gloria, unde quibus mansuetis in moribus comparantur. Vide S. Doctorem cap. 33. et de gradibus virtutum, c. 3. et P. P. Gentil. sect. 18. Haec late prosequitur Rodriquez.*

9 MANY other outstanding things he teaches on Humility in *Diaeta, tit. 7. cap. 1*, which I do not wish to transcribe, referring the reader to the ever-flowing fountain of heavenly water.

> *MULTA alia praeclara de Humilitate docet in* Diaeta, tit. 7. cap. 1. *quae transcribere nolo, remittens ad fontem perennem caelestis aquae.*

10 VERY MANY examples of humility from Scripture the holy Doctor gives in *Bibliis pauperum, cap. 97.*

> *PLURIMA humilitatis exempla e scripturis habet S. Doctor in* Bibliis pauperum, cap. 97.

11 VERY MANY he gathers from the holy Fathers in *lib. 4. Pharetrae, cap. 12*, where he also sets out the twelve degrees of humility from D. Bernard on the 12 degrees of humility, which are also found in D. Thomas.

> *PLURIMA e SS. Patribus colligit* lib. 4. Pharetrae, cap. 12. *ubi etiam duodecim gradus humilitatis affert e D. Bernardo de 12. gradibus humilit. qui etiam in D. Thom. reperiuntur.*

12 MANY things likewise he has in *serm. 2. Dom. 16. post Pentec. and serm. 2. de uno S. Confessore, and serm. 5. de uno S. Martyre, and serm. 2. in festo omnium Sanctorum.*

> *MULTA item habet* serm. 2. Dom. 16. post Pentec. et serm. 2. de uno S. Confessore, et serm. 5. de uno S. Martyre, et serm. 2. in festo omnium Sanctorum.

13 The remaining parts of the potential Temperance were indicated above, and I shall not go on at greater length.

> *Reliquae partes Potentiales Temperantiae supra, indicatae sunt, nec latius incedam.*

Disputation II: On the Vices Opposed to the Virtue of Temperance

1 NOW concerning the opposite Vices of Temperance there must be a treatise, which are many and most shameful; for the more spiritual and exalted a Virtue is, the worse are the vices by which it is assailed, and as it were fixed in mire. Corresponding to the three integral parts of Temperance, namely Abstinence, Sobriety, and Chastity, there are three adverse vices, Gluttony, Drunkenness, and Lust: Of the first and second we shall treat in the two following questions; the third, however, since it is divided into several species, I shall weigh through more doubts. Gluttony the holy Doctor describes most beautifully in *Diaeta, titulo 2. cap. 8.*, where he unfolds it with apt comparisons; see him there.

> *NUNC de Vitiis Temperantiae oppositis differendum, quae plurima, et turpissima sunt; quo enim Virtus aliqua spiritualior, et altior est, eo vitia, quibus impugnatur, deteriora sunt, et velut luto infixa. Pro triplici autem parte integrali Temperantiae, Abstitinentiae scilicet, Sobrietate, et Castitate, tria sunt vitia adversa, Gula, Ebrietas, et Luxuria: De prima, et secunda agemus duabus sequentibus quaestionibus; Tertiam vero, quippe in varias species partitam, per plures dubitationes expendam. Gulam perbelle describit S. Doctor* in Diaeta, titulo 2. cap. 8. *ubi concinnis eam comparationibus explicat, ipsum vide.*

Question I: On gluttony

1 THIS vice is opposed to Abstinence, which is an integral part of Temperance. It is defined by D. Bonaventure *p. 5. Cent. sect. 25. and in Opusc. declaratorio term. Theologiae: and in Diaeta, tit 1. cap. 8. Gluttony is an immoderate love of eating.* To this vice also drinking belongs, insofar as it is a part of nourishment, and in this sense it is defined by the holy Doctor: *Gluttony is an immoderate love of nourishment.* Under another aspect, however, drinking, insofar as it exceeds unto insanity, pertains to drunkenness, as Tanner notes *disp. 3. quaest. 3. dub. 3.*, and D. Bonaventure here.

> *HOC vitium opponitur Abstinentiae, quae est pars integralis Temperantiae. Definitur a D. Bonavent.* p. 5. Cent. sect. 25. et in Opusc. declaratorio term. Theologiae: et in Diaeta, tit 1. cap. 8. Gula est immoderatus amor edendi. *Ad hoc vitium spectat etiam potus, prout est pars alimenti, et hoc sensu definitur a S. Doctore* Gula est immoderatus amor alimenti. *Sub alia vero ratione, potus, ut excedit ad insaniam, spectat ad ebrietatem, ut notat Tanner.* disp. 3. quaest. 3. dub. 3. *et D. Bonavent. hic.*

2 The holy Doctor notes, second, four differences of Gluttony from D. Isidore *lib. 2. sent. cap. 42.*: What, How much, When, and How. What pertains to the thing itself: When, if one desires it before the lawful time: How much, is referred to immoderacy: How, if one desires it too eagerly.

> *NOTAT secundo S. Doctor quatuor differentias Gulae ex D. Isidoro* lib. 2. sent. cap. 42. *Quid, Quantum, Quando, et Quomodo. Quid, ad ipsam rem pertinet: Quando, si ante legitimum tempus appetat: Quantum, ad immoderantiam refertur: Quomodo, si nimis ardenter appetat.*

3 According to D. Gregory *lib. 30. moral. cap. 13.* there are five differences, comprehended in this verse:

> *SECUNDUM D. Gregorium* lib. 30. moral. cap. 13. *sunt quinque differentiae hoc versu comprehensae.*

4 *Praepropere, laute, nimis, ardenter, studiose.*

> Praepropere, laute, nimis, ardenter, studiose.

5 PRAEPROPERE pertains to taking food before the proper time: Laute pertains to the substance of the food, when namely it is in itself precious and delicate: Nimis has regard to the quantity of food. Ardenter is considered on the side of the appetite. Studiose, on the side of cognition. Isidore comprehends these two last differences under the one that is the fourth manner.

> *PRAEPROPERE pertinet ad sumptionem cibi ante tempus: Laute, pertinet ad cibi substantiam, cum scilicet ex se pretiosus, et delicatus est: Nimis, ad cibi quantitatem spectat. Ardenter, attenditur ex parte affectus. Studiose, ex parte cognitivæ. Duas istas ultimas differentias sub ea, quae est quarto modo, comprehendit Isidorus.*

6 The five daughters of Gluttony are, namely, Inept Joy, Buffoonery, Uncleanness, Much-Talking, and Dulness of mind, or of sense, in understanding.

> *QUINQUE sunt filiae Gulae, scilicet Inepta Laetitia, Scurrilitas, Immunditia, Multiloquium, Hebetudo mentis, vel sensus circa intelligentiam.*

7 INEPT joy is a will exciting lust in taste through exterior sports, and afterward excited by it.

> *INEPTA laetitia est voluntas per exteriores lusus excitans libidinem in gustu, et ex ipsa postmodum excitata.*

8 BUFFOONERY is a will exciting the lust of taste through carnal words, and afterward moved in it.

> *SCURRILITAS est voluntas, per verba carnalia libidinem gustus commovens, et in ipsa postmodum commota.*

9 UNCLEANNESS is a will desiring lust in taste continuously through excessive taking of food to itself.

> *IMMUNDITIA est voluntas per nimiam sibi sumptionem, libidinem in gustu continuate desiderans.*

10 MUCH-TALKING is a will, by a multiplication of words, intending to preserve lust in taste.

> *MULTILOQUIUM est voluntas per multiplicationem verborum, intendens in gustu conservate libidinem.*

11 DULNESS of mind is a will of preserving the lust of one's own flesh, absorbed, despising to understand spiritual things. The same D. Thomas has *art. 5. and 6.*

> *HEBETUDO mentis est voluntas conservandae libidinis propriae carnis, absorpta, intelligere spiritualia fastidiens. Idem habet D. Thom.* art. 5. et 6.

12 According to Isidore in *Deuter. cap. 16.* there are two daughters of Gluttony: Comessation in food, and Drunkenness in drink. Comessatio is called *Castrimargia*, as the holy Doctor notes in *Diaeta, tit. 1. cap. 8.* It is called Castrimargia from *Castro* and *Mergo*, because it plunges all things into the castle of the belly. Drunkenness is called as it were *extra-Bria*; for Bria was anciently the name of a cup, which was the measure of drink: See the holy Doctor, and there you will read outstanding things.

> *SECUNDUM Isidorum in* Deuter. cap. 16. *sunt duae filiae Gulae: Commessatio in cibo, et Ebrietas in potu. Dicitur Commessatio* Castrimargia*, ut notat S. Doctor in* Diaeta, tit. 1. cap. 8. *Dicitur autem Castrimargia a* Castro*, et* Mergo*, quia omnia mergit in castro ventris. Ebrietas dicitur, quasi* extra-Briam *Bria enim dicebatur antiquitus calix, qui erat mensura potus: Vide S. Doctorem, et ibi praeclara perleges.*

13 According to Cassian *lib. 5. de spiritu Castrimargiae, cap. 2.* there are four species. The first is to eat before the proper time, or more often than is fitting, beyond necessity, in the manner of beasts. The second is, with excessive avidity and impetus, to call certain persons, like wolves and hungry dogs.

The third, to fill oneself too much. The fourth, too delicately, as the holy Doctor relates de profectu Religiosi lib. 1. cap. 36., where he also sets forth the remedies of gluttony, which see in it; for I do not transcribe them, because they are long and outstanding, contained in that source, which consult.

> *SECUNDUM Cassianum* lib. 5. de spiritu Castrimargiae, cap. 2. *sunt quatuor species. Prima est ante debitum tempus, vel saepius, quam deceat, comedere praeter necessitatem, more pecudum. Secunda est, cum nimia aviditate, et impetu quosdam vocare, sicut Lupi, et canes famelici. Tertia, nimis se implere. Quarta, nimis laute, ut refert S. Doctor de* profectu Religiosi lib. 1. cap. 36. *ubi etiam remedia gulae affert, quae vide in eo, non enim transcribo, quia prolixa, et praeclara in ipsa habentur origine, quam consule.*

14 The holy Doctor asserts *lib. 3. Comp. Theol. cap. 27.* that Gluttony of its genus is a venial sin, because the appetite of eating, by its nature, is not subject to the dominion of the will, but is in us by nature, which can be in five ways. First, if it is a mere appetite for food, and this is no fault; nor even is the delight following the food a sin, insofar as it is ordered against no defect of the contrary food; for these things are purely natural, in which there is neither merit nor demerit. Second, if to the appetite of necessity there is joined an appetite of delight and pleasure in food, and this is venial sin: Third, if there is there a transgression of a precept, as if one breaks without necessity the fast of the Church, or eats meats forbidden to him under a moral precept. Fourth, when the appetite of eating is with lust, or when it adheres with excessive and formal affection to the delight of food, and this is mortal. Fifth, if it leads into such a habit as makes the whole life of a man assigned to delights of this kind, and this is near to mortal. Almost the same S. Thomas Valencia has *disp. 9. quaest. 3. puncto 1.*, Tannerus *disp. 3. quaest. 3. dub. 3.*

> *ASSERIT S. Doctor* lib. 3. Comp. Theol. cap. 27. *Gulam ex genere suo esse peccatum veniale, quia appetitus comedendi ex sua ratione non subiacet dominio voluntatis, sed natura nobis inest, quod potest esse quinque modis. Primo, si est merus appetitus cibi, et hic non est culpa, nec etiam delectatio, cibum consequens, est peccatum in quantum ordinatur contra defectum cibi contrarium, haec enim sunt pure naturalia, in quibus non est meritum, nec demeritum. Secundus si appetitui necessitatis adiungitur appetitus delectationis, et voluptatis in cibo, et hoc est peccatum veniale: Tertio si est ibi transgressio praecepti, ut si frangat absque necessitate ieiunium Ecclesiae, vel comedit carnes sibi vetitas sub morali. Quarto, cum appetitus edendi est cum libidine, ve cum nimio, et formali affectu inhaeret delectationi cibi, et hoc est mortale. Quinto, si ducitur in consuetudinem talem, quae facit totam vitam hominis delectationibus huiusmodi deputari, et haec est vicina mortali. Eadem fere habet S. Thom. Valentia* disp. 9. quaest. 3. puncto 1. *Tannerus* disp. 3. quaest. 3. dub. 3.

15 He hands down in the Confessional, moreover, how the penitent is to be interrogated in confession concerning this vice, according to the three degrees of gluttony. First, if he has stuffed himself, and frequently, and has preferred feasting to the love or delight of God, so that doing any good thing did not delight him. Second, when he is unwilling to fast, or fasts uncleanly, drinking wine before dinner. Third, if he eats so that he may be stronger for sinning. Let him ask also according to the species of gluttony adduced, whether he has sinned too often in them? whether he has used various foods? whether he has sought new ones? precious ones? whether he has eaten harmful things for pleasure, especially in infirmity?

> *Tradit vero in Confessionali, quomodo interrogandus sit poenitens in confessione circa hoc vitium, secundum tres gradus gulae. Primus si se replevit, et frequenter, praeposuitque epulas dilectioni, vel delectationi Dei, ita ut non delectaret eum, quidquam boni agere. Secundus, quando non vult ieiunare, vel immunde ieiunat, bibendo vinum ante prandium. Tertius,*

si comedat, ut fortior sit ad peccandum. Quaerat etiam iuxta species gulae allatas, si nimis saepe in eis peccaverit? si variis sit usus? si nova quaesivit? si pretiosa? si ob delectationem comedit nociva, maxime in infirmitate?

16 On Gluttony the holy Doctor has outstanding things from the holy Fathers in the Pharetra, lib. 2. cap. 12.

De Gula habet praeclara S. Doctor e SS. Patribus in Pharetra, lib. 2. cap. 12.

17 D. Gregory *lib. 31. cap. 17. From the belly of gluttony arise inept joy, buffoonery, uncleanness, much-talking, dulness of sense in understanding*, and lib. 30. cap. 15: *In five ways the vice of Gluttony tempts us. Sometimes need anticipates the times. Sometimes indeed it does not anticipate the time, but seeks finer foods. Sometimes it seeks that whatever is to be taken be prepared more carefully. Sometimes again it accords both with the quality of the foods and the time, but exceeds the measure of refreshment in the very quantity of the foods. And cap. 14: Sometimes indeed what it desires is cheap, and yet by that heat of immense desire it sins the worse. An example of the first is found in Jonathan: of the second in the Israelites: of the third in the sons of Eli: of the fourth in Ezechiel: of the fifth in Esau.*

D. Gregorius lib. 31. cap. 17. De ventre ingluvie inepta laetitia, scurrilitas, immunditia, multiloquium, hebetudo sensus circa intelligentiam oritur, et lib. 30. cap. 15. Quinque nos modis Gula vitium tentat. Aliquando namque indigentia tempora praevenit. Aliquando vero tempus non praevenit, sed cibos lautiores quaerit. Aliquando qualibet sumenda praeparari accuratius expetit. Aliquando autem et qualitati ciborum, et tempori congruit, sed in ipsa ciborum quantitate, sumendi mensuram refectionis excedit. Et cap. 14. Nonnumquam vero, et abiectum est, quod desiderat, et tamen ipso aestu immensi desiderii deterius peccat. Exemplum de primo habetur in Ionatha: De secundo in Israëlitis: De tertio in filiis Eli: De quarto in Ezechiele: De quinto in Esaü.

18 D. Isidore *de sum. bono, lib. 2. cap. 43. sent. 8. Let him attend to the punishment of burning riches to whom is the abundance of feasts, whose such poverty there was in hell among the fires, as great as here had been the plenty of feasts.*

D. Isidorus de sum. bono, lib. 2. cap. 43. sent. 8. Cui abundantia est epularum, ardentis divitiis attendat supplicium, cuius tanta in inferno inter ignes erat inopia, quanta hic fuerat epularum copia.

19 He adds, moreover, many practical propositions from the Fathers.

Multas vero practicas propositiones e Patribus addit.

20 D. Gregory *in Past. part. 3. cap. 2. admon. 20. Gluttony attends upon those given to it, superfluity of speech, levity of work, and luxury: but the abstinent are often attended by impatience and sadness, and often also by the fault of pride.*

D. Gregor. in Past. part. 3. cap. 2. admon. 20. Gula deditos, superfluita locutionis, levitas operis, atque luxuria: abstinentes vero saepe impatientia, atque tristitia, saepe vero superbiae culpa comitatur.

21 D. Bernard *in Apol. ad Guliel. Abb. before the middle: Among animals of large bodies nature has given none so small a mouth, in proportion to the size of the body, as to man, which was done for the commendation of temperance and for the detestation of Gluttony. Seneca says: Obeying the belly, we live in the place of animals, not of men. And serm. de convers. ad cler. cap. 12. The pleasure of the throat, which is esteemed so great today, scarcely has the length of two fingers; it does not last except as long as that passage through the gullet lasts, and for that passage Lady Gluttony wills that so many and such great things be prepared for her.*

> *D. Bernardus* in Apol. ad Guliel. Abb. ante medium: Inter animalia magnorum corporum nulli dedit natura tam parvum os, secundum corporis quantitatem, sicut homini, quod factum est ad commendationem temperantiae, et ad detestationem Gulosiatis. Seneca ait: Ventri obedientes, loco animalium vivimus, non hominum. Et serm. de convers. ad cler. cap. 12. Voluptas gutturis, quae tanti hodie aestimatur, vix duorum habet longitudinem digitorum; non durat nisi quantum durat transitus ille per gulam, et pro illo transitu vult domina Gula, tot et tanta sibi praeparari.

22 From what has been said I assert, first, that Gluttony is a sin, and indeed mortal, if either one places his end in it, or omits some precept. It is proved from the Fathers adduced. D. Gregory *loco ultimo, etc.*

> *Ex dictis assero primo, Gulam esse peccatum, et quidem mortale, si vel ponat in ea finem, vel omittat aliquod praeceptum. Probatur ex Patribus relatis. D. Gregor.* loco ultimo, etc.

23 The reason of the holy Doctor is, because Gluttony is an inordinate appetite against reason, and if the end is placed in it, it is a grave inordinateness, as happens in every matter, as Valencia admonishes *loc. cit.*, and Tanner, and D. Thomas *art. 2. with D. Bonaventure loco citato.*

> *Ratio S. Doctoris est, quia Gula est inordinatus appetitus contra rationem, et si in eo ponitur finis, est gravis inordinatio, ut in omni materia accidit, ut monet Valentia* loc. cit. *et Tanner. ac D. Thom.* art. 2. cum D. Bonavent. loco citato.

24 I assert, second, that Gluttony is not the greatest sin. So D. Thomas *art. 3.* according to D. Gregory *lib. 33. moral. cap. 11.*, saying that carnal vices are of lesser fault; because necessity is admixed to it, as S. Gregory says *30. moral. cap. 28.*

> *Assero secundo, Gulam non esse maximum peccatum. Ita D. Thom.* art. 3. *iuxta D. Gregorium* lib. 33. moral. cap. 11. *dicentem, Vitia carnalia esse minoris culpae; quia ei admiscetur necessitas, ut ait S. Gregor.* 30. moral. cap. 28.

25 Per accidens, however, it is grave enough because of its evil effects, as Ezech. *cap. 6.* intimates.

> *Per accidens tamen est grave admodum ob malos effectus, ut innuit Ezech.* cap. 6.

26 I assert that the five species of Gluttony adduced are distinct, even though they seem to be distinguished only from the circumstances. The reason is, because they have different motives in the genus of Gluttony. But moral species are diversified from these. For in the one who seeks delicate foods, concupiscence is excited from the very species of the food. In the one, however, who anticipates the time, he is disordered from impatience of delay. And the same is evident in the others, as Tanner admonishes *num. 40. from D. Thom. ad argumenta*, and D. Bonaventure *locis adductis.*

> *Assero, quinque species Gulae allatas, esse diversas, etsi e circumstantiis tantum videantur distingui. Ratio est, quia habent diversa motiva in genere Gulae. Ex his autem species morales diversificantur. In eo enim, qui quaerit lautos cibos, excitatur concupiscentia ex ipsa specie cibi. In eo vero, qui praeoccupat tempus, deordinatur ex impatientia morae. Et idem patet in aliis, ut monet Tanner.* num. 40. ex D. Thom. ad argumenta*, et D. Bonavent.* locis adductis.

27 The holy Doctor *in speculo animae, cap. 3.* admonishes that the anticipation of those who wish to eat at once upon rising from bed, in the manner of brute beasts from bad habit, even without appetite, is grave sin, and can scarcely happen but that it proceeds from a mortal root.

> *S. Doctor* in speculo animae, cap. 3. *admonet, anticipationem illam eorum, qui statim e lecto volunt comedere, modo brutorum ex prava consuetudine, etiam absque appetitu, esse grave peccatum, et vix posse contingere, quin a radice*

> *mortali procedat.*

28 Likewise in frequency he says it can be mortal, whence *comessatio is numbered among the works of the flesh excluding from the kingdom of God, cap. 5. ad Galatas.*

> *Similiter in frequentia ait, posse esse mortale, unde* commessatio inter opera carnis a regno Dei excludentia numeratur cap. 5. ad Galatas.

29 I assert, fourth, that to feed on human flesh is mortal. For thus they are gravely prohibited *Genes. 9.* The reason is, because food is ordered to the sustenance of human life, and therefore it ought to be something inferior in body to that which ought to feed on it, as a means to an end. Therefore natural light dictates that nothing nobler than human flesh itself is rightly used for food, as Valencia argues. It is confirmed by Victoria, for the eating of flesh is against the observance due to humankind.

> *Assero quarto, mortale esse etiam vesci carnibus humanis. Sic enim graviter prohibentur* Genes. 9. *Ratio est, quia cibus est ordinatus ad sustentationem vitae humanae, atque adeo debet esse quid inferius corpore, quod vesci debet, ut medium ad finem. Itaque naturale lumen dictat, non recte usurpari in cibum, nisi quod est ignobilius ipsa humana carne, ut arguit Valentia. Confirmatur a Victoria, nam esus carnium est contra observantiam, debitam humano generi.*

30 From which both deduce that not even in extreme necessity is it lawful to feed on human flesh, or on the dead, against Cajetan *quaest. 148. art. 2.* and Tostatus *in 6. cap. lib. 4. Regum.*

> *Ex quo uterque deducit, neque in extrema necessitate licere carnibus humanis vesci, aut mortuis contra Caietanum* quaest. 148. art. 2. *et Tostatum* in 6. cap. lib. 4. Regum.

31 It is proved, because of itself it is intrinsically evil, no less than to have intercourse with brutes for the sake of preserving the species, as D. Thomas indicates *art. 4. ad 3.* And if it were not such, it would already be lawful in sieges, which is false; for if at any time it was done, it was judged horrible, as Josephus relates *lib. 7. de Bello Iudaico, cap. 8.*, as is had in *4. Reg. 6.*

> *Probatur, quia per se est intrinsece malum, non minus, quam ad speciem conservandam copulam habere cum brutis, ut indicat D. Thom.* art. 4. ad 3. *Quod si id non esset tale, iam in obsidionibus liceret, quod est falsum, nam si aliquando id factum est, fuit iudicatum horribile, ut refert Iosephus* lib. 7. de Bello Iudaico, cap. 8. *ut habetur* 4. Reg. 6.

Question II: On drunkenness

1 Drunkenness is an excessive drinking of an intoxicating liquor, as I said in the preceding question.

> *Ebrietas est nimia liquoris inebriantis potatio, ut dixi quaestione praecedenti.*

2 I assert, first, that drunkenness is a sin mortal of its genus.

> *Assero primo, ebrietatem esse peccatum ex genere mortale.*

3 It is proved, first, by D. Bonaventure *in speculo animae, cap. 3. from 5. ad Galat.*, who numbers drunkenness among the mortal works; and he adds: *They who do such things shall not attain the kingdom of God.*

> *Probatur primo a D. Bonavent.* in speculo animae, cap. 3. ex 5. ad Galat. *inter opera mortalia ebrietatem connumerat; et subdit:* Qui talia agunt, regnum Dei non consequentur.

4 Second, he proves it by the reason which D. Thomas also uses here, Tanner *d. 3. quaest. 3. deg. num. 49.*, Valencia *d. 9. quaest. 3. puncto 2. and others*, and it is indicated by D. Isidore *lib. 2. de summo bono,*

cap. 43. sent. 1. et 2., cited by D. Bonaventure *lib. 2. Phar. cap. 12.*: for he who, foreseeing the strength of the wine, makes himself drunk with it, voluntarily deprives himself of the use of reason, and consequently exposes himself to the perils of all sins. Hence Ambrose *lib. 1. de Abraham, cap. 6. and it is related in 15. quaest. 1. cap. sane*, where it is had: *We learn drunkenness to be avoided, through which we cannot avoid crimes; for the things which we, being sober, guard against, being ignorant through drunkenness we commit.*

> *Secundo probat ratione, qua utitur etiam D. Thom. hic Tanner.* d. 3. quaest. 3. dub. num. 49. *Valentia* d. 9. quaest. 3. puncto 2. et alii*, et indicatur a D. Isidoro* lib. 2. de summo bono, cap. 43. sent. 1. et 2. *apud D. Bonavent.* lib. 2. Phar. cap. 12. *is enim, qui vim vini praevidens, eo se inebriat, voluntarie se privat usu rationis, et consequenter omnium peccatorum periculis se exponit. Unde Ambr.* lib. 1. de Abraham, cap. 6. et refertur 15. quaest. 1. cap. sane*, ubi habetur:* Vitandam discimus ebrietatem, per quam crimina vitare non possumus, nam quae sobrii cavemus, per ebrietatem ignorantes committimus.

5 The holy Doctor, however, observes *ad cap. 2. Ioan.* on these words: *And when they had drunk, etc.* In drunkenness there are three degrees. For the first drunkenness is unto a certain dimming of reason. The second is unto a heaviness and disturbance of the organs and heart. The third unto the subversion of reason. The first is venial, unless perhaps by reason of the person, or office, or time, as in the Levitical Priests it was during the time of their office, *Levit. 10.* Drunkenness in the second manner is dangerous; whence the Savior says, *Lucae 21. Let not your hearts be weighed down with surfeiting and drunkenness.* The third, however, is mortal, which he proves *from 23. Prou. To whom is woe? whose father is woe? to whom strife? to whom the pit? etc. Do not these linger over wine, and study over cups to be drunk? and from 5. Isa. Woe to you who are mighty at drinking. Woe to you who rise early unto drunkenness.*

> *Observat autem S. Doctor* ad cap. 2. Ioan. *in ea verba:* Et cum inebriati fuerint, etc. *In ebrietate tres gradus. Prima enim ebrietas est ad rationis aliqualem obnubilationem. Secunda est ad organorum, et cordis aggravationem, et perturbationem. Tertia ad rationis subversionem. Prima est venialis, nisi forte ratione personae, vel officii, vel temporis, sicut in Sacerdotibus Legalibus fuit tempore sui officii,* Levit. 10. *Ebrietas secundo modo est periculosa; unde ait Salvator,* Lucae 21. Non graventur corda vestra crapula, et ebrietate. *Tertia vero est mortalis, quod probat* ex 23. Prou. Cui vae? cuius patri vae? cui rixae? cui foveae? etc. Nonnne his, qui commorantur in vino, et student calicibus epotandis? et ex 5. Isa. Vae qui potentes estis ad bibendum. Vae qui consurgitis mane ad ebrietatem.

6 It is certain, moreover, that when God intimates that there is woe on account of a grave crime, as the holy Fathers and Expositors commonly observe, especially S. Bonaventure *in Evang.* frequently.

> *CERTUM est autem quando Deus intimat vae esse ob grave crimen, ut observant communiter SS. PP. et Expositores, praesertim S. Bonavent.* in Evang. *saepius.*

7 The SAME is proved from D. Basil *homil. 14.*, Ambrosiaster *lib. de Elia, et ieiun. cap. 16.*, Jerome *in cap. 5. ad Galat.*, Chrysostom *homil. 57. ad populum Antioch. and homil. 18. in Matth.*, Augustine *serm. 231. and 232. de temp.*, who all inveigh against drunkenness as a grave sin.

> *IDEM probatur ex D. Basil.* homil. 14. *Ambrof.* lib. de Elia, et ieiun. cap. 16. *Hieron.* in cap. 5. ad Galat. *Chrysost.* homil. 57. ad populum Antioch. et homil. 18. in Matth. *Augustino* serm. 231. et 232. de temp. *qui omnes ebrietatem, tanquam grave peccatum insectantur.*

8 The holy Doctor also OBSERVES *in speculo animae, cap. 3.* that drunkenness can be without sin, if it was not foreseen invincibly. But if it was foreseen, and other sins follow, they are not excused. Hence

also D. Augustine *lib. 22. cont. Faustum, cap. 44.* excuses Lot from drunkenness. But on this I treated in prima secunda, *Tract. 1. disput. de voluntario.*

> *OBSERVAT etiam S. Doctor* in speculo animae, cap. 3. *posse ebrietatem esse sine peccato, si non fuerit praevisa invincibiliter. Quod si fuit praevisa, et sequantur alia peccata, non excusantur. Unde et D. Augustinus* lib. 22. cont. Faustum, cap. 44. *excusat Lot ab ebrietate. Sed de hoc egi prima secunda,* Tract. 1. disput. de voluntario.

9 They ask, however: Whether drunkenness for medicine is licit.

> *QUAERUNT vero: An licita sit ebrietas ad medicinam.*

10 Cajetan answers here *art. 2.* that it is licit, because it is drunkenness only materially, since it is not for pleasure. The same D. Thomas has *art. 2. ad 3.*, where he denies only that drunkenness is not licit for provoking vomit, because here it can be provoked by other means, as Tanner noted *num. 53.* He proves it, because if one may take a soporific drink, so in the said case.

> *RESPONdet Caietanus hic* art. 2. *licere, quia est ebrietas tantum materialiter, cum non sit ad delectationem. Idem habet D. Thom.* art. 2. ad 3. *ubi negat solum, ebrietatem non esse licitam ad vomitum, quia hic potest aliis mediis provocari, ut notavit Tanner.* num. 53. *Probat, quia si licet potum soporiferum sumere, ita in dicto casu.*

11 He ADDS, however, that it is not licit for mitigating or not feeling pain in the cutting off of some member, or for tempering another grave pain; otherwise it would be licit to make drunk those who are led to punishment, after they have been disposed for death.

> *ADDIT tamen, non licere ob mitigandum, vel non sentiendum dolorem in recisione alicuius membri, vel alium gravem dolorem temperandum, alioquin liceret inebriare eos, qui ducuntur ad supplicium, post quam dispositi sunt ad mortem.*

12 These things do not please me; for if it is not licit on account of the gravest pain to be tempered in mutilation, from which death often follows, I do not see when it would be licit for health; nor is that inference good concerning those who are led to death, who by justice are held to those punishments, and in the article of death need time for the acts of virtue unto repentance. In antiquity, indeed, wine mingled with myrrh was given to the crucified, which Christ would not take, as is said in the Gospel.

> *HAEC mihi non placent, si enim non licet ob gravissimum dolorem in mutilatione temperandum, ex quo saepe mors sequitur, non video quando liceat ad sanitatem; neque est bona illatio de his, qui ducuntur ad mortem, qui ex iustitia ad eas poenas tenentur, et in articulo mortis egent tempore ad actus virtutum ad poenitentiam. Antiqnitus vero dabatur vinum myrrhatum crucifixis, quod Christus noluit, ut dicitur in Evangelio.*

13 I ASSERT lastly, that the less drunkenness is voluntary, the more it diminishes the sin consequent upon it, and therefore when it is involuntary it altogether excuses from sin. So the holy Doctor *in speculo animae, cap. 5.*, D. Thomas *quaest. 150. art. 4.*, which they prove from D. Augustine *lib. 22. contra Faustum, cap. 44.*, where he says that Lot is excused from incest on account of drunkenness, saying, *Lot is to be blamed, not as much as the incest, but as much as the drunkenness deserved;* and since this was involuntary, it follows that he is excused.

> *ASSERO ultimo, ebrietatem, quo minus voluntaria est, eo magis peccatum ex ea consecutum diminuere, adeoque cum involuntaria est, omnino a peccato excusat. Ita S. Doctor* in speculo animae, cap. 5. *D. Thom.* quaest. 150. art. 4. *quod probant ex D. Augustino* lib. 22. contra Faustum, cap. 44. *ubi ait, Lot excusari ab incestu ob ebrietatem, dicens,* Lot culpandus, non quantum incestus, sed quantum ebrietas meruit; *haec autem cum fuerit involuntaria, sequitur, eum excusari.*

14 BUT if drunkenness was venially voluntary, the ensuing sins will not be mortal, because they are not themselves more voluntary than their cause, as Valencia notes *puncto 2.*

> *QUOD si ebrietas fuit venialiter voluntaria; neque peccata sequentia erunt mortalia, quia non sunt ipsa magis voluntaria, quam sua causa, ut notat Valentia* puncto 2.

15 FINALLY, to make another drunk, either by directly inducing, or by indirectly inviting him to drink, when with attentive circumstances it can and ought to be foreseen that he will make himself drunk. So D. Thomas *art. 1. ad 3.*, D. Bonaventure *ad 2. Ioan.*, and others; for to cooperate in evil is the same as to do evil. So Ambrose *de Elia, cap. 13.*, Augustine *serm. 131. de Temp. and serm. 132. in Valencia.*

> *TANDEM inebriare etiam alium, vel directe inducendo, vel indirecte invitando illum ad bibendum, quando attentis circumstantiis praevideri potest, et debet, futurum, ut se inebriet. Ita D. Thom.* art. 1. ad 3. *D. Bonavent.* ad 2. loan. *et alii; nam cooperari ad malum, perinde est, ac malum facere. Ita Ambr.* de Elia, cap. 13. *Augustinus* serm. 131. de Temp. et serm. 132. apud Valentiam.

16 The holy Doctor NOTES in the places cited above *Hexaëmer.* that the vice opposed to drunkenness by defect is unnamed, as also insensibility, which refuses the necessary delights of Taste and Touch, as the Philosopher teaches *2. Eth. cap. 7. and lib. 3. cap. 11.*; and he gives the reason, because few are found who fall short in pleasures, and therefore this sin is rare.

> *NOTAT autem S. Doctor locis supra citatis* Hexaëmer. *vitium oppositum ebrietati per defectum esse innominatum, sicut et insensibilitas, quae renuit necessarias delectationes Gustus, et Tactus, ut docet Philosophus* 2. Eth. cap. 7. et lib. 3. cap. 11. *rationem autem reddit, quia pauci inveniuntur, qui in voluptatibus deficiant, et ideo hoc peccatum rarum est.*

17 But this sin CAN be mortal, if anyone from insensibility rejects the delights necessary for preserving life, as of food or drink, or for satisfying the debt of marriage. So D. Thomas *quaest. 142. art. 1. and* D. Bonaventure *in serm. 5. Hexaëmer.*, Cajetan *verb. Insensibilitas*, Valencia *quaest. 3. puncto 1.*

> *POTEST autem hoc peccatum esse mortale, si quis repudiet ex insensibilitate delectationes necessarias ad vitam servandam, puta cibo, vel potu; aut ad satisfaciendum coniugii debito. Ita D. Thom.* quaest. 142. art. 1. et *D. Bonavent.* in serm. 5. Hexaëmer. *Caiet.* verb. Insensibilitas, *Valent.* quaest. 3. puncto 1.

18 Vasquez teaches, however, *tom. 1. d. 227. cap. 3.*, cited by Diana *part. 4. Tract. 6. Miscel. resol. 52.*, that certain actions of drunkards are not imputed to them, even if they had foreseen their drunkenness. Such are insults, from which no harm to a neighbor follows. Similarly blasphemies and perjuries, because these require to be done knowingly. The same opinion teach Salas *prim. 2. tract. 13. disp. 5. sect. 14.*, Sayrus *lib. 2. cap. 9. num. 41.*, Tanner *prim. 2. parte 4. disp. 4. quaest. 3. dub. 3. num. 65.*

> *DOCET autem Vasquez* tom. 1. d. 227. cap. 3. *apud Dianam* part. 4. Tract. 6. Miscel. resol. 52. *aliquas actiones ebriorum eis non imputari, etiamsi ebrietatem praevidissent. Talia sunt contumeliae, ex quibus non sequitur aliquod damnum proximo. Similiter blasphemiae, et periuria, quia haec postulant scienter fieri. Eandem opinionem docent Salas* prim. 2. tract. 13. disp. 5. sect. 14. *Sayrus* lib. 2. cap. 9. num. 41. *Tanner.* prim. 2. parte 4. disp. 4. quaest. 3. dub. 3. num. 65.

19 To ME, however, this opinion is not proved, because these things are voluntary in cause, and they are true insults against God or neighbor. So Sanchez *sum. tom. 1. lib. 1. cap. 16. num. 44.*, Medina *prim. 2. quaest. 71. art. 5.*, Cajetan *2. 2. quaest. 150. art. 4. d. 2.* Sanchez adds against Vasquez that fornication

in dreams is to be guarded against, since it redounds to the harm of offspring, as Vasquez himself confesses that those things are to be guarded against which tend to the harm of a third.

> *MIHI tamen haec opinio non probatur, quia haec sunt voluntaria in causa, et sunt contumeliae verae in Deum, vel proximum. Ita Sanchez* sum. tom. 1. lib. 1. cap. 16. num. 44. *Medina* prim. 2. quaest. 71. art. 5. *Caiet*. 2. 2. quaest. 150. art. 4. d. 2. *Addit Sanchez contra Vasquez, fornicationem in somnis cavendam, cum sit in damnum prolis, sicuti ipse Vasquez fatetur, cavenda esse ea, quae vergunt in damnum tertii.*

20 DIANA judges both opinions probable.

> *DIANA utramque opinionem censet probabilem.*

21 He NOTES also, against Soto *4. d. 12. quaest. 1. art. 7.*, Medina *prim. 2. quaest. 71. art. 5.*, Henriquez *lib. 8. cap. 5 §. 1. in Glossa, litt. F.*, Sanchez *de matrim. tom. 3. lib. 9. d. 45. num. 28.*, Salas *prim. 2. tract. 13. d. 2. sect. 9.*, Becan *prim. 2. tract. 2. cap. 3. quaest. 6.*, Tanner *prim. 2. d. 4. dub. 3. num. 35.*, Suarez *tract. 5. d. 3. sect. 4.*, that acts occurring in drunkenness, and all other things that no longer remain in the power of the doer, are not informed by moral malice, and therefore are not sins, but only effects of sin. Vasquez consents *prim. 1. Tom. 1. d. 94. cap. 2.*, Azor *Tom. 1. lib. 1. cap. 7. quaestio 1.*, Sayrus *lib. 2. cap. 6.*, Herera *in 2. disp. 20. quaest. 8.*, and Sanchez himself judges it probable. *Tom. 1. lib. 1. cap. 16. num. 46.*

> *NOTAT etiam contra Sotum* 4. d. 12. quaest. 1. art. 7. *Medinam* prim. 2. quaest. 71. art. 5. *Henriquez* lib. 8. cap. 5 §. 1. in Glossa, litt. F. *Sanchez* de matrim. tom. 3. lib. 9. d. 45. num. 28. *Salas* prim. 2. tract. 13. d. 2. sect. 9. *Becanum* prim. 2. tract. 2. cap. 3. quaest. 6. *Tanncrum* prim. 2. d. 4. dub. 3. num. 35. *Suarez* tract. 5. d. 3. sect. 4. *opera in ebrietate contingentia, et omnia alia, quae non manent amplius in potestate operantis, non esse informata morali malitia, atque adeo non esse peccata, sed tantum peccati effectus. Consentiunt Vasquez* prim. 1. Tom. 1. d. 94. cap. 2. Azor. Tom. 1. lib. 1. cap. 7. quaestio 1. *Sayrus* lib. 2. cap. 6. *Herera* in 2. disp. 20. quaest. 8. et *ipse Sanch. probabile censet*. Tom. 1. lib. 1. cap. 16. num. 46.

22 YET I judge these things true only when, after the drinking, before he goes beyond, he has repentance, because the cause was intrinsic. So Soto *in 4. dist. 12. quaest. 1. art. 7.*, Henriquez *lib. 5. cap. 5. in Gloss. litt. H.*, Medina *prim. 2. quaest. 71. art. 5.*, Becan *prim. 2. tract. 2. cap. 3.*, Graff *decis. part. 1. lib. 2. cap. 88.*

> *HAEC tamen solum arbitror vera, quando post epotationem, antequam excedat, poenitentiam habeat, quia causa fuit intrinseca. Ita Sotus* in 4. dist. 12. quaest. 1. art. 7. *Henriquez* lib. 5. cap. 5. in Gloss. litt. H. *Medina* prim. 2. quaest. 71. art. 5. *Becan.* prim. 2. tract. 2. cap. 3. *Graff.* decis. part. 1. lib. 2. cap. 88.

23 INDEED Diana adds, with Soto above, Sanchez *de matrim. tom. 3. lib. 9. d. 45. n. 29.*, Salas *prim. 2. tract. 13. d. 6. sect. 8. num. 59. and* others, that if before drunkenness, or before such sins follow, he confesses and accuses himself of the cause given, he is not afterward bound to confess, should such sins follow.

> *IMO addit Diana cum Soto supra, Sanchez* de matrim. tom. 3. lib. 9. d. 45. n. 29. *Salas* prim. 2. tract. 13. d. 6. sect. 8. num. 59. et *aliis, quod si ante ebrietatem, vel antequam subsequantur talia peccata, confiteatur, et accuset se de causa data, non tenetur postea confiteri, si talia peccata sequantur.*

24 Henriquez ADDS that those sins do not even bring excommunication; but Vasquez teaches the opposite *prim. 2. d. 94. cap. 4.*, Azor *Tom. 1 lib. 1. cap. 7. quaesit. 1. and* others.

ADDIT Henriquez, ea peccata nec inducere excommunicationem; sed oppositum docet Vasquez prim. 2. d. 94. cap. 4. *Azor.* Tom. 1 lib. 1. cap. 7. quaesit. 1. et *alii.*

25 Sanchez, however, LIMITS *sum. tom. 1. lib. 1. c. 16. 24* that it does not proceed in sins already dissolved. The same Suarez teaches *de Relig. Tom. 2. lib. 3. cap. 8. de excom. lata in periurium inadvertenter prolatum ratione consuetudinis.*

LIMITAT tamen Sanchez sum. tom. 1. lib. 1. c. 16. 24 *non procedere in peccatis solutis. Idem docet Suarez* de Relig. Tom. 2. lib. 3. cap. 8. de excom. lata in periurium inadvertenter prolatum ratione consuetudinis.

Question III: On lust

1 LUST is a fire devouring even unto consumption, as is said *Iob 31.*, like Greek fire, of which the holy Doctor relates in Diaeta, *tit. 1. cap. 9.*; for there, once kindled, it is extinguished only when covered with sand and vinegar; so the flesh, kindled with the flames of lust, is scarcely checked unless it be long pricked with the austerity and acrimony of penitence, and seriously and often meditate on the emptiness of the world; which two things are figured by vinegar and sand. It is also a fire, namely, consuming whatever beauty it encounters; for those who are more beautiful, whether men or women, not rarely serve as it were as food for lust. I shall treat, therefore, here of Lust and its manifold species; handling indeed an ungrateful subject, I shall run through it with such a choice of words as to describe most shameful things with honest terms (as far as it will be fitting).

De LUXURIA.

LVxuria ignis est usque ad consumptionem devorans, ut dicitur Iob 31. *similis igni Graeco, quem refert S. Doctor in Diaeta,* tit. 1. cap. 9. *hic enim semel accensus, non nisi arena, et aceto obrutus extinguitur; sic caro, luxuriae flammis succensa, vix compescitur, nisi diu austeritate, et acrimonia poenitentiae pungatur, et infructuositatem saeculi serio, et saepe meditetur; quae duo per acetum, et arenam figurantur. Ignis etiam est, comedens scilicet quicquid pulchrum offendit; pulchriores enim, sive viri, sive mulieres, luxuriae velut in pabulum non raro deserviunt. Agam igitur hic de Luxuria, et multiplici eius specie; ingratam sane materiam tractans, eam percurram eo verborum delectu, ut res turpissimas honestis (quantum par erit) terminis describam.*

Doubt I: What lust is, and of how many kinds

1 LUxury is defined by D. Bonaventure *in the aforesaid Centiloquium sect. 24. and in the Diaeta tit. 1. cap. 9. and in the declaration of theological terms and in the Compendium of Theology, part III. cap. 21. and in the Mirror of the Soul, cap. 3.* D. Thomas, *quaest. 153. Luxury is the vice opposed to chastity, whereby the mind is inordinately disposed toward venereal pleasures*, the reason of the definition is taken from the opposite virtue of chastity, as St. Bonaventure notes, *loc. cit. Centil.*

Quid sit LUXURIA, et quotuplex.

LVxuria definitur a D. Bonavent. p. p. Centiloquii sect. 24. et in Diaeta tit. 1. cap. 9. et in decl. term. Theol. et in Comp. Theol. ver. lib. III. cap. 21. et in speculo animae, cap. 3. *D. Thom.* quaest. 153. Luxuria est vitium castitati oppositum, quo mens inordinate se habet circa voluptates Venereas, *Ratio definitionis sumitur ex opposita virtute castitatis, ut notat S. Bonavent.* loc. cit. Centil.

2 I assert that Luxury is a capital vice. Its daughters are eight, from D. Gregory, *lib. XXXI. moral. cap. 17.* Blindness of mind, Inconsiderateness, Inconstancy, Precipitancy, Self-love, Hatred of God,

Affection for the present world, Horror, or despair of the world to come. So D. Bonaventure, *loc. cit. Centiloquii.*

> *Assero, Luxuriam esse vitium capitale. Huius filiae sunt octo ex D. Gregor.* lib. XXXI. moral. cap. 17. *Caecitas mentis, Inconsideratio, Inconstantia, Praecipitatio, Amor sui, Odium Dei, Affectus praesentis saeculi, Horror, sive desperatio futuri saeculi. Ita D. Bonavent.* loc. cit. Centiloquii.

3 *It is proved*, because a capital vice is one that has an end excessively desirable, so that man, in pursuing it, proceeds to commit many sins, which are all said to arise from that vice; now the end of Luxury is the pleasure of venery, which is both the greatest and the most desirable according to the sensitive appetite, both on account of the vehemence of the pleasure and on account of the connaturality of that pleasure and concupiscence, as the Saintly Doctor argues, *lib. III. Compend. Theol. cap. 14. and 21. and in the other places cited.*

> Probatur*, quia vitium capitale est, quod habet finem excessive admodum appetibilem, ita ut homo, ad eius appetitionem procedat ad multa peccata patranda, quae omnia ex illo vitio oriri dicuntur, finis autem Luxuriae est delectatio venereorum, quae et maxima est, et maxime appetibilis, secundum appetitum sensitivum, tum propter vehementiam delectationis, tum etiam ob connaturalitatem eiusdem delectationis, et concupiscentiae, ut arguit S. Doctor* lib. III. Compend. Theol. cap. 14. et 21. et aliis locis allatis.

4 The generation of these daughters from Luxury is explained as follows. Since the inferior powers are affected toward their objects, it follows that the higher powers are impeded and disordered in their acts; but through luxury the inferior appetite is greatly affected by the delightful object: Therefore the higher powers, Reason and Will, are consequently disordered.

> *Generatio vero harum filiarum e Luxuria, sic explicantur. Cum enim inferiores potentiae afficiuntur ad sua obiecta, consequens est, superiores vires impediri, et deordinari in suis actibus; atqui per luxuriam inferior appetitus magnopere afficitur obiecto delectabili: Ergo deordinantur consequenter superiores vires, Ratio, et Voluntas.*

5 And this happens specifically as follows: For there are three acts of practical reason. The first is simple understanding, which apprehends some end as good; and this act Luxury impedes, by making the object of Luxury seem good, as is said *Dan. 13. Beauty hath deceived thee, and concupiscence hath subverted thy heart*, and behold blindness of mind.

> *Qvod speciatim sic evenit: Sunt enim rationis practicae tres actus. Primus est simplex intelligentia, quae apprehendit aliquem finem, ut bonum; et hunc actum impedit Luxuria, efficiendo, ut obiectum Luxuriae bonum videatur, ut dicitur* Dan. 13. Species decepit te, et concupiscentia subvertit cor tuum*, et ecce mentis caecitas.*

6 The second act is counsel about the means to be chosen, and this is impeded in Luxury, which impedes the exact comparison of the means with one another, as Terence says in the *Eunuch*; and behold precipitancy, whereby one attacks everything impetuously, as the Saintly Doctor says, *loc. cit. Centiloquii.*

> *Secvndvs actus est consilium de eligendis mediis, et hoc impeditur in Luxuria, quae impedit exactam mediorum inter se collationem, ut Terentius ait in* Eunucho*; et ecce praecipitatio, qua aggreditur omnia impetuose, ut ait S. Doctor* loc. cit. Centiloquii.

7 The third act is judgment about what is to be done, which is impeded by Luxury, diverting the mind from the consideration of the things that are fitting, according to that text Dan. 13. *They have perverted the sense, and turned away their eyes, that they might not see heaven, nor remember just judgments;* and behold

inconsiderateness, which refuses to foresee what is to be done, as the Saintly Doctor says. On the part of the will also there follows a twofold inordinate act: One in order to the end, and in this respect there is self-love in excessive pleasure, and hatred of God who forbids: The other is the appetite for the things that are toward the end, and there is set down affection for the present world, in which one desires to enjoy pleasure; and horror of the future, fleeing spiritual things. Hence *Osee 4. Fornication, and wine, and drunkenness take away the heart.* So discourses the Saintly Doctor, *loc. cit. Centiloquii.*

> *Tertivs actus est iudicium de agendis, qui impeditur a Luxuria, avocante animum a consideratione eorum, quae decent, iuxta id Dan. 13.* Everterunt sensum, et declinaverunt oculos, ut non viderent caelum, neque recordarentur iudiciorum iustorum; *et ecce inconsideratio, quae praevidere agenda renuit, ut ait S. Doctor. Ex parte etiam voluntatis consequitur duplex actus inordinatus: Alter in ordine ad finem, et quo ad hoc est amor sui in nimia delectatione, et odium Dei prohibentis: Alius autem est appetitus eorum, quae sunt ad finem, et ponitur affectus praesentis saeculi, in quo cupit quis frui voluptate; et horror futuri, refugiens spiritualia. Hinc* Oseae 4. Fornicatio, et vinum, et ebrietas auferunt cor. *Ita disserit S. Doctor* loc. cit. Centiloquii.

8 Nor yet does Isidore speak badly, cited by D. Thomas, *art. 5.*, looking especially at inordinate speech, accustomed to arise from luxury, when he enumerates four effects, Turpiloquy, Scurrility, Jesting, and Foolish speaking. Indeed in speech a fourfold disorder can be observed: The first on the part of the matter; and behold turpiloquy, for, *Out of the abundance of the heart the mouth speaketh,* as is said *Matth. 12.* The second on the part of the cause; because luxury drives one headlong, therefore inconsiderateness precipitates one into scurrilous talk. The third on the part of the end, because the luxurious person intends pleasure, and therefore breaks out into jesting words. The fourth as regards the sense of the words, and so luxury, on account of the blindness of mind it causes, pours itself out into foolish speech. See D. Bonaventure, *loc. cit.*

> *Neqve tamen male Isidorus apud D. Thom.* art. 5. *respiciens praecipue ad inordinatam locutionem, e luxuria solitam oriri, quatuor effectus recenset, Turpiloquia, Scurrilitia, Ludicra, et Stultiloquia. Siquidem in locutione quadruplex inordinatio spectari potest; Prima ex parte materiae; et ecce turpiloquium, nam,* Ex abundantia cordis os loquitur, *ut dicitur* Matth. 12. *Secunda ex parte causae; quia enim luxuria praecipitem agit, ideo inconsideratio in scurrilia praecipitat. Tertia ex fine, quia luxuriosus delectationem intendit, ideo in verba ludicra erumpit. Quarta quoad sensum verborum, et ita luxuria ob caecitatem mentis, quam causat, effunditur in stultiloquia. Vide D. Bonavent.* loc. cit.

9 I assert secondly that the species of Luxury are six, Fornication, Stuprum, Rape, Incest, Adultery, and the Vice against nature, which is subdivided into several species. For either the pollution causing venereal pleasure is procured without intercourse, and this is mollities (softness), *Gal. 5. and 2. Cor. 12.* Or there is intercourse with brutes, and this is Bestiality. Third, there can be intercourse with the sex not due, male with male, or female with female, as the Apostle says, *Rom. 1.* and it is called Sodomy. The fourth and fifth is, if the manner of coupling is not observed, either as regards the instrument, or vessel not due, or as regards other monstrous and bestial manners of coupling, which, if they obstruct generation, are mortal sins even in spouses. Which the Apostle detests as abominable, *Rom. 1. 1. Cor. 6. and 12. Galat. 5. Ephes. 5. and Heb. 12.*

> *Assero secundo, Species Luxuriae sunt sex, Fornicatio, Stuprum, Raptus, Incestus, Adulterium, et Vitium contra naturam, quod in plures species subdividitur. Vel enim absque concubitu causa delectationis venereae procuratur pollutio, et est mollities,* Gal. 5. et 2. Cor. 12. *Vel sit concubitus cum brutis, et est Bestialitas. Tertia potest esse concubitus cum indebito sexu, masculi cum masculo, vel foeminae cum foemina, ut ait Apostolus* Rom. 1. *et dicitur Sodomia. Quartus,*

et quintus est, si non servetur modus concumbendi, aut quoad instrumentum, seu vas non debitum, aut quantum ad alios monstrosos bestiales concumbendi modos, qui si generationi obstent, sunt peccata mortalia, etiam in coniugibus. Quae ut nefanda detestatur Apostolus Rom. 1. 1. Cor. 6. et 12. Galat. 5. Ephes. 5. et Heb. 12.

10 That these are sins specifically distinct is proved by Cajetan, *art. 11.* Tanner, *disp. 3. quaest. 3. dub. 3. num. 149.* from the diversity of motives, for they have different motives of pleasure: For the first have only venereal consummation; the second, a thing of another species; Sodomy, the person of the sex not due, etc.

Haec autem esse peccata, specie distincta, probatur a Caietano art. 11. *Tannero* disp. 3. quaest. 3. dub. 3. num. 149. *ex diversitate motivorum, nam habent diversa motiva delectationis: Primi enim solam veneream habent expletionem; secundi, res alterius speciei; Sodomia personam indebiti sexus, etc.*

11 But to say that the aforesaid five sins are not mortal, specifically distinct, nor so far to be necessarily declared in confession, as some recent authors have insinuated, is not only not safe, as Tannerus says, *num. 149.* but erroneous, and it was condemned in the year 1665 by the Sacred Congregation by the Decree of Alexander VII, of most holy memory, as we saw, *tom. 4. disp. 17. quaest. 10. ad proposit. 14.*

Dicere autem praedicta quinque peccata non esse mortali specie distincta, nec adeo in confessione necessario explicanda, ut nonnulli recentiores insinuarunt, non modo non tutum est, ut ait Tannerus num. 149. *sed erroneum, et damnatum est anno 1665. a Sacra Congregatione Decreto Alexandri VII. Sanctissimi, ut vidimus* tom. 4. disp. 17. quaest. 10. ad proposit. 14.

12 All these species are so intrinsically deadly that they are never lawful, except the manner of coupling in marriage from some necessity, provided the vessel be preserved and generation not be impeded, as Tannerus noted, *num. 150.*

Hae species omnes ita sunt mortiferae intrinsece, ut nunquam sint licitae, excepto modo concumbendi ad coniugium ex aliqua necessitate, dummodo sernetur vas, et non impediatur generatio, ut notavit Tannerus num. 150.

13 For a threefold cause God forbade Luxury, as the Saintly Doctor says in the *Diaeta, tit. 3. cap. 5.* First, because it is pernicious, like a pestilence. Second, because it gathers many together at once in sin. Third, because it is the broad way to hell. See the Saintly Doctor. Add that Generation is the way to the production of a most noble creature, namely man created to the image of God; wherefore it will be impious to abuse it with foul and illicit couplings.

Triplici e causa Deus vetuit Luxuriam, ut ait S. Doctor in Diaeta, tit. 3. cap. 5. *Primo, quia est perniciosa, veluti pestis. Secundo, quia plures simul in peccato colligit. Tertio, quia est via ampla ad inferos. Vide S. Doctorem. Adde, quod Generatio est via ad productionem creaturae valde nobilis, quippe hominis ad imaginem Dei creati; quare impium erit ea abuti, foedis et illicitis copulis.*

14 To these species are reduced, as dispositions, others contained in this verse, cited from D. Bonaventure, *loc. cit. Centiloquii. The look, and speech, touch, and the kiss, This last is the consummation of the whole sin.*

Ad has species reducuntur, ut dispositiones, aliae hoc versu contentae apud D. Bonavent. loc. cit. Centiloquii. Visus, et alloquium, contactus, et osculafactum, Ultima haec est totius peccati consummatio.

15 Note that the Seraphic Doctor, in the *Confessional, cap. 2. particula 14.*, places grave fault in conjugal copulation. First, if it is done from the impulse of lust through wanton endearments: Second, when it is done against the natural use: Third, in the prohibited time: Fourth, in a filthy place: Fifth, when one approaches a menstruating woman. But of this, *Tract. de matrimonio.* The Saintly Doctor teaches these things from Allen, and warns that one must proceed cautiously in questioning in confession. These species are to be treated in the following dubitations.

> *Nota, Seraphicum in* confessionali, cap. 2. particula 14. *ponere in copula coniugali culpam gravem. Primo si fiat ex impetu libidinis per meretricias blanditias: Secundo, quando fit contra naturalem usum: Tertio in tempore prohibito: Quarto in loco verito: Quinto cum acceditur ad menstruatam. Sed de hoc* Tract. de matrimonio. *Haec ex Alensi docet S. Doctor, et admonet caute procedendum interrogando in confessione. De his speciebus per dubitationes agendum est.*

Doubt II: Whether there is parvity of matter in lust

1 I treated this question in my *Disput. de Virtutibus Iustitiae adnexis, sect. 4. de Veritate, et Mendacio, quaest. 2. dubitatione 4. ad argumenta;* where, with D. Bonaventure, I upheld the negative opinion, and there I laid down the rule for discerning when there is parvity of matter in sins. But again I find in the *Compend. Theol. verit. lib. 3. cap. 28.* that the Saintly Doctor openly upholds the negative opinion ex professo.

> ***An in genere Luxuriae detur parvitas materiae.***
>
> *Hanc quaestionem egi* Disput. de Virtutibus Iustitiae adnexis, sect. 4. de Veritate, et Mendacio, quaest. 2. dubitatione 4. ad argumenta; *ubi cum D. Bonavent. negativam sententiam sustinui, ibique regulam tradidi ad dignoscendum, quandonam detur materiae parvitas in peccatis. Rursus autem inveni in* Compend. Theol. verit. lib. 3. cap. 28. *aperte S. Doctorem negativam sententiam ex professo sustinere.*

2 That parvity of matter exists in these matters was asserted by *Sanchez de matrim. lib. 9. d. 46.* Zanchus in the *Directorium Confessariorum part. 1. de Sacram. matrim. cap. 41. quaest. 28.* Salas, *prima secundae d. 6. sect. 21. num. 149.* Villalobos, *tom. 2. tract. 40. dub. 9.* See also Seraphinus Freitas in the *addit. ad tract. de confess. sollic. quaest. 7. num. 33.* Sanctius in *select. d. 11.* and Maldonatus says it is probable speculatively, *p. 2. quaest. 74. art. 10.*

> *Dari quidem parvitatem materiae in his asseruere* Sanchez de matrim. lib. 9. d. 46. *Zanardus in* Directorio Confessar. part. 1. de Sacram. matrim. cap. 41. quaest. 28. *Salas* prima secundae d. 6. sect. 21. num. 149. *Villalob.* tom. 2. tract. 40. dub. 9. *Vide etiam Seraphinum Freitaim in* addit. ad tract. de confess. sollic. quaest. 7. num. 33. *Sancium in* select. d. 11. *eamque speculative probabilem ait Malder.* p. 2. quaest. 74. art. 10.

3 Along with these go those who hold that touches and kisses, by reason of merely sensible delectation, without any other intrinsic circumstance, are not mortal. So Franciscus Sylvius, *2. 2. quaest. 154. art. 4.* and others cited by him. I add Comitoli, *resp. moral. lib. 4. quaest. 20.* Ioannes Salas, *prima 2. quaest. 74. tract. 13. dub. 6. sect. 20. num. 139.* Lessius, *lib. 4. cap. 3. d. 8. num. 58.* Lublinus, *verb. osculum.*

> *Cum his incedunt, qui tactus, et oscula ex meta delectatione sensibili, absque alia intrinsecone affectunt non esse mortalia. Ita Franciscus Sylvius* 2. 2. quaest. 154. art. 4. *et alii apud eum. Addo Comitol.* resp. moral. lib. 4. quaest. 20. *Ioannes Salas* prima 2. quaest. 74. tract. 13. dub. 6. sect. 20. num. 139. *Less.* lib. 4. cap. 3. d. 8. num. 58. *Lublinum* verb. osculum.

4 But as to touches and kisses, Diana dissents, and deservedly, *part. 4. Tract. 4. Miscell. resol. 136.* with Filliuccius, *tom. 2. tract. 30. cap. 9. num. 119.* Sanchez, *in summa, tom. 2. lib. 5. cap. 6.* Rebellus, *p. 2. lib. 3. quaest. 19. sect. 3.* wherefore the other opinion was condemned by Alexander VII, as we saw in the place cited below.

> *Sed quo ad tactus, et oscula repugnant, et merito, Diana* part. 4. Tract. 4. Miscell. resol. 136. *cum Filliucio* tom. 2. tract. 30. cap. 9. num. 119. *Sanchez* in summa, tom. 2. lib. 5. cap. 6. *Rebell.* p. 2. lib. 3. quaest. 19. sect. 3. *quare altera opinio damnata est ab Alexandro VII. ut vidimus loco cit. infra.*

5 And that in general there is no parvity of matter in these things the Saintly Doctor teaches, *loc. cit.* whom followed Tanner, *prima 2. d. 4. quaest. 8. num. 109.* Castro Palao, *in opere moral. tom. 1. tract. 2. d. 1. part. 10. §. 2.* Basil Ponce, *de matrim. lib. 10. cap. 16. §. 2.* Lessius, *lib. 4. cap. 3. d. 15. num. 109.* Rebellus, *loco supra citato,* and Claudius Acquaviva, the Father General, in the year 1612 commanded this opinion to be taught in the Society of Jesus.

> *Et in genere non dari in his parvitatem materiae docet S. Doctor* loc. cit. *quem secuti sunt Tanner.* prima 2. d. 4. quaest. 8. num. 109. *Castrus Palaus* in opere moral. tom. 1. tract. 2. d. 1. part. 10. §. 2. *Basil. Ponc.* de matrim. lib. 10. cap. 16. §. 2. *Lessius* lib. 4. cap. 3. d. 15. num. 109. *Rebell.* loco supra citato, *et hanc sententiam docendam in Societate Iesu praecepit Claudius Aquaviva, Praepositus Generalis anno 1612.*

6 Therefore *Sanchez in summa, tom. 2. lib. 5. cap. 6.* asserts this, singing his palinode, and Diana warns that it must be asserted outright, *part. 3. tract. 5. resol. 1.*

> *Ideo* Sanchez in summa, tom. 2. lib. 5. cap. 6. *hanc asserit, palinodiam canens, eamque prorsus asserendam monet Diana* part. 3. tract. 5. resol. 1.

7 The reason used by Rebellus, Diana, and others is that of D. Bonaventure here; for these things are induced by nature as dispositions to the act of generation, to inflame the flesh with the fire of pleasure in order to copulation and semination: Therefore it is an enormous perversion when they are employed toward pleasure amid dissolutions.

> *Ratio, qua utuntur Rebellius, Diana, et alii est D. Bonavent. hic; nam haec sunt inducta a natura, ut dispositiones ad actum generationis ad accendendam carnem igne voluptatis in ordine ad copulam, et seminationem: Ergo est ingens perversio, dum ad voluptatem inter soluros adhibentur.*

8 Another reason is brought forward by the Saintly Doctor, because this is the difference between the nutritive and the generative power; the latter is more material, more corrupt, and so rushes headlong, not so the nutritive; whence in gluttony it is more easily venial.

> *Ratio alia adducitur a S. Doctore, quia haec est differentia inter potentiam nutritivam, et generativam; haec enim magis materialis est, magisque corrupta, atque adeo ruit in praeceps, non sic nutritiva; unde in gula facilius est veniale.*

9 I confess that I tremble with my whole being when I see the danger there is in touches and kisses: Therefore I teach that this opinion must altogether be held. Nor does the Spanish Emphasis move me, whereby Villalobos cries out *Los tocamientos leves paruidad de materia.*

> *Fateor, me totis visceribus contremiscere cum video periculum, quod in tactibus est, et osculis: Ideo sententiam hanc omnino tenendam doceo. Neque me movet Emphasis Hispana, qua Villalobos* Los tocamientos leves paruidad de materia *conclamat.*

10 As to kisses, it was defined by Alexander VII that they are mortal; as is clear from the *Decree of 18 March 1666.* and as I proved, *tom. 4. disp. 17. quaest. 10. sect. 37.*

> *Quoad oscula definitum est ab Alexand. VII. ea esse mortalia; ut patet* Decreto 18. Martii 1666. *et ut probavi* tom. 4. disp. 17. quaest. 10. sect. 37.

Doubt III: On fornication

1 Fornication is defined by D. Bonaventure, *in the aforesaid Coemilianum sect. 24. and 2. part. sect. 32. and sermon 6. on the ten commandments: it is the luxury by which an unmarried man knew an unmarried woman in the natural use.* But he adds, *loc. cit. de decem praeceptis,* if one sins with a wandering prostitute, it is called meretricium, as with a woman not public it is called concubinage.

> ***De FORNICATIONE.***
>
> *Fornicatio definitur a D. Bonavent.* p. p. Coemil. sect. 24. et 2. part. sect. 32. et serm. 6. in decem praecepta: est luxuria, qua solutus solutam cognovit naturali usu. *Addit vero* loc. cit. de decem praeceptis, *si peccet cum vagante prostituta, dici meretricium, sicut cum non publica dicitur concubinatus.*

2 To fornicate is essentially to practice prostitution, and thus harlots were so called because they were formerly accustomed to place themselves in arcades and vaulted places, that they might ply their shameful trade, as Toletus testifies, *lib. 5. cap. 10.* Fagundez, *in 6. Praecept. lib. 6. cap. 1. num. 2.*

> *Est autem fornicari essentialiter meretricari, sic autem vocabantur fornicariae, quia in fornicibus olim, et locis concameratis se ponere solebant, ut turpi quaestui operam darent, teste Toleto* lib. 5. cap. 10. *Fagundez* in 6. Praecep. lib. 6. cap. 1. num. 2.

3 The Saintly Doctor observes, *loc. cit. dub. praec.* in the *Compend. Theol. verit.* that not only the deed is forbidden, but also the will with respect to the external deed, which the Saintly Doctor proves with Fagundez, *num. 4.* from that text Matth. 5. *But I say to you: that whosoever shall look on a woman to lust after her, hath already committed adultery with her in his heart:* It is cited in *cap. Qui viderit, 32. quaest. 5. and cap. Unum §. criminis 25. dist. and cap. Omnis de poenit. dist. 1.* Whence it is not enough to say in confession that one has sinned by the sin of Luxury, but it is necessary to explain the condition of the persons sinning.

> *Observat autem S. Doctor* loc. cit. dub. praec. *in* Compend. Theol. verit. *prohiberi non solum opus, sed et voluntatem fine opere externo, quod probat S. Doctor cum Fagund.* num. 4. *ex illo Matth. 5.* Ego autem dico vobis: Quia omnis, qui viderit mulierem ad concupiscendam eam, iam moechatus est eam in corde suo: *Refertur in* cap. Qui viderit, 32. quaest. 5. et cap. Unum §. criminis 25. dist. et cap. Omnis de poenit. dist. 1. *Unde non satis est dicere in confessione, se peccasse peccato Luxuriae, sed necesse est explicare conditionem personarum peccantium.*

4 Fornication therefore is a sin intrinsically against the law of nature: It is certain of faith from the *Clementina, Ad nostram de haeret.* and it is had in *1. Cor. 6. Galat. 5. Ephes. 5.* The same all the Fathers teach, and D. Thomas, *2. 2. quaest. 153. et 154.*

> *Est igitur fornicatio peccatum intrinsece contra ius naturae: Est certum de fide ex* Clementina, Ad nostram de haeret. *et habetur* 1. Cor. 6. Galat. 5. Ephes. 5. *Idem docent omnes Patres, et D. Thom.* 2. 2. quaest. 153. et 154.

5 It is proved by the Saintly Doctor on *Psal. 72.* from that text, *Thou hast destroyed all them that fornicate from thee.* and *Heb. 13. God will judge fornicators and adulterers.*

Probatur a S. Doctor ad Psal. 72. *ex illo* Perdidisti omnes, qui fornicantur abs te. *et* Heb. 13. Fornicatores, et adulteros iudicabit Deus.

6 It is proved by reason, because, as the Saintly Doctor teaches in de decem praecep. *serm. 6. and in the aforesaid Centil. sermon 24. and in the Diaeta tit. 1. cap. last and in the Compend. Theol. ver. lib. 3. cap. 21. and in 4. d. 33. quaest. 1.* Fornication is a grave disorder of reason, as one approaches one not his own, he is precipitated into the agitation and depravation of the mind, as Solomon, and into the other enumerated evils, *dub. 1.* the soul is subjected to the vileness of the flesh, as the Jews to Pharaoh in mud and clay; it is against the end of the union of male and female; for since it is ordained not only to generating offspring but to educating it, the uncertain sons of fornication are left without a certain educator. See the Saintly Doctor, especially in 4. *loc. cit.*

Probatur ratione, quia, ut docet S. Doctor de decem praecep. serm. 6. et p. p. Centil. serm. 24. et in Diaeta tit. 1. cap. ult. et in Compend. Theol. ver. lib. 3. cap. 21. et in 4. d. 33. quaest. 1. *Fornicatio est gravis de ordinatio a ratione, ut accedatur ad non suam, praecipitatur in excitatem mentis, et depravationem, ut Salomon, et in alia mala numerata* dub. 1. *subiicitur anima carnis vilitati, sicut Iudaei Pharaoni in luto, et latere; est contra finem coniunctionis maris, et foeminae; nam cum ad prolem generandam non modo, sed educandam ordinetur, fornicationis filii incerti relinquuntur sine certo educatore. Vide S. Doctorem, praecipue in 4.* loc. cit.

7 THERE are those who think that the concubinage of a Christian with an infidel is not simple fornication; Diana subscribes to them, *part. 3. tract. 4. resol. 138.* But I do not see a specific change in this kind of case.

SUNT qui censeant, concubitum Christiani cum infideli non esse simplicem fornicationem; eis subscribit Diana part. 3. tract. 4. resol. 138. *Sed non video in hoc genere mutationem specificam.*

8 THERE are those who say that the fornicator is bound to withdraw himself before the emission of seed, even if it were outside the vessel, Sanchez, *de matr. lib. 9. d. 19. num. 7.* Lessius, *lib. 4. cap. 3. d. 7. num. 55.* Diana, *part. 3. tract. 4. resol. 227.* Bonacina, *de matr. quaest. 4. punct. 10. n. 17.* Bassaeus, *V. fornicatio, num. 4.*

SUNT qui dicant, fornicantem teneri se retrahere ante spermatismum, etiamsi esset extra effundendum, Sanch. de matr. lib. 9. d. 19. num. 7. *Less.* lib. 4. cap. 3. d. 7. num. 55. *Diana* part. 3. tract. 4. resol. 227. *Bonac.* de matr. quaest. 4. punct. 10. n. 17. *Bassaeus* V. fornicatio, num. 4.

9 THIS opinion displeases me, because that is a new sin against nature, graver than fornication.

HAEC opinio displicet, quia id est novum peccatum contra naturam, fornicatione gravius.

10 THEY ANSWER, that it is beside the intention; in itself, indeed, it is a withdrawal from an evil act.

RESPONDENT, id esse praeter intentionem; per se vero retrahi ab actu malo.

11 ON THE CONTRARY, because it implies that the natural emission, which necessarily follows, is not willed; for whoever wills something, wills also that which in itself necessarily follows it, as the Saintly Doctor often argues.

CONTRA, quia implicat naturalem effusionem, quae necessario sequitur, retractionem non esse volitam; qui enim vult aliquid, vult et id, quod per se necessario sequitur, ut saepe arguit S. Doctor.

Subdoubt I: On concubinage

1 THIS is the concubinage of a man with an unmarried woman, whom one keeps at home as his own. So commonly the Doctors, cited by Farinaccius, *tom. 4. quaest. 138.* For concubinage in civil law these conditions are required. First, that the woman and the man cohabit together: Second, that it be in his own house: Third, that they consort frequently: Fourth, that the woman be unmarried: Fifth, that she be one only: Sixth, that she be kept as a wife.

> ***SUBDUBITATIO I. De CONCUBINATU.***
>
> *HIC est concubitus viri cum soluta, quam quis domi, veluti propriam alit. Ita communiter DD. apud Farinacium* tom. 4. quaest. 138. *Ad concubinatum, Iure civili, requiruntur hae conditiones. Prima, ut mulier, et vir simul cohabitent: Secunda, ut in propria domo: Tertia, ut frequenter commisceantur: Quarta, ut mulier sit soluta: Quinta ut sit una: Sexta, ut alatur veluti uxor.*

2 But in canon law it is thus described: *It is the concubinage of a man with an unmarried woman, whom one retains either in his own house or elsewhere; and to whom he has recourse frequently and by custom, whether he keeps her as a concubine, or as a servant, or in any other manner whatsoever.*

> *IURE autem canonico sic describitur:* Est concubitus viri cum soluta, quam quis vel in domo propria, vel extra retinet; et ad quam frequenter, et ex consuetudine accedit, sive retineat, ut concubinam, sive ut pedissequam, sive quocunque alio modo.

3 IT is however a grave sin, or rather a state of sin. Whence such men are not to be absolved before they have cast the woman out of the house; or if they keep her elsewhere, one must first see whether they have withdrawn from that state, as Fagundez notes, *lib. 6. cap. 2.*

> *EST autem grave peccatum, seu potius status peccati. Unde hi non debent absolvi, antequam eiecerint foemellam e domo; vel si eam extra alunt; ante vero videatur, an ab eo statu recesserint, ut notat Fagundez* lib. 6. cap. 2.

4 PENALTIES are imposed by the Council of Trent, *sess. 24. de reform. cap. 8.* decreeing a threefold admonition, after which they are to be excommunicated, and if they persist obstinately for a year, they are to be punished at the judgment of the Bishop: But the woman, if admonished and not departing, is to be expelled from the city, or even from the diocese.

> *POENAS imponit Concil. Trident.* sess. 24. de reform. cap. 8. *statuens trinam monitionem, post quam excommunicentur, et si annum pervicaces durent, puniantur arbitrio Episcopi: Foemella autem, si monita non recedit, eiiciatur e civitate, vel etiam e dioecesi.*

5 THESE penalties are imposed on public concubinaries. These are they whose concubinage is notorious, either by sentence, or by confession lawfully made, or by the evidence of the fact, which cannot be concealed by any evasion, as Fagundez notes, *num. 7.* with D. Bonaventure in 4. *dist. 13. quaest. 4. ad argumenta.*

> *HAE poenae publicis concubinariis imponuntur. Hi sunt, quorum concubinatus notorii sunt, vel per sententiam, aut confessionem iure factam, vel per evidentiam rei, quae nulla possit tergiversatione celari, ut notat Fagundez* num. 7. *cum D. Bonavent. in 4.* dist. 13. quaest. 4. ad argumenta.

6 NOTORIOUS also is that concubinary whom Farinaccius calls, *num. 8. loco cit.* who keeps in his house a woman suspected and defamed of incontinence, and, when admonished, does not cast her out; but the Saintly Doctor wills that of itself this is not enough; however the Holy Council of Trent,

sess. 25. de reform. cap. 14. declares as public concubinaries those Clerics who keep women of this kind suspected of incontinence, and condemns them to penalties.

> *NOTORIUM etiam concubinarium vocant Farinacius* num. 8. loco cit. *qui mulierem de incontinentia suspectam, et diffamatam retinet domi, et admonitus non eiicit; sed S. Doctor vult id satis non esse ex natura sua; tunc vero S. Concil. Trident.* sess. 25. de reform. cap. 14. *pro publicis concubinariis declarat, haberi Clericos, qui huiusmodi foeminas suspectas retinent, eosque poenis damnat.*

7 IT is asked, moreover, what penalties are due in canon law to Clerics who are public concubinaries.

> *QUAERUNT autem, quaenam poenae Iure canonico debeantur Clericis publice concubinariis.*

8 THE FIRST opinion is, that they are suspended by the very fact by law, and become irregular, if while under the same suspension they celebrate, or exercise an act of sacred Order. So Toletus, *lib. 1. sum. cap. 47.* Sylvester, *verb. Concubinarius,* Navarrus, *man. cap. 25.* Julius Clarus, *§. fornicatio,* Azor, *lib. 6. cap. 7. quaestio 5. and others,* cited by Fagundez, *in 6. praecept. lib. 6. cap. 2. num. 9.*

> *PRIMA sententia est, hos esse ipso facto suspensos de iure, et irregulares fieri, si in eadem suspensione celebrent, aut actum sacri Ordinis exerceant. Ita Toletus* lib. 1. sum. cap. 47. *Sylvester* verb. Concubinarius, *Navar.* man. cap. 25. *Iulius Clarus* §. fornicatio, *Azor* lib. 6. cap. 7. quaestio 5. et alii, *apud Fagundez* in 6. praecept. lib. 6. cap. 2. num. 9.

9 THE SECOND opinion denies that they are suspended by the law itself, nor become irregular, if etc.; yet they can be suspended by the Bishop, if thrice admonished they do not withdraw. So Suarez, *de censuris, disp. 31. sect. 4. and Tom. 3. de sacram. disp. 18. sect. 1.* Sayrus, *de censur. lib. 4. cap. 16.* Rodriguez, *tom. 1. cap. 67.* Medina, *lib. 1. cap. 11.* Enriquez, *lib. 9. de excom. cap. 25. §. 13. ad marg. litt. P. and others,* whom Fagundez follows, *n. 10. and* Bassaeus, *V. Concubin. num. 5.*

> *SECUNDA sententia negat, eos esse ipso iure suspensos, nec fieri irregulares, si etc. posse tamen ab Episcopo suspendi, si ter moniti non recedant. Ita Suarez* de censuris, disp. 31. sect. 4. et Tom. 3. de sacram. disp. 18. sect. 1. *Sayrus* de censur. lib. 4. cap. 16. *Rodriquez* tom. 1. cap. 67. *Medina* lib. 1. cap. 11. *Enriquez* lib. 9. de excom. cap. 25. §. 13. ad marg. litt. P. et alii, *quos sequitur Fagundez* n. 10. et *Bassaeus* V. Concubin. num. 5.

10 THE opinion of D. Bonaventure, *in confessionali, c. 5. particul. 50. et 52.* is, that they are suspended by the law itself, until they do penance. He proves it from *cap. Vestra de cohabit. Cler. and from cap. Quaesitum, under the same title.* He holds the same more clearly *in 4. dist. 13. quaest. 4.*

> *SENTENTIA D. Bonavent.* in confessionali, c. 5. particul. 50. et 52. *est, hos esse suspensos ipso iure, quousque poenitentiam egerint. Probat ex* cap. Vestra de cohabit. Cler. et ex cap. Quaesitum, eodem titulo. *Idem clarius sentit* in 4. dist. 13. quaest. 4.

11 AND indeed in *cap. Vestra,* it is concluded: *Without doubt hold it certain, that from Clerics and Priests, even though fornicators, as long as they are tolerated and have not the evidence of the deed, the divine mysteries may lawfully be heard, and the Sacraments received.* This text the Saintly Doctor urges, *in 4. dist. 13. quaest. 4. ad argumenta,* and other Doctors of our opinion, among whom add Maiolus, *de irregul. lib. 5. cap. 37.* Firminus, *V. Concubinarius, num. 5. and V. Clericus, num. 13.* Vivaldus, *in candelabro, tit. de suspen. num. 19.* Vega, *in sum. 2. part. cap. 108. casu 3.* Rebuffus, *in concordatis, tit. de public. concubinariis, in the first, third, and ninth penalty,* Villadiego, *de irregul. cap. 3.* Guido Papa, *decis. 558.* Farinaccius, *in 4. quaest. 138. de delictis carnis, num. 55.* Innocent, Hostiensis, Butrio, the Archdeacon, *in cap. Vestra, in cohabit. Clericorum,*

et mulierum, where with D. Bonaventure they understand the text of the Decree in the same way, Decianus, *in tract. crim. lib. 5. cap. 21. n. 10.* Vivius, *opin. 123.* Ludovicus Lopez, *2. part. Instruct. cap. 23.*

> *ET sane in* cap. Vestra, *concluditur:* Sine dubitatione teneatis, quod a Clericis, et Presbyteris, quamquam fornicariis, quamdiu tolerantur, nec habent operis evidentiam, licite divina mysteria audiantur, et recipiantur Sacramenta. *Hunc locum urget S. Doctor* in 4. dist. 13. quaest. 4. ad argumenta, *et alii nostrae sententiae Doctores, quibus adde Maiolum* de irregul. lib. 5. cap. 37. *Firmum* V. Concubinarius, num. 5. et V. Clericus, num. 13. *Vivaldum* in candelabro, tit. de suspen. num. 19. *Vegam* in sum. 2. part. cap. 108. casu 3. *Rebuffum* in concordatis, tit. de public. concubinariis, in prima, tertia, et nona poena, *Villadiego* de irregul. cap. 3. *Guidum Pap.* decis. 558. *Farinacium* in 4. quaest. 138. de delictis carnis, num. 55. *Innocentium, Hostiensem, Buttium, Archidiaconum* in cap. Vestra, in cohabit. Clericorum, et mulierum, *ubi cum D. Bonavent. eodem modo textum intelligunt Decianus* in tract. crim. lib. 5. cap. 21. n. 10. *Vivius* opin. 123. *Ludovicus Lopez* 2. part. Instruct. cap. 23.

12 Fagundez answers, that these are condemned in *cap. Vestra* in the same way as in *cap. Clerici,* where they are not suspended, but it is commanded that suspension be imposed by the Bishops, and as in *cap. Quaesitum,* where they are not suspended, but the faithful are only charged not to receive the Sacraments from them, because they are scandalous; for the Pontiff says: *It has been asked concerning clerics fallen into fornication, whether their offices are to be attended. Truly, although anyone is held to be suspended on account of a mortal sin as regards himself, he ought nevertheless not to be shunned in the divine offices: unless a sin of this kind be notorious, by sentence, or by confession made in law, or by the evidence of the fact, which cannot be concealed by any evasion.*

> *RESPONDET Fagundez, eodem modo damnari istos in* cap. Vestra, *sicuti in* cap. Clerici, *ubi non suspenduntur, sed praecipitur suspensio imponenda ab Episcopis, et sicut in* cap. Quaesitum, *ubi non suspenduntur, sed solum imponitur fidelibus, ne ab eis recipiant Sacramenta, quia scandalosi sunt; ait enim Pontifex:* Quaesitum est de clericis in fornicationem prolapsis, an eorum officia sint audienda. Verum etsi quemlibet pro mortali peccato, quo ad seipsum constat esse suspensum, non debet tamen in officiis divinis evitari: nisi peccatum huiusmodi sit notorium, per sententiam, vel confessionem factam in iure, aut per evidentiam rei, quae tergiversatione aliqua celari non possit.

13 Therefore Fagundez says, that no suspension is imposed on these; for, he says, public concubinaries are equated with occult ones, and as the occult one is improperly suspended, insofar as he is unworthy, so also the public one.

> *AIT igitur Fagundez, non imponi suspensionem istis; aequiparari enim ait publicos concubinarios occultis, et sicut occultus improprie est suspensus, quatenus indignus, ita et publicus.*

14 BUT these are trifles, as the Saintly Doctor saw; for the law does not equate them, but lays down an exclusive rule of true suspension, unless they are notorious.

> *SED hae nugae sunt, ut vidit S. Doctor; non enim aequiparat, sed exclusivam ponit verae suspensionis, nisi sint notorii.*

15 SECONDLY, from the *Concil. Trid. sess. 25. cap. 14.* where concerning these it says: *As regards the ordinaries, and also delegates of the Apostolic See, it shall be at their judgment whether they be suspended, and if, being thus suspended, they do not expel them, etc. let them be deprived of whatsoever ecclesiastical benefices, portions, pensions, and offices, etc.*

> *SECUNDO ex* Concil. Trid. sess. 25. cap. 14. *ubi de his ait:* Quo ad ordinarios, etiam vei sedis Apostolicae delegatos, arbitrabitur, suspendantur, et si ita suspensi, eos non expellant, etc. quibuscumque beneficiis

> Ecclesiasticis, portionibus, pensionibus, et officiis priventur, etc.

16 Fagundez says, *num. 10.* that these words serve his purpose excellently, as if the Council commanded the Bishops to suspend them, but not to declare them suspended. But the words of the Council have another sense, namely, that they remain suspended, according to the ancient laws, until they be absolved by the Bishops, by the Bishops, etc.; which words are clear. It is confirmed, for in *sess. 24. cap. 14.* the Council confirms the ancient laws, saying: *The other penalties of the law remain in their force.* Nor let Fagundez say that these are to be imposed by mandate in those words, *sess. 25. cap. 14.* otherwise, *let them be punished with the penalties imposed by the sacred Canons, or the statutes of the Churches.* For these words speak of temporal penalties, deprivations of distributions, etc. as I said.

> *HAEC verba egregie sibi deservire ait Fagundez* num. 10. *quasi Concilium praecipiat Episcopis, ut suspendant illos, non autem declaret suspensos. At verba Concilii alium sensum habent, scilicet, ut remaneant suspensi, iuxta antiqua iura, donec absolvantur ab Episcopis, Episcopis, etc. quae verba sunt clara. Confirmatur, nam* sess. 24. cap. 14. *Concilium confirmat iura antiqua dicens:* Caeteri iuris poenis in suo robore permanentibus. *Neque dicat Fagundez, has imponendas mandati illis verbis,* sess. 25. cap. 14. *alioquin* poenis a sacris Canonibus, vel statutis Ecclesiarum impositis puniantur. *Haec enim verba loquuntur de poenis temporalibus, privationibus distributionum, etc. ut dixi.*

17 Fagundez answers, *n. 12.* that those laws have been abrogated by custom.

> Respondet *Fagundez* n. 12. *Iura illa consuetudine esse abrogata.*

18 *But on the contrary*, for they are confirmed by the Holy Council, notwithstanding any custom whatever. It is confirmed evidently from the declaration of the Most Eminent Cardinals, the Interpreters of the Holy Council, to whom alone it is permitted to interpret the Council, but not to Fagundez or other Doctors of the opposing opinion; there, however, they decide: *Concubinary Clerics are even today, if they be notorious, suspended by the law itself from the divine offices, just as they are also in the old law.*

> Sed contra, *nam a Sancto Concil. firmantur, non obstante quavis consuetudine. Confirmatur evidenter ex declaratione Eminentissimorum Cardinalium Sacri Concilii Interpretum, quibus solis licet Concilium interpretari, non autem Fagundez, aut aliis oppositae sententiae Doctoribus, ibi autem decidunt:* Clerici concubinarii sunt etiam hodie, si notorii sint, ipso iure suspensi a divinis, pro ut etiam in veteri iure sunt.

19 *This* declaration utterly overturns every solution of the adversaries.

> Haec *declaratio funditus evertit omnem adversantium solutionem.*

20 *What* the Canons understand concerning public concubinaries, they understand also concerning public fornicators, as the Saintly Doctor notes, *in the places cited,* and it is had in the canons alleged, as Toletus notes, *lib. 1. cap. 47.* Sylvester, *V. concubinarius,* Fagundez, *num. 15.* Now a public fornicator is one who, wandering about, abuses now this woman, now that.

> Id *quod de publicis concubinariis intelligunt Canones, etiam de publicis fornicariis, ut notat S. Doctor* allatis locis, *et habetur in canonibus allegatis, ut notat Tolet.* lib. 1. cap. 47. *Sylvester V.* concubinarius, *Fagundez* num. 15. *Est autem fornicarius publicus, qui vagans modo hac, modo illa abutitur.*

21 *The difficulty* is: whether in our opinion, which Fagundez confesses to be very probable, *numero 9.* under the name of Cleric there are also understood those constituted in Minor Orders; and indeed

the Canon *Vestra* names Clerics separately from priests: Therefore it includes all, as the Saintly Doctor relates, *loco cit*. in 4. Farinaccius agrees, *loco cit*. Diaz, *cap. 79.* and others. They seem, however, not to be included, because it speaks in relation to the exercise of solemn Order, and this is not in the Minor Orders, and accordingly irregularity is not incurred. So Fagundez, *num. 16*.

> Difficultas *est: an in nostra sententia, quam Fagundez valde probabilem fatetur* numero 9. *nomine Clerici intelliguntur etiam constituti in Minoribus, et sane Canon* Vestra*, nominat Clericos seorsim a presbyteris: Ergo omnes includit, eum refert S. Doctor* loco cit. *in 4. consentiunt Farinacius* loco cit. *Diaz* cap. 79. *et alii. Videntur tamen, non includi, quia loquitur in ordine ad exercitium solemne Ordinis, hoc autem non est in Minoribus, ac proinde non incurritur irregularitas. Ita Fagundez* num. 16.

22 Fagundez also notes, *num. 17.* that these are not excommunicated by the law itself, for in those laws no mention is made of excommunication.

> Notat *etiam Fagundez* num. 17. *non esse hos ipso iure excommunicatos, non enim in iuribus illis fit mentio excommunicationis.*

23 *In civil* law no certain penalty is established for these, as Fagundez notes, *num. 19.* yet the administration of their goods may be interdicted to them by secular judges, just as the same faculty is impeded to women living luxuriously; it is clear from the *leg mulier, ff. de curatore furioso.* The reason is, because one who lives luxuriously is called a prodigal in morals, the Gloss, *in leg. si quis cum iure, ff. de usucap.*

> Iure *Civili istis nulla poena est statuta certa, ut notat Fagundez* num. 19. *possunt tamen illis interdici bonorum administrationes a iudicibus saecularibus, sicut etiam impeditur eadem facultas mulieribus luxuriose viventibus; patet ex* leg mulier, ff. de curatore furioso. *Ratio est, quia luxuriose vivens, dicitur prodigus morum, Glossa* in leg. si quis cum iure, ff. de usucap.

24 *Hence* many have said that it is a crime of the spiritual forum only. So Clarus, *quaest. 37.* Portius, *consil. 21.* Tuschus, *de visitatione, lib. 2. cap. 21.* Ancharanus, *ad cap. Cum sit, de foro compet.* the Abbot, *ibi num. 25.* Soncinus, *num. 24.* Aretinus, *num. 15.*

> Hinc *multi dixere, esse crimen fori spiritualis tantum. Ita Clar.* quaest. 37. *Portius* consil. 21. *Tuschus* de visitatione, lib. 2. cap. 21. *Anchar.* ad cap. Cum sit, de foro compet. *Abbas* ibi num. 25. *Soncinus* num. 24. *Aretin.* num. 15.

25 *Others,* however, distinguish: as regards penalties, at present, the secular judge alone is Judge for secular persons; but for future amendment, Bishops and others can discharge that function.

> Alii *tamen distinguunt, ut quo ad poenas, pro praesenti, solus iudex saecularis sit Iudex pro saecularibus; sed pro futura emendatione posse Episcopos, et alios illud munus obire.*

26 *It is proved* from *cap. penult. de cohabit. cler. et mulier.* and the Council of Trent, *sess. 24. cap. 8. and sess. 25. cap. 14.* and in the former place it speaks of secular persons, and for their emendation it commands that a threefold admonition be prefixed, which is called the competent admonition, as the Saintly Doctor observes, *in Confess. loco cit.* See Fagundez, *num. 20.*

> Probatur *ex* cap. penult. de cohabit. cler. et mulier. *et Concil. Trident.* sess. 24. cap. 8. et sess. 25. cap. 14. *et in priori loco loquitur de saecularibus, et ad eorum emendationem praecipit praemitti triplicem admonitionem, quae dicitur admonitio competens, ut advertit S. Doctor* in Confess. loco cit. *Vide Fagundez* num. 20.

27 *Some* have said falsely, that the concubines of Clerics cannot be punished by the secular forum. For why should these secular women not be punished for a secular crime, or enjoy a forum?

> Aliqui *falso dixere, concubinas Clericorum non posse a foro saeculari puniri. Cur enim hae foemellae saeculares pro crimine saeculari non puniantur, vel gaudeant foro?*

28 *There are* some saying that concubines are not forbidden, but approved by civil law, *leg. 3. ff. de concubinis*, from *Genes. 21. et 22. Iud. 19. 3. Reg. 11.* where holy men kept concubines.

> Sunt *aliqui dicentes concubinas non prohiberi, sed approbari iure civili* leg. 3. ff. de concubinis, *ex* Genes. 21. et 22. Iud. 19. 3. Reg. 11. *ubi sancti viri concubinas aluere.*

29 *But* these were wives, though they had a lesser dignity than the others, as the Saintly Doctor proves, *4. dist. 33. q. 1. and* I shall show in the *3. part. Tract. de matrim.* see what I have said of these, *tom. 4. disp. 17. quaest. 10. sect. 30.*

> Sed *hae erant uxores, licet minorem haberent dignitatem caeteris, ut probat S. Doctor* 4. dist. 33. q. 1. et *ostendam* 3. part. Tract. de matrim. *vide quae de his dixerim,* tom. 4. disp. 17. quaest. 10. sect. 30.

Doubt IV: On seduction

1 *It is defined* by D. Bonaventure *p. p. Centil. sect. 24. and in Compend. Theol. verit. lib. 3. cap. 21: Stuprum is lust by which the incorruption of Virgins is violated, or they are deflowered.* He defines it thus also in *4. dist. 41. dub. 4. littera*, where he compares stuprum with adultery, and says adultery is the greater by reason of the injury, or injustice, inflicted on the spouse and on the Republic; nevertheless on the other side stuprum is graver, because it violates the virginal enclosure.

> Definitur *a D. Bonavent.* p. p. Centil. sect. 24. et in Compend. Theol. verit. lib. 3. cap. 21. Stuprum est luxuria, qua Virginibus incorruptio violatur, sive defloratur. *Sic definit etiam in* 4. dist. 41. dub. 4. littera, *ubi comparat stuprum cum adulterio, et ait, adulterium esse maius ratione iniuriae, seu iniustitiae illatae coniugi, et Reipublicae; attamen ex alia parte esse gravius stuprum, quia Virginale claustrum violat.*

2 *Some*, however, define stuprum thus: *It is the intercourse of a man by force with a Virgin woman.*

> Aliqui *tamen sic stuprum definiunt:* Est concubitus viri per vim cum foemina Virgine.

3 *Hence*, when the Virgin consents spontaneously, they say it is not stuprum. So Peter Navarr. *lib. 2. de restit. cap. 3. num. 433.* Sotus *in 4. dist. 18. quaest. 2. art. 4.* Vasquez *prima secunda, disp. 112. cap. 2.* Lessius *lib. 2. cap. 10. dub. 1.* Sanchez *lib. 7. de matrim. disp. 14.* Fagundez *lib. 6. cap. 4.* Suarez *de poenit. disp. 22. sect. 4.* Coninch. *disp. 7. num. 19.* It is the more common opinion and seems to be gathered from the decretal of Gregory *extra de adulteriis, apud* D. Bonav., to be cited, where it is said: *Felix deceived a certain Virgin by stuprum, but deception is equivalent to force, as I shall say in dub. 10. See Bass. V. stuprum.*

> Hinc *Virgine sponte consentiente, aiunt, non esse stuprum. Ita Petrus Nauar.* lib. 2. de restit. cap. 3. num. 433. *Sotus* in 4. dist. 18. quaest. 2. art. 4. *Vasquez* prima secunda, disp. 112. cap. 2. *Lessius* lib. 2. cap. 10. dub. 1. *Sanchez* lib. 7. de matrim. disp. 14. *Fagundez* lib. 6. cap. 4. *Suarez* de poenit. disp. 22. sect. 4. *Coninch.* disp. 7. num. 19. *Est sententia communior et videtur colligi ex decretali Gregorii* extra de adulteriis, apud *D. Bonav. citandum, ubi dicitur.* Falix quandam Virginem decepit stupro, deceptio autem aequivalet vi, ut dicam dub. 10. Subsectibit Bass. V. stuprum.

4 *The opposite* opinion, however, is that even if she consents spontaneously, it is stuprum. So D. Bonaventure *locis adductis*, D. Thom. *art. 4.* Cajetan *quaest. 154. art. 6.* Henriquez *lib. 2. de poenit. cap. 8.* Filliucius *tract. 3. in 6. praecepto, cap. 3. de stupro*, Azor *cap. 11. quaestio 5.* Tolet. *lib. 3. cap. 18.* Rodriquez *tom. 1. sum. cap. 28.* Guttier. *lib. 1. qq. can. cap. 37.* Farinacius *Tom. 4. quaest. 146.* Graff. *lib. 2. cap. 79.* Bonacina *de matrim. quaest. 4. puncto 17.* Sylvius *2. 2. quaest. 154. art. 6.*

> Opposita *tamen sententia est, etiamsi sponte consentiat, esse stuprum. Ita D. Bonavent.* locis adductis, *D. Thom.* art. 4. *Caietanus* quaest. 154. art. 6. *Henriquez* lib. 2. de poenit. cap. 8. *Filliucius* tract. 3. in 6. praecepto, cap. 3. de stupro, *Azor* cap. 11. quaestio 5. *Tolet.* lib. 3. cap. 18. *Rodriquez* tom. 1. sum. cap. 28. *Guttier.* lib. 1. qq. can. cap. 37. *Farinacius* Tom. 4. quaest. 146. *Graff.* lib. 2. cap. 79. *Bonacina* de matrim. quaest. 4. puncto 17. *Sylvius* 2. 2. quaest. 154. art. 6.

5 *These*, indeed, nearly all take the reason from the injury inflicted on the future husband, and especially on the parents, under whose power she is.

> Hi *sane fere omnes sumunt rationem ex iniuria, quae infertur marito futuro, et maxime parentibus, sub quorum potestate est.*

6 *I* argue ad hominem. Every act to which the laws impose penalties is evil, having a special malice: But voluntary stuprum of a girl is punished by Civil and Canon law, as the adversaries concede: Therefore. The major is evident, for a special penalty is inflicted for a special fault. The minor is proved from the Laws.

> Ego *arguo ad hominem. Omnis actus, cui leges imponunt poenas, malus est, habens specialem malitiam: Sed stuprum voluntarium puellae punitur Iure civili, et Canonico, ut fatentur adversi: Ergo. Maior est evidens, nam specialis poena speciali culpae infligitur. Minor probatur ex Legibus.*

7 *By Canon* law the ravisher of a violated Virgin is compelled to endow her and to take her to himself in marriage, even if he is unwilling to marry her after the constitution of the dowry; he is beaten with rods through the streets of the city, *cap. 2. de adult.*, and many teach this with Fagundez *num. 21., and* D. Bonav. reports it *in Confessionali, cap. 3. particula 56.* Excommunication to be imposed is added, and confinement in a monastery.

> Iure *Canonico cogitur stuprator Virginem violatam dotare, eamque sibi in coniugem accipere, etsi non vult ducere, post constitutionem dotis, caeditur virgis per vias urbis* cap. 2. de adult. *et docent multi cum Fagundez* num. 21. et *refert D. Bonav.* in Confessionali, cap. 3. particula 56. *Additur etiam excommunicatio imponenda, et detrusio in monasterium.*

8 *But if* the deflowerer is married, he will be bound to endow her, and will be beaten with cudgels, or punished with a fine at the judge's discretion. If he is a Clerk in Holy Orders, he will be bound to endow her, and will otherwise bear penalties at the judge's discretion, such as suspension, deposition, etc. That this penalty for the ravisher of a spontaneous Virgin obtains in the use of all tribunals of both fora, *Fagundez num. 27., Julius Clarus §. stuprum, Farinacius tract. 4. quaest. 147.* teach.

> Si *vero deflorator est coniugatus, eam dotare tenebitur, et fustibus caedetur, vel mulcta punietur arbitrio Iudicis. Si sit Clericus in sacris, tenebitur dotare, et alias poenas sustinebit arbitrio iudicis, ut suspensionis, depositionis, etc. Hanc poenam stupratoris Virginis spontaneae esse in usu omnium tribunalium utriusque fori , docent* Fagundez numero 27. Iulius Clarus §. stuprum, Farinacius tract. 4. quaest. 147.

9 IN CIVIL law, if the ravisher is noble, half his goods are published (confiscated); if of humble station, he is beaten with rods and punished with exile, according to the text in *§. Lex Iulia, Institut. de public. Iudic.* Now, however, only the Canonical penalty is in use in the whole world, as *Fagundez num. 27. Farinacius, Clarus, and others above* say.

> *IN LEGE Civili, si stuprator sit nobilis, publicatur medietas bonorum; si humilis, virgis caeditur, et exilio punitur, iuxta textum in* §. Lex Iulia, Institut. de public. Iudic. *Nunc tamen sola poena Canonica est in usu in toto orbe, ut ait* Fagundez numero 27. Farinacius, Clarus, et alii supra.

10 NOW indeed this condition is no longer imposed, that she be under the power of her father, or wish to marry. Therefore it is a sign that it is given on account of the violated enclosure of the Virgin.

> *IAM vero non ponitur haec conditio, si sit sub potestate patris, aut velit nubere. Ergo signum est, dari ob defloratum Virginis claustrum.*

11 I ADD the penalties imposed on a violent ravisher, which by civil law are capital punishment, *leg. 1. §. finali, ff. de extraord. crim. §. qui puero, where the ravisher of a boy and of a girl are treated as equal. See Farinacius Tract. 4. quaest. 147. and others apud Fagundez num. 28.*

> *ADDAM poenas violento stupratori impositas, quae iure civili sunt poena capitis* leg. 1. §. finali, ff. de extraord. crim. §. qui puero, ubi aequiparantur stuprator pueri, et puellae. Vide Farinacium Tract. 4. quaest. 147. et alios apud Fagundez num. 28.

12 The same penalty the civil laws inflict on one who violates an honest widow by force.

> *Eandem poenam infligunt leges civiles violanti vi viduam honestam.*

13 BUT IF an honest widow consents spontaneously, she is punished according to some with a pecuniary penalty, as many say apud *Fagundez num. 31.*, but others teach that no penalty is due.

> *SI vero vidua honesta sponte consentiat, punitur secundum aliquos poena pecuniaria, ut aiunt multi apud* Fagundez num. 31. *sed nullam poenam alii debitam docent.*

14 MOREOVER, the deflowerer of a consenting virgin is held in conscience to restore to her parents the loss resulting from it, by supplying the increase of the dowry: *It seems so to D. Thom. quaest. 154. art. 6., Cajetan there, Abulensis in cap. 5. Matth. quaest. 201.* Many sustain it expressly apud *Fagundez lib. 6. cap. 5. num. 3.* Others, however, cited by him *num. 5.*, say he is not held, unless he has defamed her.

> *TENERI autem defloratorem virginis consentientis in conscientia restituere parentibus illius damnum, inde resultans, supplendo augmentum dotis:* Videtur D. Thom. quaest. 154. art. 6. Caietani ibi, Abulensis in cap. 5. Matth. quaest. 201. *Eam sustinent expresse multi apud* Fagundez lib. 6. cap. 5. num. 3. *Alii tamen allati ab eo* num. 5. *dicunt, non teneri, excipe nisi is eam infamarit.*

15 BUT IF he violated her with a prior promise of marriage, he is bound to take her, or to repair the loss. So many apud *Fagundez num. 3.*; much more if he deflowered the Virgin by force, fraud, or importunate entreaties; for he is held in conscience either to marry her or to repair the loss; but it suffices if he only add in gifts as much as she needs, because she is corrupted. So *Nauar. summa, cap. 16. Sanchez lib. 7. de matrim. disp. 1. Valentia 2. 2. disp. 9. quaest. 3. puncto 3. §. an, et quando, Lessius Tom. 1. de iust. lib. 2. cap. 10. dub. 1. Sylvester V. luxuria, quaest. 5.* Some say this is true if the entreaties are joined to threats, or reverential fear.

QUOD si violaverit promisso praevio matrimonio, tenetur eam accipere, vel damnum reparare. Ita multi apud Fagundez num. 3. *multo magis si vi, fraude, aut precibus importunis Virginem defloravit; tenetur enim in conscientia vel illam ducere, vel damnum reparare; sufficit autem, si tantum addat donis, quantum eget, quia corrupta. Ita* Nauar. summa, cap. 16. Sanchez lib. 7. de matrim. disp. 1. Valentia 2. 2. disp. 9. quaest. 3. puncto 3. §. an, et quando, Lessius Tom. 1. de iust. lib. 2. cap. 10. dub. 1. Sylvester V. luxuria, quaest. 5. *Aliqui dicunt, hoc verum esse, si preces sint minis, vel timore reverentiali adiunctae.*

16 BUT IF the girl, deflowered in the manner said, finds marriages equally advantageous, and consequently suffers nothing, I judge with *Lessius num. 15. Fagundez num. 8.* that nothing is owed, because restitution is for a loss inflicted.

QUOD si puella modo dicto deflorata invenit commodas aeque nuptias, et nihil proinde patitur, existimo cum Lessio num. 15. Fagundez num. 8. *nil deberi, quia restitutio est pro damno illato.*

17 BUT IF he corrupted her under the hope of marriage, or by a promise.

QUOD si sub spe matrimonii, aut promissione corrupit.

18 IT IS ANSWERED, that he is held to marry her, provided the disparity is not so great that it would persuade the contrary. So *D. Thom. in 4. dist. 28. quaest. unic. art. 2. ad 4. Lessius Tom. 1. lib. 2. cap. 10. de iniuriis per stuprum, dub. 3. Sanchez lib. 1. de matr. disp. 10. num. 6. Sayrus lib. 11. cap. 1. Sotus 4. dist. 27. quaest. 1. art. 3. Nauar. sum. c. 16. Richardus 4. dist. 28. art. 1. quaest. 3. Palud. q. 1. art. 2. D. Antonin. p. p. tit. 5. cap. 6. Rosella V. matrim. 4. Angel. V. stuprum, 1. Sylvester V. Luxuria, quaest. 5. Tabiena verbo restit. quaest. 22. Armilla num. 22. Victoria sum. de matrim. num. 266. Ledesma 2. part. 4. quaest. 18. art. 2. Veracruz 3. part. speculi, art. 19. Corduba in summa, quaest. 50. et lib. 1. qq. quaest. 13. Beia sum. casu 18. Lopez p. p. Instruct. cap. 76. Rodriquez tom. 1. cap. 208. Copua lib. 2. decis. cap. 78. Spino spec. rest. glos. 15. Fagundez in 6. praecep. lib. 5. num. 12. cum D. Bonavent. in 4. dist. 28. quaest. 1. See also Bassaeus.*

RESPONDETUR, teneri eam ducere, modo disparitas tanta non sit, ut contrarium suadeat. Ita D. Thom. in 4. dist. 28. quaest. unic. art. 2. ad 4. Lessius Tom. 1. lib. 2. cap. 10. de iniuriis per stuprum, dub. 3. Sanchez lib. 1. de matr. disp. 10. num. 6. Sayrus lib. 11. cap. 1. Sotus 4. dist. 27. quaest. 1. art. 3. Nauar. sum. c. 16. Richardus 4. dist. 28. art. 1. quaest. 3. Palud. q. 1. art. 2. D. Antonin. p. p. tit. 5. cap. 6. Rosella V. matrim. 4. Angel. V. stuprum, 1. Sylvester V. Luxuria, quaest. 5. Tabiena verbo restit. quaest. 22. Armilla num. 22. Victoria sum. de matrim. num. 266. Ledesma 2. part. 4. quaest. 18. art. 2. Veracruz 3. part. speculi, art. 19. Corduba in summa, quaest. 50. et lib. 1. qq. quaest. 13. Beia sum. casu 18. Lopez p. p. Instruct. cap. 76. Rodriquez tom. 1. cap. 208. Copua lib. 2. decis. cap. 78. Spino spec. rest. glos. 15. Fagundez in 6. praecep. lib. 5. num. 12. cum D. Bonavent. in 4. dist. 28. quaest. 1. Vide etiam Bassaeum.

19 THE REASON is, because it is a contract, and when she on her part has fulfilled the contract, the other party is held too; whence by that union she acquired a right.

RATIO est, quia is est contractus, et ipsa cum ex parte sua impleverit contractum, tenetur et alter; Unde ex ea copula acquisivit ius.

20 IF, however, there is a grave disparity, which she herself knew, and could judge to the contrary, he is not held. So *Sanchez cited num. 6. Rodriquez tom. 1. cap. 208. Sylvester V. matrim. 4. Fagundez num. 15. and others apud these.*

SI tamen est gravis disparitas, quam ipsa sciebat, ac contrarium iudicare poterat, non tenetur ille. Ita Sanchez citatus num. 6. Rodriquez tom. 1. cap. 208. Sylvester V. matrim. 4. Fagundez num. 15. et alii apud istos.

21 BUT IF she was ignorant of the disparity, and had no external cause for suspecting fraud, the deflowerer will be bound to marry her. So *Lessius Tom. 1. de Iust. lib. 2. cap. 10. Petrus Nauar. lib. 2. de restit. cap. 5. from num. 444. Sanchez lib. 1. de matrim. disp. 10. Fagundez num. 14.*

> *QUOD si ea ignoravit disparitatem, et nullam habuit externam causam suspicandae fraudis, tenebitur deflorator eam ducere. Ita* Lessius Tom. 1. de Iust. lib. 2. cap. 10. Petrus Nauar. lib. 2. de restit. cap. 5. a num. 444. Sanchez lib. 1. de matrim. disp. 10. Fagundez num. 14.

22 IF stuprum is not a species distinct from fornication, it would not be necessary to specify it in confession; but say the opposite with *D. Bonaventure.*

> *SI stuprum non sit species distincta a fornicatione, non esset necesse in confessione exprimere, sed oppositum dic cum* D. Bonaventura.

Doubt V: On incest

1 INCEST *is a congress committed against consanguinity, affinity, or compaternity.* So *D. Bonavent. p. p. Centil. sect. 24.* Or: *It is the union by which the bond of consanguinity, or affinity, or compaternity is corrupted,* as *D. Bonavent. lib. 3. Compend. cap. 21.* says. It is a sin distinct from fornication, as in 1 *Cor. 5: Fornication is heard among you, such as is not even among the Gentiles, so that one has his father's wife.*

> *INCESTUS* Est congressus contra consanguinitatem, affinitatem, vel compaternitatem commissus. *Ita* D. Bonavent. p. p. Centil. sect. 24. *Seu:* Est copula, qua vinculum consanguinitatis, vel affinitatis, vel compaternitatis corrumpitur, *ut ait* D. Bonavent. lib. 3. Compend. cap. 21. *Est autem peccatum distinctum a fornicatione, ut habetur prima* Cor. 5. Auditur inter vos fornicatio, qualis nec inter Gentes, ita ut uxorem patris sui aliquis habeat.

2 THE REASON is, because beyond the deformity of fornication it has another against the honor owed to parents, whence within the forbidden degrees arises an impediment of marriage; and it is a greater sin with consanguineous relations than with affines, because with the former there is a greater conjunction, as *D. Bonavent. in 4. dist. 41. dub. 3. litterali.* notes.

> *RATIO est, quia praeter deformitatem fornicationis habet aliam contra honorem parentibus debitum, unde intra vetitos gradus oritur impedimentum matrimonii, et maius peccatum est cum consanguineis, quam cum affinibus, quia cum illis est maior coniunctio, ut notat* D. Bonavent. in 4. dist. 41. dub. 3. litterali.

3 THE FORBIDDEN degrees are four; and indeed affinity is contracted by lawful union up to the fourth degree, but by illicit union up to the second, as is found in the *Council of Trent sess. 24. cap. 4. de reform. matrimonii;* but beyond these degrees there will be no incest.

> *GRADUS vetiti sunt quatuor, et quidem contrahitur affinitas per copulam licitam usque ad quartum gradum; sed per illicitam usque ad secundum, ut habetur in* Concilio Trid. sess. 24. cap. 4. de reform. matrimonii; *at extra hos gradus non erit incestus.*

4 The degrees, however, are numbered by remove from the stock, this aside. Thus sisters and brothers are in the first degree; sons of brothers in the second, and so of the rest; but these things are treated in the *Tract. de Matrimonio.*

> *NUMERANTUR autem gradus per recessum a stirpe, hoc omisso. Sic sorores, et fratres sunt in primo gradu: filii fratrum in secundo, et sic de reliquis, sed haec agentur* Tract. de Matrimonio.

5 IT IS CERTAIN, however, that the first degree of ascendants and descendants is forbidden by natural law for marriage, as between parents and children; for it has turpitude, as is said in *Levit. 18.* As to the others, there are various opinions, of which there will be discussion when I treat of Matrimony.

> *CERTUM est autem, primum gradum ascendentium, et descendentium esse iure naturae vetitum ad matrimonium, ut inter parentes, et filios; habet enim turpitudinem, ut dicitur* Levit. 18. *Quoad alios, variae sunt opiniones, de quibus sermo erit, cum de Matrimonio agam.*

6 MANY say that all degrees of consanguinity are distinct in species. So *Nauar. man. cap. 16. Valent. tract. 3. disp. 9. quaest. 3. puncto 3.*

> *MULTI dicunt, omnes gradus consanguinitatis esse distinctos specie. Sic* Nauar. man. cap. 16. Valent. tract. 3. disp. 9. quaest. 3. puncto 3.

7 OTHERS will that all degrees and incests are of the same species. *Diana de Circumst. resol. 31. part. 1. and part. 4. resol. 234. Caietan. 2. 2. quaest. 154. art. 9. Bonacina de matrim. quaest. 4. puncto 16.*

> *ALII volunt omnes gradus, et incestus esse eiusdem speciei.* Diana de Circumst. resol. 31. part. 1. et part. 4. resol. 234. Caietan. 2. 2. quaest. 154. art. 9. Bonacina de matrim. quaest. 4. puncto 16.

8 OTHERS hold that the degrees of consanguinity differ in species from the degrees of affinity, of legal and of spiritual cognation; but that the degrees of consanguinity are not distinguished among themselves. The same they say of the degrees of affinity among themselves, *Lessius lib. 4. cap. 3. dub. 11. num. 79. Azor 3. part. lib. 3. cap. 9. quaestio 1. Filliucius tract. 30. cap. 5. num. 96. Bassaeus num. 3.*

> *ALII sentiunt, gradus consanguinitatis differre specie a gradibus affinitatis, cognationis legalis, et spiritualis: at gradus consanguinitatis non distingui inter se ipsos. Idem dicunt de gradibus affinitatis inter se,* Lessius lib. 4. cap. 3. dub. 11. num. 79. Azor 3. part. lib. 3. cap. 9. quaestio 1. Filliucius tract. 30. cap. 5. num. 96. Bassaeus num. 3.

9 However it may be, the degrees of incest are to be specified, as *Sayrus lib. 8. cap. 4.* says, with others there.

> *Quomodocunque sit, gradus incestus exprimendos esse ait* Sayrus lib. 8. cap. 4. *cum aliis ibi.*

10 YOU WILL ASK, whether with the consanguinean of one's wife in a ratified marriage there is incest.

> *QUAERES, an cum consanguinea coniugis in matrimonio rato sit incestus.*

11 THOSE ASSERT who place affinity from ratified marriage; as D. Thom. 4. dist. 41. Sot. there quaest. 1. art. 2. Sylvester V. matrim. 8. quaest. 14.

> *ASSERUNT, qui e matrimonio rato affinitatem ponunt; ut D. Thom. 4. dist. 41. Sot. ibi quaest. 1. art. 2. Sylvester V. matrim. 8. quaest. 14.*

12 D. Bonaventure DENIES, 4. dist. 41. quaest. 1. Tolet. lib. 7. cap. 11. Ledesma de matrim. quaest. 55. art. 4. Conrad. quaest. 151. Henriquez lib. 2. de matr. cap. 16. Sanchez lib. 7. disp. 64. Fagundez in 6. praecep. lib. 6. cap. 6. It is proved by D. Bonaventure from 35. quaest. 3., where it is decreed that affinity requires copulation and emission. Nay, they require the emission of both, Sanchez lib. 7. disp. 83. Praeposit. 3. part. de matrim. disp. 9. n. 81. Diana 4. part. tract. 2. resol. 43. and others

apud Bassaeum num. 6. In the external forum, however, copulation is presumed to have taken place, Sanchez disp. 15. lib. 7.

> *NEGANT D. Bonavent. 4. dist. 41. quaest. 1. Tolet. lib. 7. cap. 11. Ledefma de matrim. quaest. 55. art 4. Conrad. quaest. 151. Henriquez lib. 2. de matr. cap. 16. Sanchez lib. 7. disp. 64. Fagundez in 6. praecep. lib. 6. cap. 6. Probatur a D. Bonavent. ex 35. quaest. 3. ubi decernitur, affinitatem exigere copulam, et seminare. Imo exigunt seminationem utriusque, Sanchez lib. 7. disp. 83. Praeposit. 3. part. de matrim. disp. 9. n. 81. Diana 4. part. tract. 2. resol. 43. et alii apud Bassaeum num. 6. Praesumitur vero in foro externo data copula, Sanchez disp. 15. lib. 7.*

13 ¶ FROM ratified marriage, however, there arises nonetheless the perpetual impediment of public honesty, cap. fraternitatis, dist. 34. cap. 7. That between confessor and penitent there is no incest, Filliucius tract. 30. numero 105. Sa V. Confess. 25. Caspens. tom. 1. tract. de pecc. dub. 2. num. 56. Diana part. 2. tract. 5. misc. resol. 11. Azor 3. part. lib. 3. cap. 9. quaesito 5. Bonacina loco cit. num. 89. Caramuel num. 1015. Sancius select. disp. 11. Rodriquez tom. 2. qq. reg. quaest. 27. art. 1. 2. Naldus V. confessar. num. 26. teach.

> *¶ E matrimonio rato oritur tamen impedimentum perpetuum publicae honestatis cap. fraternitatis, dist. 34. cap. 7. Inter confessarium, et poenitentem non esse incestum docent Filliucius tract. 30. numero 105. Sa V. Confess. 25. Caspens. tom. 1. tract. de pecc. dub. 2. num. 56. Diana part. 2. tract. 5. misc. resol. 11. Azor 3. part. lib. 3. cap. 9. quaesito 5. Bonacina loco cit. num. 89. Caramuel num. 1015. Sancius select. disp. 11. Rodriquez tom. 2. qq. reg. quaest. 27. art. 1. 2. Naldus V. confessar. num. 26.*

14 OTHERS, however, apud Bassaeum num. 5. assert [it]. See Diana p. p. De Circumst. resol. 12. and 56., where others assert it. Certainly there is some aggravating circumstance, for by Canon law it is punished, apud D. Bonaventure *in Confessionali, cap. 3. partic. 3. If, however, he used confession to solicit, let him be denounced to the Holy Inquisition.* See Diana 4. part. tract. 5. throughout.

> *ALII tamen apud Bassaeum num. 5. asserunt. Vide Dianam p. p. De Circumst. resol. 12. et 56. ubi id asserant alii. Sane est aliqua circumstantia aggravans, nam iure Canonico punitur, apud D. Bonavent.* in Confessionali, cap. 3. partic. 3. Si tamen uteretur confessione ad sollicitandum, denuncietur SS. Inquisitioni. *Vide Dianam 4. part. tract. 5. toto.*

15 ¶ But if she was baptized by him, it is incest of spiritual cognation, as all confess apud Bassaeum, and the S. Doctor indicates loco cit.

> *¶ At si fuerit ab eo baptizata, est incestus in cognationem spiritualem, ut omnes fatentur apud Bassaeum, et indicat S. Doctor loco cit.*

16 FROM the union of sodomy in the first and second degree incest arises. So Azor part. 3. lib. 3. cap. 18. quaesito 5. Graff. de arbitr. cons. lib. 2. cap. 34. and commonly apud Bassaeum num. 1.

> *E copula sodomiae in primo, et secundo gradu fit incestus. Ita Azor part. 3. lib. 3. cap. 18. quaesito 5. Graff. de arbitr. cons. lib. 2. cap. 34. et communiter apud Bassaeum num. 1.*

17 It is not, however, a reserved case by the force of incest. So Diana part. 3. tract. 4. resol. 101. and part. 1. tract. 7. resol. 31. and part. 7. tract. 12. resol. 18.

> *Non est tamen casus reservatus ex vi incestus. Ita Diana part. 3. tract. 4. resol. 101. et part. 1. tract. 7. resol. 31. et part. 7. tract. 12. resol. 18.*

18 NAY, Sanchez denies incest between these, lib. 7. de matr. disp. 67. num. 8. Sancius sel. disp. 40. num. 21. Similarly many admit no affinity from this source. See Diana part. 7. tract. 12. resol. 17.

> *IMO Sanchez incestum inter hos negat lib. 7. de matr. disp. 67. num. 8. Sancius sel. disp. 40. num. 21. Similiter nec affinitatem hinc admittunt multi. Vide Dianam part. 7. tract. 12. resol. 17.*

19 INCEST is of the mixed forum, and so it is punished by the laws of both fora. So the DD. apud Fagundez num. 36.

> *INCESTUS est mixti fori, et ita punitur legibus utriusque fori. Ita DD. apud Fagundez num. 36.*

20 By Canon law, besides the penalty of impediments to marriage, those who knowingly contract incestuous marriages in the forbidden degrees are excommunicated ipso facto, Clem. 1. de consang. et affinit. An incestuous Clerk is by Canon law to be deposed, as Covarruvias notes, 4. decretal. Julius Clar. §. Incestus, Farinacius tom. 4. quaest. 149. But he who is copulated with a stepdaughter or his wife's sister is to be separated, 32. quaest. 7. from the Council of Mainz apud D. Bonavent in Confess. cap. 3. part. 45.

> *Iure Canonico, praeter poenam impedimentorum ad matrimonium, contrahentes incestuosas nuptias scienter, in gradibus vetitis, ipso facto excommunicantur, Clem. 1. de consang. et affinit. Clericus incestuosus iure Canonico deponendus est, ut notat Covar. 4. decretal. Iulius Clar. §. Incestus, Farinacius tom. 4. quaest. 149. Qui vero cum filiastra, vel sorore coniugis est copulatus, separetur, 32. quaest. 7. ex Concilio Moguntino apud D. Bonavent in Confess. cap. 3. part. 45.*

21 By CIVIL law they are deported, or cast into exile to the Islands, Texts in leg. si quis viduam, ff. de quaest.; and because the penalty of deportation is not in use at this time, they say this penalty is discretionary, Bald. consil. 429. ad finem leg. 5. Iul. Clar. lib. 5. sent. §. Incestus, Menoch. de arbitr. qq. lib. 3. casu 501.

> *IURE Civili deportantur, vel in exilium ad Insulas eiiciuntur Textus in leg. si quis viduam, ff. de quaest. et quia poena deportationis hoc tempore non est in usu; ideo poenam hanc arbitrariam esse aiunt Bald. consil. 429. ad finem leg. 5. Iul. Clar. lib. 5. sent. §. Incestus, Menoch. de arbitr. qq. lib. 3. casu 501.*

22 If, however, incest is joined with adultery, he will incur the penalty of death which is enacted for adulterers in civil law. So the Glossa in leg. si adulterium, ff. ad leg. Iuliam, de adult. Menoch. casu 502. Clarus num. 3. supra, and others apud them.

> *Si tamen incestus iunctus sit adulterio poenam mortis incurret, quae in iure civili adulteris statuta est. Ita Glossa in leg. si adulterium, ff. ad leg. Iuliam, de adult. Menoch. casu 502. Clarus num. 3. supra, et alii apud eos.*

23 By CIVIL law also the goods of those who contract incestuous marriages are published, *Auth. de incestuosis nupt.* A declaration of the judge, however, is required, as Sanchez warns *lib. 7. de matrim. disp. 9.* Fagundez *loco cit. num. 42.*

> *DE Iure etiam Civili publicantur bona eorum, qui nuptias contrahunt incestuosas,* Auth. de incestuosis nupt. *requiritur autem declaratio iudicis, ut monent Sanchez* lib. 7. de matrim. disp. 9. *Fagundez* loco cit. num. 42.

Doubt VI: On adultery

1 *Adultery is a sin of Lust by which conjugal fidelity is violated, and access is made to another's bed.* So D. Thom. *art. 8.* D. Bonavent. *p. p. Centil. sect. 14. and part. 2. sect. 32.*

> ***De ADULTERIO.***
>
> Adulterium est peccatum Luxuriae, quo violatur fides coniugalis, et fit accessus ad thorum alienum. *Ita D. Thom.* art. 8. *D. Bonavent.* p. p. Centil. sect. 14. et part. 2. sect. 32.

2 GRAVE is this sin, as the S. Doctor proves *4. dist. 38. dub. 7. and 8.*

> *GRAVE hoc peccatum est, ut probat S. Doctor* 4. dist. 38. dub. 7. et 8.

3 FIRST from *Deuter. 22.*, where the penalty of stoning was imposed on adulterers, and *Levit. 20: If anyone commit adultery with his neighbor's wife, he shall surely be put to death, both the adulterer and the adulteress.*

> *PRIMO ex* Deuter. 22. *ubi poena lapidationis adulteris imponebatur, et* Levit. 20. Si moechatus quis fuerit cum uxore proximi sui, morte moriatur, et moechus, et adultera.

4 IT IS grave, moreover, because, as the S. Doctor argues *dub. 8.*, it is against concord and peace, against the good of the Republic in legitimate successions, and from it arise innumerable evils, because against justice the honor, succession, and other goods of a spouse are harmed. Whence *Iob 31: For this is a wickedness, and iniquity most great.*

> *EST autem grave, quia ut arguit S. Doctor* dub. 8. *est contra concordiam, et pacem, contra bonum Reipublicae in legitimis successionibus, et ex eo oriuntur mala innumera, quia contra iustitiam laeditur honor, successio, et alia bona coniugis. Unde* Iob 31. Hoc enim nefas est, et iniquitas maxima.

5 HENCE you have that this sin has a special malice, distinct from fornication.

> *HINC habes, hoc peccatum habere specialem malitiam, distinctam a fornicatione.*

6 IT COMES about, however, in three ways. First, if a married person couples with an unmarried one. Second, if an unmarried person with a married one. Third, if both are in marriage; and certainly it is graver for a married woman with an unmarried man than for a married man with an unmarried woman; for it is worse for a woman to be with many men than for a man with many women; nevertheless on some account a man sins more, because he is bound, by reason of the greater use of reason, to abstain; also he is excused on another ground, because he is urged more to lust by the abundance of heat, and is not so ashamed as a woman. Therefore they stand as the exceeding and the excess; as the S. Doctor notes *4. dist. 35. dub. 2. litt.*

> *TRIBUS autem modis fit. Primo si coniugatus cum soluta copuletur. Secundo si solutus cum coniugata. Tertio si uterque sit in coniugio; et sane gravius est coniugatae cum soluto, quam coniugati cum soluta; peius enim est, mulierem cum pluribus viris esse, quam virum cum pluribus mulieribus; attamen ex aliquo capite vir magis peccat, quia tenetur ob maiorem usum rationis abstinere, aliunde etiam excusatur, quia magis ad libidinem ex abundantia caloris urget, nec verecundatur adeo ut foemina. Ideo se habent ut excedens, et excessum; ut notat S. Doctor* 4. dist. 35. dub. 2. litt.

7 From these it follows that there is adultery with the spouse of another already ratified, because the handing over of the body has been made; but not with a betrothed de futuro, because the handing over has not yet been made. See Sanchez *lib. 1. de matrim. disp. 2.*, who proves it from Pope Gelasius.

> *Ex his sequitur esse adulterium cum coniuge alterius rata, quia facta est traditio corporis; non autem cum sponsa de futuro, quia adhuc non est facta traditio. Vide Sanchez* lib. 1. de matrim. disp. 2. *qui id probat ex Gelasio Papa.*

8 TRULY COMPARING adultery, stuprum, and incest, adultery is graver than stuprum; the reason is, because by adultery the Justice owed properly to the innocent party is violated, nor is it sufficiently vindicated except by death in civil laws, and it corrodes the soul like a devouring fire, as is said in *Iob. 31.* But by stuprum the honor of the parent of the ravished virgin is not harmed, except through the will and consent of the virgin, as Fagundez *cap. 7. num. 13.* says; whence I gather that he is compelled to hold that stuprum is a distinct sin, even if the virgin consents, when she is under the power of her parents. Then, by adultery the Republic is harmed more in its successions, and greater infamy arises, as the S. Doctor says *4. dist. 41. dubio 4.*

> *COMPARATIS vero, adulterio, stupro, et incestu, adulterium est gravius stupro; ratio est, quia per adulterium violatur Iustitia proprie innocentis, nec nisi morte satis vindicatur Legibus civilibus, et corrodit animum, ut ignis devorans, ut dicitur* Iob. 31. *Per stuprum vero non laeditur honor parentis stupratae virginis, sed mediante virginis voluntate, et consensu, ut ait Fagundez* cap. 7. num. 13. *ex quo colligo, eum cogi fateri, stuprum esse peccatum distinctum, etiamsi virgo consentiat, cum est sub potestate parentum. Deinde per adulterium magis laeditur Respublica a successionibus, et maior infamia oritur, ut ait S. Doctor* 4. dist. 41. dubio 4.

9 ¶ BUT COMPARING adultery with Incest, the latter is graver at least in the first degree of ascendants and descendants, in which there is a monstrous deformity.

> ¶ *COMPARATO vero adulterio cum Incestu, hoc gravius est in primo gradu ascendentium, et descendentium saltem, in quo est monstrosa deformitas.*

10 YOU WILL ASK: Whether one abusing his wife sins more gravely than one abusing a harlot.

> *QUAERES: An abutens uxore, gravius peccet, quam abutens meretrice.*

11 D. Bonav. ANSWERS *dist. 38. dub. 9., and* with him others, that one sins more gravely with one's spouse, who is to be treated more honorably, and the union is to be directed to the goods of matrimony.

> *RESPONDET D. Bonav.* dist. 38. dub. 9. et *cum eo alii, gravius peccare cum coniuge, quae honestius est tractanda, et coniunctio ad bona matrimonii dirigenda.*

12 Wherefore it is adultery, because he does not chastely keep his body for his spouse, as Bassaeus num. 10. says. The S. Doctor calls this meretricious in Comp. Theol. lib. 3. cap. 1.

> *Quare est adulterium, quia non servat coniugi corpus caste, ut ait Bassaeus num. 10. Id meretricium vocat S. Doctor in Comp. Theol. lib. 3. cap. 1.*

13 Hence that this is to be explained in confession, Caiet. quaest. 155. art. 1. Sot. 4. dist. 31. quaest. unic. art. 4. Sanchez de matrim. lib. 9. disp. 18. Petrus Ledesma de matrim. quaest. 49. art. 6. dub. 2. Diana part. 7. tract. 12. resol. 23. teach, where he reports those who say it suffices to confess that one committed the sin of Sodomy; Mazuchellus subscribes.

> *Hinc explicandum hoc in confessione docent Caiet. quaest. 155. art. 1. Sot. 4. dist. 31. quaest. unic. art. 4. Sanchez de matrim. lib. 9. disp. 18. Petrus Ledesma de matrim. quaest. 49. art. 6. dub. 2. Diana part. 7. tract. 12. resol. 23. ubi refert dicentes sat esse confiteri, se peccatum Sodomiae patrasse, subscribit Mazuchellus.*

14 The penalties of adultery are inflicted by CANON and CIVIL law.

> *Poenae adulterii infliguntur iure Can. et CIVILI.*

15 By canon law the adulteress loses her dowry, cap. Plerumque de donat. inter virum. She forfeits the earnest money, and loses the right to the debt, from D. Bonavent. in 4. dist. 35. art. unic. quaest. 3. D. Thom. quaest. unic. art. 3. and the common sense of the TT. Both are excommunicated and thrust into a monastery, cap. Gaudemus, de divort. A notorious adulterous Clerk is deposed, cap. Si quis Clericus, cap. Romanus, 81. dist. 70. cap. Significasti, de adult. See Farinac. quaest. 141. num. 31. Tom. 4.

> *Iure can. adultera amittit dotem cap. Plerumque de donat. inter virum. Perdit arrhas, et Amittit ius ad debitum e D. Bonavent. in 4. dist. 35. art. unic. quaest. 3. D. Thom. quaest. unic. art. 3. et communi sensu TT. Uterque excommunicatur, et detruditur in monasterium, cap. Gaudemus, de divort. Clericus adulter notorius deponitur cap. Si quis Clericus, cap. Romanus, 81. dist. 70. cap. Significasti, de adult. Vide Farinac. quaest. 141. num. 31. Tom. 4.*

16 By the law of the Code the penalty of death is inflicted, leg. 1. Quamvis, 2. in fine, Cod. ad Legem Iul. de adult., and there the Jurists, apud Farinacium 4. quaest. 141. Nor is the wife excused on account of poverty or the cruelty of her husband, leg. Palam, §. Non est ignoscendum, ff. de ritu nupt. cap. ex litt. cum ibi not. de divort. Menoch. consil. 31. Clarus lib. 5. sentent. §. adulterium, num. 45. Parisius consil. 23. Nay, even if the marriage is false, but presumed true, leg. si uxor, §. Divus, ff. ad leg. Iul. Bartol. Alberic report this there, and Gomez ad leg. 80. Tauri, num. 48.

> *Iure Codicis poena capitis infligitur leg. 1. Quamvis, 2. in fine, Cod. ad Legem Iul. de adult. et ibi Iuristae, apud Farinacium 4. quaest. 141. Neque uxor excusatur ob inopiam, aut viri saevitiam leg. Palam, §. Non est ignoscendum, ff. de ritu nupt. cap. ex litt. cum ibi not. de divort. Menoch. consil. 31. Clarus lib. 5. sentent. §. adulterium, num. 45. Parisius consil. 23. Imo etsi matrimonium falsum sit, sed praesumptum verum leg. si uxor, §. Divus, ff. ad leg. Iul. Id referunt Bartol. Alberic ibi, et Gomez ad leg. 80. Tauri, num. 48.*

17 They also incur infamy, leg. 2. §. Miles, ff. de his, qui not. inf. See Farinac. loco cit.

> *Incurrunt etiam infamiam leg. 2. §. Miles, ff. de his, qui not. inf. Vide Farinac. loco cit.*

18 It pertains to the civil judge for laypersons; yet the Ecclesiastical can compel them to desist, cap. cum sit generale, de foro comp.

> *Pertinet ad iudicem civilem pro laicis, eos tamen potest Ecclesiasticus cogere ad cessationem, cap. cum sit generale, de foro comp.*

19 An adulterer certainly knowing that she is his own offspring is held to re-endow for the loss inflicted on his legitimate sons. So Azor part. 3. lib. 5. cap. 6. quaestio 6. Lessius lib. 2. cap. 10. num 43. Marquez de test. cap. 5. §. 2. num. 22. Nauar. cap. 16. num. 40. Sylvius 2. 2. quaest. 62. art. 2. quaest. 7. Bonacina de matrim. quaest. 4. puncto 15. num. 13. Malder. 2. 2. tract. 3. cap. 4. dub. 9. Rodriquez sum. cap. 205. Bassaeus num. 5. Whatever Diana may say, part. 2. tract. 3. miscel. resol. 55.

> *Prolem suam esse certo sciens adulter, tenetur damno filiis legitimis illato refarciendo. Ita Azor part. 3. lib. 5. cap. 6. quaestio 6. Lessius lib. 2. cap. 10. num 43. Marquez de test. cap. 5. §. 2. num. 22. Nauar. cap. 16. num. 40. Sylvius 2. 2. quaest. 62. art. 2. quaest. 7. Bonacina de matrim. quaest. 4. puncto 15. num. 13. Malder. 2. 2. tract. 3. cap. 4. dub. 9. Rodriquez sum. cap. 205. Bassaeus num. 5. Quidquid Diana dicat part. 2. tract. 3. miscel. resol. 55.*

20 The reason is, because naturally from adultery there follows a spurious child, bringing loss.

> *Ratio est, quia naturaliter ex adulterio sequitur Nothus, damnum afferens.*

21 They answer that this is a remote cause, when he willed only the lust; wherefore the loss is not to be imputed to him, just as homicide would not be imputed to him if the woman procured the abortion of the infant begotten by him.

> *Respondent hunc esse causam remotam, cum solam libidinem vellet, quare non imputandum ei damnum, sicuti nec imputaretur homicidium, si mulier abortum procuraret infantis a se geniti.*

22 These things are slight, although to Bassaeus, Diana, and others they seem solid. For birth follows per se and naturally from the union, from which abortion is not caused effectively. In doubt, however, whether she is his own offspring, he is not held, as Lugo warns in de iust. tom. 1. disp. 13. sect. 2., because it is presumed for marriage.

> *Haec levia sunt, etsi Bassaeo, Dianae, et aliis solida. Nam partus sequitur per se naturaliter e copula, e qua non causatur abortus effective. In dubio autem: an sit sua proles, non tenetur, ut monet Lugo de iust. tom. 1. disp. 13. sect. 2. quia praesumitur pro matrimonio.*

23 What the adulteress is held to, I said in the disp. de Restitutione.

> *Quid vero teneatur adultera, dixi disp. de Restitutione.*

24 This also I shall defer still further to the 3. part. Tract. de matrimonio.

> *Id etiam differam adhuc 3. part. Tract. de matrimonio.*

Doubt VII: On sacrilege

1 Sacrilege, insofar as it is a species of Luxury, is thus defined: *It is a sin of Luxury by which a sacred person, or a holy place, is violated.* So D. Bonaventure in *the Mirror of the Soul, cap. 3, §. around the passage on touch. and p. p. Censil. sect. 24. and in the Compendium of Theology, lib. 3, cap. 21.* D. Thomas *art. 10. and others.*

> ***De SACRILEGIO.***
>
> *Sacrilegivm, ut est species Luxuriae, sic definitur:* Est peccatum Luxuriae, quo persona sacra, vel locus sacer violatur. *Ita D. Bonavent. in* speculo animae, cap. 3. §. circa tactum. et p. p. Censil. sect. 24. et in Compend. Theol. lib. 3. cap. 21. *D. Thom.* art. 10. et alii.

2 Therefore, whether a sacred person with a non-sacred one; or a non-sacred person with a sacred one; or anyone whatsoever is defiled in a sacred place, the sin of sacrilege is committed. By reason of persons, indeed, even kisses, touches, and thoughts are sacrileges: But whether spouses, joined together in a sacred place, are sacrilegious.

> *Itaque sive persona sacra cum non sacra; sive non sacra cum sacra; sive quaevis in loco sacro polluatur, peccatur sacrilegio. Ratione vero personarum, etiam oscula, tactus, et cogitationes sunt sacrilegia: An vero coniuges, in loco sacro copulati, sint sacrilegi.*

3 The first opinion is that this is always sacrilege. So Navarrus *man. lat. cap. 57. num. 252.* Henriquez *lib. 11. de matrim. cap. 16.* Cajetan *sum. verb. Matrim. and others cited by Fagundez in the 6th precept, lib. 6, cap. 3, num. 9.* Candelab. *p. p. de matrim. num. 262.* Sylvius *in suppl. quaest. 64, art. 7.*

> *Prima opinio est, id esse semper sacrilegium. Ita Nauar.* man. lat. cap. 57. num. 252. *Henriquez* lib. 11. de matrim. cap. 16. *Caietanus* sum. verb. Matrim. et alii apud Fagundez in 6. praecepto, lib. 6. cap. 3. num. 9. *Candelab.* p. p. de matrim. num. 262. *Sylvius* in suppl. quaest. 64. art. 7.

4 The second opinion holds that it is only venial. So the *Gloss. on cap. Ecclesiis de cons. nor does it displease* Soto *4. dist. 32. art 3. quaest. unic.*

> *Secvnda opinio censet esse tantum veniale. Ita* Gloss. in cap. Ecclesiis de cons. nec displicet *Soto* 4. dist. 32. art 3. quaest. unic.

5 The third opinion is that it is licit if done for a cause, and secretly, Angl. *flor. p. p. de matr. quaest. 6.* Poncius *de matr. lib. 10. cap. 10. num. 15.* Casp. *de pec. disp. 2. n. 20.* Rodriq. *tom. 1. sum. cap. 242. n. 19.* Vega *tom. 1. sum. lib. 1. cap. 78. casu 1.* Diana *tom. 1. Tract. de circuns. resol. 19 and 26.* Vasquez *prima 2. quaest. 72. ar. 9. disp. 92. num. 6.* Lopez *p. p. Instr. cap. 82.* Sanchez *de matr. lib. 9. disp. 15. num. 10.* Caramuel *in reg. D. Benedicti, n. 1017.* and he says it is the opinion of all Doctors of good name.

> *Tertia opinio est, licitum esse si ex causa, et occulte fiat, Angl.* flor. p. p. de matr. quaest. 6. *Poncius* de matr. lib. 10. cap. 10. num. 15. *Casp.* de pec. disp. 2. n. 20. *Rodriq.* tom. 1. sum. cap. 242. n. 19. *Vega* tom. 1. sum. lib. 1. cap. 78. casu 1. *Diana* tom. 1. Tract. de circuns. resol. 19. et 26. *Vasquez* prima 2. quaest. 72. ar. 9. disp. 92. num. 6. *Lopez* p. p. Instr. cap. 82. *Sanchez* de matr. lib. 9. disp. 15. num. 10. *Caramuel* in reg. D. Benedicti, n. 1017. *eamque esse ait omnium Doctorum boni nominis.*

6 The fourth opinion is that there is no fault in a case of necessity, or a just cause; nor is the Church defiled, if it is done secretly; even if afterward it begins to become public; but if it is done without cause, it is always mortal, even if secret; and if it begins to be spread abroad, the Church is to be considered defiled. So Sylvester *V. conssecr. 2, §. 5.* Sa *V. Debitum, coniug. num. 12.* Rebel. *2. part. lib. 3. num. 5.* Couar. *2. part. de sponsal. cap. 7, §. 2.* Lessius *tom. 1. lib. 4. cap. 3. dub. 10.* Toletus *lib. 5. cap. 12.* Castro *lib. 1. de potestate leg. poenalis, cap. 3. docum. 2.* Fagundez *lib. 6. cap. 3. num. 11.*

> *Qvarta sententia est, nullam esse culpam in necessitate, seu iusta causa; neque Ecclesiam pollui, si fiat occulte; etsi postea incipiat publicari; at si fiat sine causa, lethalem esse semper, etsi occultam; quod si incipiat diffamari, Ecclesiam censeri pollutam. Ita Syluester* V. conssecr. 2. §. 5. *Sa* V. Debitum, coniug. num. 12. *Rebel.* 2. part. lib. 3. num. 5. *Couar.* 2. part. de sponsal. cap. 7. §. 2. *Lessius* tom. 1. lib. 4. cap. 3. dub. 10. *Toletus* lib. 5. cap. 12. *Castro* lib. 1. de potestate leg. poenalis, cap. 3. docum. 2. *Fagundez* lib. 6. cap. 3. num. 11.

7 As to D. Bonaventure, *in the Mirror of the Soul, cap. 3, §. around the passage on touch*, when enumerating the sins occurring in marriage, he does not list copulation in a sacred place; yet soon after, defining sacrilege, he says: *Sacrilege is committed when Virgins or widows dedicated to God are known carnally, or such things are carried out in a sacred place.* Nor does he seem to be speaking of copulation, which is by its nature licit within marriage.

> *Qvoad D. Bonavent.* in speculo animae, cap. 3. §. circa tactum, *numerans peccata, in matrimonio occurrentia, non recenset copulam in loco sacro; mox vero sacrilegium definiens, ait:* Sacrilegium est, cum Deo dicatae Virgines, vel viduae cognoscuntur, vel in sacro loco talia exercentur. *Nec loqui videtur de copula, natura sua ex matrimonio licita.*

8 In truth, in the *Compendium of Theological Truth, lib. 3, cap. 21.* he holds it to be a sin, without explaining whether it is mortal if done in a sacred place out of an impulse of lust; and indeed, if it is done for a just cause, he does not judge it to be sacrilege. The same the holy Doctor sets forth in the *Confessional, cap. 2. part. 14.* where he says it is mortal if done from mere impulse of lust; but I see that he is speaking in the sense of Alexander of Hales.

Enim vero in Compend. Theol. veritat. lib. 3. cap. 21. *ponit, esse peccatum, non explicans, an mortale sit, si in loco sacro fiat ex impetu libidinis; atque adeo, si fiat e causa iusta, non existimat, esse sacrilegium. Idem edisserit S. Doctor in* Confessionali, cap. 2. part. 14. *ubi id mortale ait, si fiat ex mero impetu libidinis, sed video, eum loqui ex Alensis sensu.*

9 Therefore, if it is done for a just cause, and secretly, there will be no fault, or violation of the Church; but otherwise if it is done publicly — for which it is enough that a bed has been publicly erected in the Church.

Itaqve si ex iusta causa fiat, et occulte, non erit culpa, vel Ecclesiae violatio; secus vero si publice fiat, ad quod sat est, si lectus in Ecclesia publice erectus sit.

10 Nor is the reception of offspring, or sensible delight, a just cause. So Tolet. *lib. 5. sum. cap. 12.* Sylvester V. the conjugal debt, num. 5. Fagundez n. 12. Yet it is excused when rendered, as Lessius notes, Tom. 1. lib. 4. cap. 3. dub. 12. Fagundez at the place cited.

Neqve est iusta causa prolis susceptio, vel delectatio sensitiva. Ita Tolet. lib. 5. sum. cap. 12. *Sylvester V. debitum coniugale, num. 5. Fagundez n. 12. excusabitur tamen reddens, ut notant Lessius Tom. 1. lib. 4. cap. 3. dub. 12. Fagundez loco cit.*

11 A LEGITIMATE cause will be the danger of incontinence, or the avoidance of imminent pollution; for this is a spiritual good. Likewise a long siege in that place.

CAUSA legitima erit periculum incontinentiae, vel vitatio pollutionis imminentis; hoc enim est bonum spirituale. Similiter diuturna obsessio in eo loco.

12 TOUCHES, however, kisses, and looks in the Church, outside the danger of pollution, are not sacrileges. So Sanchez lib. 9. de debito coniug. disp. 15. Cajet. tom. 1. opusc. tract. 17. opusc. 31. Navarrus on cap. Consideret. num. 20. and others with him, as Diana p. p. Tract. 17. resol. 23. who calls the opposite view scrupulous. Ledesma nevertheless adds, on the sacrament of Penance, cap. 19. unless obscene words have been uttered aloud; for then the sacred place is injured.

TACTUS vero, oscula, et aspectus extra periculum pollutionis in Ecclesia, non sunt sacrilegia. Ita Sanchez lib. 9. de debito coniug. disp. 15. Caiet. tom. 1. opusc. tract. 17. opusc. 31. Navar. in cap. Consideret. num. 20. et alii eum Diana p. p. Tract. 17. resol. 23. qui oppositam scrupulosam dicit. Addit tamen Ledesma de sacram. Poenit. cap. 19. nisi verba obscoena alte prolata sint; tunc enim locus sacer laeditur.

13 Now a SACRED place is a Church, whether blessed or consecrated. And indeed, if it is consecrated, it cannot be purified except by the Bishop of the place, or by another Bishop with his license, cap. Aqua on the consecration of Churches; nor can it be committed to a simple priest, except by the supreme Pontiff, according to the Gloss on cap. Aqua, Sylvester V. consecratio 2. quaest. 8. and it must be reconciled with water with wine, and blessed ash. But if it is not consecrated, it can be purged by a simple Priest with blessed water. And when the Church is violated, the cemetery also is violated, because the accessory follows the principal.

EST autem locus sacer Ecclesia, vel benedicta, vel consecrata. Et quidem, si sit consecrata, nequit, praeterquam ab Episcopo loci purificari, vel ab alio Episcopo de eius licentia cap. Aqua de consecr. Eccles. simplici autem sacerdoti nequit committi, nisi a summo Pontifice ex Gloss. cap. Aqua, Sylvester V. consecratio 2. quaest. 8. et debet reconciliari per aquam cum vino, et cinerem benedictum. Si vero non sit consecrata, potest a simplici Sacerdote aqua benedicta purgari. Violata vero Ecclesia, violatur et coemeterium, quia accessorium sequitur principale.

14 The QUESTION is also: whether one who is at once a priest and a professed religious is defiled by a twofold sacrilege.

> *QUAESTIO est etiam; an, qui simul est sacerdos, et religiosus professus, duplici sacrilegio polluatur.*

15 The FIRST opinion is that it is a double sacrilege, because they are circumstances specifically diverse. So Sotus lib. 8. de Iust. quaest. 2. art. 3. Peter Ledesma on the sacrament of Penance, cap. 10. Paludanus 4. dist. 36. quaest. 4. art. 1. and others; and those also are held to assert this who say that the obligation of chastity in sacred orders arises from precept, not from vow: these are Valentia 4. part. disp. 9. quaest. 5. puncto 5. Sanchez lib. 7. de matr. disp. 29.

> *PRIMA opinio est, esse duplex sacrilegium, quia sunt circumstantiae specie diversae. Ita Sotus lib. 8. de Iust. quaest. 2. art. 3. Petrus Ledesma de sacram. Poenit. cap. 10. Paludanus 4. dist. 36. quaest. 4. art. 1. et alii; et hoc tenentur asserere etiam, qui dicunt, obligationem castitatis in sacris ordinibus oriri ex praecepto, non ex voto: hi sunt Valentia 4. part. disp. 9. quaest. 5. puncto 5. Sanchez lib. 7. de matr. disp. 29.*

16 The SECOND opinion is that it is one sacrilege with an aggravating circumstance: So Azor cap. 27. quaest. 9. and Caramuel num. 998. Bassaeus V. Sacrileg. 2. num. 2.

> *SECUNDA sententia est, esse unum sacrilegium cum circumstantia aggravante: Ita Azor cap. 27. quaest. 9. et Caramuel num. 998. Bassaeus V. Sacrileg. 2. num. 2.*

17 The THIRD opinion is that there is only one, and therefore it is enough to confess the one. So Sanchez lib. 7. de matrim. disp. 27. Lessius tom. 1. lib. 4. cap. 3. dub. 12. Corduba sum. quaest. 3. Cajet. 2. 2. quaest. 186. art. 9. Lud. Lopez p. p. Instruct. cap. 29. Ovandus in 4. dist. 25. q. un. Rodriq. tom. 1. sum. cap. 53. Henriq. lib. 5. cap. 5.

> *TERTIA sententia est, esse unum tantum, et ideo satis esse dicere alterum. Ita Sanchez lib. 7. de matrim. disp. 27. Lessius tom. 1. lib. 4. cap. 3. dub. 12. Corduba sum. quaest. 3. Caiet. 2. 2. quaest. 186. art. 9. Lud. Lopez p. p. Instruct. cap. 29. Ovandus in 4. dist. 25. q. un. Rodriq. tom. 1. sum. cap. 53. Henriq. lib. 5. cap. 5.*

18 As to the holy Doctor, I judge him to be with this opinion; for he says that the priest and the Religious sin the same sin in the Confessional, cap. 2. particula 20.

> *QUOAD S. Doctorem, existimo, eum esse cum hac sententia; nam idem peccarum ait esse sacerdotis, et Religiosi in confessionali, cap. 2. particula 20.*

19 From these things it follows that a Religious who fornicates need only say that he violated his vow of chastity; for solemnity is only an aggravating circumstance, not a necessary one, in the opinion of St. Bonaventure; this follows Filliucius tract. 30. on the sixth precept of the decalogue, cap. 7. Sanchez lib. 7. de matrim. disp. 27. num. 27. nor does Fagundez refuse it, lib. 6. cap. 7. num. 11. Henriq. lib. 2. de poen. cap. 5. num. 6. with the commentary litt. C. Corduba summa, quaest. 3.

> *Ex his sequitur, Religiosum fornicantem dicere satis, se violasse votum castitatis; solemnitas enim est circumstantia aggravans tantum, non necessaria, in sententia S. Bonavent. sequitur Filliucius tract. 30. in sextum praeceptum, decal. cap. 7. Sanchez lib. 7. de matrim. disp. 27. num. 27. nec renuit Fagundez lib. 6. cap. 7. num. 11. Henriq. lib. 2. de poen. cap. 5. num. 6. cum commento litt. C. Corduba summa, quaest. 3.*

20 THUS if they have a solemn and simple vow, it will be enough to say that they acted against the vow. So Sanchez, Henriquez at the places cited, and Fagundez num. 14.

SIC si habent votum solemne, et simplex, satis erit dicere se egisse contra votum. Ita Sanchez, Henriquez loco cit. et Fagundez num. 14.

21 The PUNISHMENTS of sacrilege are most grave. One who carnally knows a nun is punished with death; it is clear from the text in the Authentics *on the most holy Bishops*, § penult. and from the text in *l. si quis in hoc genere*, at the beginning of the Codex *on Bishops*, and *Clerics*. and cap. *Si quis rapuerit*, 27. quaest. 1. See Farinacius Tom. 4. quaest. 146. Clarus §. fornic. num. 14. Menoch. *de arbitr. qq. num. 2. casu 389.*

POENAE sacrilegii sunt gravissimae. Cognoscens Monialem, poena mortis plectitur, patet ex text. in Authent. de sanctissimis Episcopis, *§ penult. et textu in* l. si quis in hoc genere, *in principio Cod.* de Episcopis, *et* Cleric. *et cap.* Si quis rapuerit, *27. quaest. 1. Vide Farinacium Tom. 4. quaest. 146. Clarum §. fornic. num. 14. Menoch.* de arbitr. qq. num. 2. casu 389.

22 The goods also of the violator are applied to the monastery of that nun, as Farinacius notes, num. 9. and Fagundez num. 19.

Bona etiam violantis applicantur monasterio illius monialis, ut notat Farinacius num. 9. et Fagundez num. 19.

23 By canon law, a layman is excommunicated, *cap. Si qua monacharum 27. quaest. 1.* yet not ipso facto, nor reserved to the Bishop, except after sentence passed; a cleric can be deposed, deprived of benefice, and thrust into a monastery. See Farinacius.

IURE canonico, Laicus excommunicatur cap. Si qua monacharum 27. quaest. 1. *non est tamen ipso facto, nec reservata Episcopo, nisi post sententiam latam, clericus potest deponi, beneficio privati, et in monasterium trudi. Vide Farinacium.*

Doubt VIII: On sins against nature

1 A SIN of this kind is thus defined: *It is a sin of Luxury by which the order prescribed by nature for generation is perverted.* It is gathered from St. Thomas *art. 11.* St. Bonaventure *p. p. Centil. sect. 24.* where he says thus: *The sin against nature is a luxury by which the natural use of copulation between male and female is dissipated.* He speaks in a similar way in the *Compend. Theol. lib. 3. cap. 21.*

De Peccatis contra naturam.

PECCATUM huiusmodi sic definitur: Est peccatum Luxuriae, quo pervertitur ordo, a natura praescriptus ad generationem. *Colligitur ex D. Thom.* art. 11. *D. Bonavent.* p. p. Centil. sect. 24. *ubi sic ait:* Peccatum contra naturam est luxuria, qua naturalis usus coeundi maris, et foeminae dissipatur. *Simili modo loquitur in* Compend. Theol. lib. 3. cap. 21.

2 THE SIN against nature has five species. The first is Sodomy: the second, Softness: the third, Bestiality: the fourth, congress with a Demon: the fifth, an unnatural manner with a woman, from which generation cannot follow.

PECCATUM contra naturam quinque habet species. Prima est Sodomia: Secunda, Mollities: Tertia, Bestialitas: Quarta, congressus cum Daemone: Quinta modus innaturalis cum foemina, ex quo non possit sequi generatio.

3 THESE are however specially against the orders in generation, for nature demands five things for this. First, that there be a conjunction of different sex, male and female, in a fitting vessel, from whose defect arises sodomy. Second, that there be a conjunction of two, from whose defect arises softness. Third, that there be a conjunction of two of the same human species, for if it is done with a

brute animal, it will be Bestiality. If with a demon, it will be a diabolic congress. Fourth, that the vessels and organs be fitting, and from the defect of this there will be an imperfect sodomy. Fifth, that the due manner be kept, from which generation can follow, from whose defect arises Unnaturality. So Fagundez *lib. 6. cap. 9.* with St. Bonaventure *de corruptela peccati, in Compend. Theol. lib. 3. cap. 21.*

> *SUNT autem specialiter contra ordines in generatione, natura enim quinque ad hoc exigit. Primo ut sit coniunctio diversi sexus, maris, et foeminae, in vase congruo, ex cuius defectu oritur sodomia. Secundo, ut sit coniunctio duorum, ex cuius defectu oritur mollities. Tertio, ut sit coniunctio duorum eiusdem speciei humanae, nam si fit cum bruto, erit Bestialitas. Si cum daemone erit congressus daemoniacus. Quarto, ut sint vasa, et organa congrua, et ex huius defectu erit imperfecta sodomia. Quinto, ut servetur debitus modus, ex quo possit sequi generatio, ex cuius defectu oritur Innaturalitas. Ita Fagundez* lib. 6. cap. 9. *cum D. Bonavent.* de corruptela peccati, in Compend. Theol. lib. 3. cap. 21.

4 OTHERWISE, and more briefly, Cajetan here gathers these five species, Lessius *tom. 1. lib. 4. cap. 3. dub. 13.* from St. Bonaventure in the *speculo animae, cap. 3.*: there are many motives against the order instituted for generation for satisfying lust, and therefore many sins; for moral acts vary according to their motives.

> *ALITER, et brevius has quinque species colligunt Caietanus hic, Lessius* tom. 1. lib. 4. cap. 3. dub. 13. *ex D. Bonavent. in* speculo animae, cap. 3. *multa sunt motiva contra ordinem institutum ad generationem explendae libidinis, atque adeo multa peccata; nam actus morales ex motivis variantur.*

5 THE FIRST is, when pleasure is intended in emission, and behold, softness. The second, if it is sought with a thing of another nature, as with a beast, and it is called bestiality; or with a demon, and it is called a diabolic congress. The third, if it is sought with a person of the wrong sex in the wrong vessel, and it is properly sodomy. The fourth, if it is sought with a woman in an undue manner, and it is unnaturality. The fifth, if it is without the instruments instituted by nature, and it will be a congress of a woman with a woman, which manner is reduced to imperfect sodomy, or complete pollution, according to the manner of lying together and of satisfying lust.

> *PRIMUM est, cum intenditur voluptas in effusione, et ecce mollities. Secundum, si quaeritur cum re alterius naturae, ut cum bestia, et dicitur bestialitas; vel cum daemone, et dicitur daemoniacus congressus. Tertium, si quaeritur cum persona indebiti sexus in vase indebito, et est proprie sodomia. Quartum, si quaeritur cum foemina modo indebito, et est innaturalitas. Quintum, si sine instrumentis a natura institutis, et erit congressus foeminae cum foemina, qui modus ad sodomiam imperfectam, vel pollutionem completam reducitur, iuxta modum coeumbendi, et explendae libidinis.*

6 ALL these are most grave sins.

> *OMNIA haec sunt peccata gravissima.*

7 CONCERNING sodomy it is established in *Levit. 18. et 20.* where the punishment of death is fixed for it, *Rom. 1.* where the Apostle execrates it, and *Genes. 19.* it is called a most wicked crime, as St. Bonaventure notes.

> *DE sodomia constat* Levit. 18. et 20. *ubi ei statuitur poena mortis,* Rom. 1. *ubi id Apostolus execratur, et* Genes. 19. *vocatur crimen pessimum, ut notat D. Bonaventura.*

8 CONCERNING the others, however, it is established from the grave disorder, which is why they are called by St. Paul uncleanness *Galat. 5.*

> *DE caeteris autem constat ex inordinatione gravi, quae ideo vocantur a D. Paulo immunditia* Galat. 5.

9 THEY ARE also of diverse species, as the Saintly Doctor teaches in the places cited, and elsewhere, Lessius *tom. 1. de iustitia, lib. 4. cap. 3. de speciebus luxuriae dub. 13. num. 90.* Filliucius *tom. 2. tract. 30. in 6. praecepto, Decal. cap. 8. num. 141.* Fagundez *lib. 6. cap. 9. num. 6.* Tannerus *disp. 3. quaest. 3. dub. 6. num. 149.* wherefore without doubt these faults are held to be specifically distinct, and to say the opposite is erroneous, already condemned by the most holy Alexander VII. in the sacred Congregation, in the year 1665, as also we have proven more fully in *tom. 4. tract. de actibus humanis, disp. 17. quaest. 10.*

> *SUNT etiam diversae speciei, ut docet S. Doctor locis allatis, et alibi, Lessius* tom. 1. de iustitia, lib. 4. cap. 3. de speciebus luxuriae dub. 13. num. 90. *Filliucius* tom. 2. tract. 30. in 6. praecepto, Decal. cap. 8. num. 141. *Fagundez* lib. 6. cap. 9. num. 6. *Tannerus* disp. 3. quaest. 3. dub. 6. num. 149. *quare absque dubio tenentur specificare has culpas, et oppositum dicere, est erroneum, damnatum iam a sanctissimo Alexandro VII. in sacra Congregatione, anno 1665. uti et fusius a nobis probatum est* tom. 4. tract. de actibus humanis, disp. 17. quaest. 10.

10 THE REASON is, because they have diverse motives to which lust tends, and therefore they are of diverse moral species; as was said in the place already cited.

> *RATIO est, quia habent diversa motiva, ad quae libido tendit, atque adeo diversae sunt species morales; ut loco iam citato dictum est.*

Subdoubt I: On sodomy

1 THIS unspeakable vice is named from the miserable Pentapolis, and it designates carnal copulation of the same sex.

> ***De SODOMIA.***
>
> *HOC vitium nefandum a misera Pentapoli nominatur, et dicit copulam carnalem eiusdem sexus.*

2 THEY ASK first: whether it is Sodomy when a man is coupled with a woman in a perverse vessel.

> *QUAERUNT primo: an sit Sodomia, cum vir copulatur cum muliere in vase praepostero.*

3 THE FIRST opinion asserts that it is: so Julius Clar. *lib. 5. sentent. §. sodomia*, Decius *in leg. si qua mulier, Cod. de secundis nuptiis*, Sanchez *lib. 10. de matrim. dub. 4.* and St. Thomas *art. 5.*

> *PRIMA opinio asserit, sic Iulius Clar.* lib. 5. sentent. §. sodomia, *Decius* in leg. si qua mulier, Cod. de secundis nuptiis, *Sanchez* lib. 10. de matrim. dub. 4. *et D. Thom.* art. 5.

4 THE SECOND opinion, the common one, teaches that it is not properly Sodomy; so broadly the Saintly Doctor seems to take it in the *Compend. Theol. lib. 3. cap. 21.* Yet this is certain, that all those copulations against nature enumerated above, whether with a male or with a female, suffice for divorce. It is not however reserved. So Diana *part. 2. tract. 1. miscel. resol. 29.*

> *SECUNDA opinio communis docet non esse proprie Sodomiam; sic late videtur eam accipere S. Doctor in* Compend. Theol. lib. 3. cap. 21. *Illud tamen certum, quod omnes istae copulationes contra naturam supra enumeratae, sive cum masculo, sive cum foemina, sufficiunt ad divortium. Non est tamen reservatum. Ita Diana* part. 2. tract. 1. miscel. resol. 29.

5 In which sense the name of fornication is understood in *Matth. 19.* because they divide the flesh which God has joined together. So St. Jerome understands it *ad 19. Matth.* and it is reported *in cap.*

dixit Dominus 32. quaest. 1. And this sentence and reason they commonly follow with St. Bonaventure *in 4. dist. 31. quaest. 1. ad 5.* St. Thomas *ibi quaest. unic. art. 1. ad 4.* whom Sanchez reports *lib. 10. de matrimon. disp. 4. num. 3.* Fagundez *in 6. praecep. lib. 6. capite 9. num. 8.*

> *Quo sensu nomine fornicationis intelligitur* Matth. 19. *eo quod dividant carnem, quam Deus coniunxit. Ita intelligit D. Hieron.* ad 19. Matth. *et refertur* in cap. dixit Dominus 32. quaest. 1. *Eamque sententiam, et rationem sequuntur communiter cum S. Bonavent.* in 4. dist. 31. quaest. 1. ad 5. *D. Thom.* ibi quaest. unic. art. 1. ad 4. *quos refert Sanchez* lib. 10. de matrimon. disp. 4. num. 3. *Fagundez* in 6. praecep. lib. 6. capite 9. num. 8.

6 HENCE also the copula of a woman with a woman, or of a female with a man in perverse ways, or with a beast, are sodomies improperly: yet it would be a reserved case, if a woman should emit seed in that vessel, not so if in the natural vessel. See Diana *part. 7. tract. 12. resol. 13.*

> *HINC etiam copulae mulieris cum muliere, vel foeminae cum viro in praeposteris, aut cum bestia, esse improprie sodomias: esset tamen casus reservatus, si mulier in vase illo seminaret, non sic si in naturali, Lege Dianam* part. 7. tract. 12. resol. 13.

7 THE PUNISHMENTS of sodomy are death in both accomplices *leg. cum vir nubit in foeminam, Cod. de adulter. ad leg. Iuliam*, there *armari iura gladio ultori*, and in the text *in Authent. Ut non luxurietur cont. naturam, §. propterea.* But if the emission, or commingling, is in the hands, or the like, he is not condemned by this punishment, as they commonly teach, in Fagundez *num. 9.* But if, the copula having been completed, he emits seed outside, he is still to be killed, as Farinacius says *quaest. 148.* Cremation is imposed on the dead by the municipal laws.

> *POENAE sodomiae sunt mors in utroque complice* leg. cum vir nubit in foeminam, Cod. de adulter. ad leg. Iuliam*, ibi* armari iura gladio ultori*, et textu* in Authent. Ut non luxurietur cont. naturam, §. propterea. *Si autem effusio, vel commixtio sit in manibus, vel simili, non est hac poena damnatus, ut docent communiter apud Fagundez* num. 9. *Si vero peracta copula, extra semen effundetur, adhuc occidatur, ut ait Farinacius* quaest. 148. *mortuo etiam imponitur crematio a Legibus municipalibus.*

8 MINORS are indeed bound, with a reservation of non-carnal crimes, as homicide, blasphemy, but not of carnal ones, since these they ordinarily do not complete *cap. 1. de delict. puer.* and this even if he suffers it from one of age, as Bassaeus says *num. 21. v. Luxur.* See Diana *part. 7. tract. 12. resol. 13.*

> *IMPUBERES ligantur quidem reservatione delictorum non carnalium, ut homicidii, blasphemiae, non vero carnalium, cum haec ordinarie non compleant* cap. 1. de delict. puer. *et hoc etsi patiatur a pubere, ut ait Bassaeus* num. 21. v. Luxur. *Vide Dianam* part. 7. tract. 12. resol. 13.

9 THEIR GOODS are also confiscated, but it is not received by custom. So Farinacius *quaest. 148.* Sodomites are also intestable. See Farinacius *q. 148.* Baiardus *addit. ad Iul. Clar. §. sodomia.*

> *PUBLICANTUR etiam bona, sed non est receptum consuetudine. Ita Farinacius* quaest. 148. *Sunt etiam sodomitae intestabiles. Vide Farinacium* q. 148. *Baiardum* addit. ad Iul. Clar. §. sodomia.

10 It is a crime of the mixed forum, and it can be punished by censures even in a layman.

> *Est crimen mixti fori, et potest censuris puniri etiam laicus.*

11 BUT a CLERIC convicted is deprived of his benefice, deposed, and thrust into a monastery, according to the *text. cap. de clerici, de excess. Prael.* Indeed they teach that he can even be degraded and

handed over to death and to flames: Vivianus *opinione 727.* Menoch. *de arbitr. qq. quaest. 286.* Bermon. *de publico concubinatu, rubric. de sodomia, num. 29.*

> *CLERICUS vero convictus, beneficio privatur, deponitur, et in monasterio detruditur, iuxta* text. cap. de clerici, de excess. Prael. *Imo et degradari, et morti, ac flammis tradi docent Vivianus* opinione 727. *Menoch.* de arbitr. qq. quaest. 286. *Bermon.* de publico concubinatu, rubric. de sodomia, num. 29.

12 THEY DOUBT whether he is suspended by that very fact. The Legists of both laws commonly assert it, in Fagundez *num. 17.*

> *DUBITANT, an sit ipso iure suspensus. Asserunt communiter Legistae utriusque iuris, apud Fagundez* num. 17.

13 THE OPPOSITE, however, is truer. So the Lateran Council *extra de excess. Praelat.* says: *let them be cast down from the clergy*, as St. Bonaventure reports *in Confess. cap. 3. particula 5.* nor is he suspended by the new law of Pius V., but the sentence of a judge is required beforehand; for only the punishment of excommunication carries with it its own execution of the crime, so that it is incurred by that very fact without any declaring sentence of the crime or of the fact; but the remaining punishments require a sentence. So Suarez *Tom. 5. de cens. disp. 30. sect. 1.* Hieron. Gabriel *confil. 196. et confil. 187.* Sylvestet *V. affasinos*, Fagundez *in 5. praecep. Decal. cap. 2. num. 9. et in 6. praecep. lib. 6. cap. 9. num. 18.*

> *OPPOSITA tamen est verior. Sic Concilium Later.* extra de excess. Praelat. *dicit:* deiiciantur a clero*, ut refert D. Bonavent.* in Confess. cap. 3. particula 5. *neque suspenditur iure novo Pii V. sed requiritur prius sententia iudicis; sola enim poena excommunicationis secum trahit suam executionem criminis, ut ipso facto incurratur absque ulla sententia declaratoria criminis, vel facti; reliquae vero poenae requirunt sententiam. Ita Suarez* Tom. 5. de cens. disp. 30. sect. 1. *Hieron. Gabriel* confil. 196. et confil. 187. *Sylvestet* V. affasinos*, Fagundez* in 5. praecep. Decal. cap. 2. num. 9. et in 6. praecep. lib. 6. cap. 9. num. 18.

14 NOTE truly that the Decree of Pius V. does not include any sodomite whatever, but one who exercises it habitually, as they note: Navar. *sum. cap. 27. num. 249.* Rodriquez *qq. Regul. lib. 1. quaest. 29. art. 12. argumento, §. Illud, ff. de aedilitio edict.* by which text Bartol. *in prooem.* Panormit. *in cap. 1. de iudic.* say that neither a merchant, nor an artisan, nor a harpist is called such who strikes or trades once or twice, but frequency is required, so that he be held such by common opinion; and Navarrus says that in this sense it was explained to him by the Datary, in the name of the Supreme Pontiff. Wherefore Farinacius departs *num. 30.* saying that one can be handed over for a single fall, etc. Where note that another Bull had been published before by Pius V. in the year 1566, in which he does not put *exercentes*, but *perpetrantes*; but I observe that it is a frequentative word, which Fagundez does not notice *n. 20.* Then I say that in the year 1568 another was published saying *exercentes*, which tempers the preceding one.

> *NOTA vero, Decretum Pii V. includere non quemvis sodomiticum, sed exercentem ex usu, ut notant Navar.* sum. cap. 27. num. 249. *Rodriquez* qq. Regul. lib. 1. quaest. 29. art. 12. argumento, §. Illud, ff. de aedilitio edict. *per quem textum Bartol.* in prooem. *Panormit.* in cap. 1. de iudic. *dicunt, neque mercatorem, neque artificem, neque citharedum dici, qui semel, aut iterum pulsat, aut mercatur, sed requiri frequentiam, ut opinione vulgi talis habeatur, et hoc sensu explicitum sibi a Datario, nomine Pontificis Maximi, ait Navarrus: Quare aberrat Farinacius* num. 30. *dicens unico lapsu posse tradi, etc. Ubi nota, aliam fuisse antea Bullam editam a Pio V. anno 1566. ubi non ponit* exercentes*, sed* perpetrantes*, sed observo, esse verbum frequentativum, quod non advertit Fagundez* n. 20. *Deinde dico anno 1568. aliam esse editam dicentem* exercentes*, quae temperat praecedentem.*

15 NEVERTHELESS the opinion of Farinacius is also probable, because the word exercising signifies to commit in the first act, according to the *text. Item leg. Iulia de adult. et Instit. tit. de public. iudic.* Then because the Bishop of Septimacensis *tract. de discept. cap. 33.* says that the same Pius V. understood it thus, as he received from his own utterance.

> *ATTAMEN probabilis est etiam opinio Farinacii, quia verbum exercendi sonat committere primo actu, iuxta* text. Item leg. Iulia de adult. et Instit. tit. de public. iudic. *Deinde quia Episcopus Septimacensis* tract. de discept. cap. 33. *ait, eumdem Pium V. ita intellexisse, ut ex ipsius oraculo accepit.*

Subdoubt II: On bestiality

1 BESTIALITY is defined by St. Bonaventure *in the places cited, in the preceding dubium: It is a sin of Luxury committed with a brute animal*; whence it is most grave in this genus (except the congress with a demon). The punishment of death is claimed for this crime, and burning after death.

> ***De BESTIALITATE.***
>
> *BESTIALITAS definitur a D. Bonavent.* locis allatis, superioribus dubit. Est peccatum Luxuriae commissum cum bruto*; unde gravissimum est in hoc genere (excipe congressum cum daemonio) Poena mortis hoc crimen vendicatur, et flammatum post mortem.*

2 MANY, however, SAY that he is condemned by this punishment even if he does not complete the emission of seed. So Boer. *decis. 316.* Roland. *confil. 7.* Clatus *§. fornicatio, num. 21.* Menoch. *de arbitariis quaest. lib. 2. casu 586.* Petrus Gregorius *syntagmate iuris, lib. 36. cap. 14.*

> *DICUNT autem multi, hac poena damnari, etiamsi non complectent effusione seminis. Ita Boer.* decis. 316. *Roland.* confil. 7. *Clatus* §. fornicatio, num. 21. *Menoch.* de arbitariis quaest. lib. 2. casu 586. *Petrus Gregorius* syntagmate iuris, lib. 36. cap. 14.

3 YET I judge the OPPOSITE true with Fagundez and others cited by him *num. 9.* and he proves it most forcefully *ex leg. 1. §. finali, ff. de extraordin. crimin.* there: *Perfecto flagitio punitur capite; imperfecto,* — I stop — *the guilty party is deported to an island.* This text is illustrious.

> *OPPOSITUM tamen existimo verum cum Fagundez, et aliis apud eum* num. 9. *et probar efficacissime* ex leg. 1. §. finali, ff. de extraordin. crimin. ibi: Perfecto flagitio punitur capite; imperfecto, *sto, reus in insulam deportatur. Hic textus est praeclarus.*

4 By the Canonical law, however, seven years of penance is imposed, as the Saintly Doctor reports *Confess. cap. 3. particula 46.*

> *Iure autem Canonico septennium poenitendi imponitur, ut refert S. Doctor* Confess. cap. 3. particula 46.

Subdoubt III: On intercourse with a demon

1 OF ALL, this crime is the most wicked in this genus against nature, since it has with a spirit a carnal copula of the body, and with a body merely apparent, not however a true one.

> ***De copula cum Daemone.***
>
> *OMNIUM sceleratissimum est hoc crimen in hoc genere contra naturam, cum habeat cum spiritu corpus copulam carnalem, et cum corpore tantum apparenti, non autem vero.*

2 FOR it is CERTAIN that demons do not have connatural bodies; otherwise the legion could not have stood in the one body of a man, as is related in *Lucae 8.* and St. Bonaventure argues there; and I

have said enough in the *Tract. de Angelis.*

> *CERTUM est enim, daemones non habere corpora connaturalia, alioqui legio non potuisset in uno corpore hominis stare, ut habetur* Lucae 8. *et arguit ibi S. Bonavent. et satis dixi* Tract. de Angelis.

3 MERITELY Innocent VIII. commands the Inquisitors of the Faith to take notice of these persons; for these have joined to them also other abominations: Idolatries, blasphemies, abuses of sacred things, etc., and in the very venereal act there is the vice of superstition and irreligiosity, as Filliucius notes *Tract. 30. in 8. praecep. Decal. cap. 8. num. 162.*

> *MERITO Innocentius VIII. praecipit fidei Inquisitoribus, ut in hos animadvertant; habent enim haec coniunctas etiam alias abominationes Idolatriae, blasphemiarum, abusus sacrorum, etc. et in ipso actu venereo est vitium superstitionis, et irreligiositatis, ut notat Filliucius* Tract. 30. in 8. praecep. Decal. cap. 8. num. 162.

4 YET WE DO NOT deny that demons can infuse seed received from elsewhere and cause generation, but that generation must be attributed to the man from whom the seed was emitted. So was Merlin the prophet begotten in England, as the Conimbricenses report *de Gener. lib. 1. cap. 4. quaest. 10. art. 3.* and concerning Homer Plutarch reports from Aristotle *lib. 3. Poët. et* Angel. Politianus *praefat. in Homerum,* and concerning Luther Genebrardus reports *lib. 4. canonic. cap. 9.*

> *NON negamus tamen, posse daemones semen aliunde acceptum infundere, et generationem causare, sed attribuenda est homini, unde semen est emissum, generatio illa. Sic genitus fuit Merlinus vates in Anglia, ut refert Colleg. Conimbr.* de Gener. lib. 1. cap. 4. quaest. 10. art. 3. *et de Homero refert Plutarch. ex Aristotele* lib. 3. Poët. et *Angel. Politianus* praefat. in Homerum*, et de Luthero refert Genebrardus* lib. 4. canonic. cap. 9.

Subdoubt IV: On pollution

1 IT MUST BE NOTED from St. Bonaventure *in speculo animae, cap. 3. §. Circa tactum, et opusc. de puritate conscientiae, cap. 7. et* 8. that pollution can occur in various ways and from various causes. For it can occur either in sleep or in waking, voluntarily, which is defined: *Voluntary emission of seed.*

> ***De POLLUTIONE.***
>
> *NOTANDUM ex D. Bonavent.* in speculo animae, cap. 3. §. Circa tactum, et opusc. de puritate conscientiae, cap. 7. et *8. pollutionem variis modis, et variis e causis posse evenire. Ea enim vel in somno, vel in vigilia evenire potest voluntarie, quae definitur:* Voluntaria seminis effusio.

2 THE NOCTURNAL, or in sleep, is sometimes wholly in sleep, and then it is not a sin, because it is not voluntary. So the Saintly Doctor *in the places adduced,* St. Thomas *art. 5.* Cajetan. *ibi,* Navar. *cap. 16.* Tolet. *lib. 5. summae, cap. 13.* Azor. *tom. 3. cap. 24. quaestio 1.* Fagundez *in 6. praecept. lib. 6. cap. 9. num. 17.* But this is understood provided it was not procured beforehand in waking, or you consent in the same waking.

> *NOCTURNA, seu in somno, aliquando tota est in somno, et tunc non est peccatum, quia non est voluntaria. Ita S. Doctor* locis adductis*, D. Thom.* art. 5. *Caietan.* ibi*, Navar.* cap. 16. *Tolet.* lib. 5. summae, cap. 13. *Azor.* tom. 3. cap. 24. quaestio 1. *Fagundez* in 6. praecept. lib. 6. cap. 9. num. 17. *Hoc autem intelligitur, dummodo in vigilia ante non fuerit procurata; vel in eadem vigilia consentias.*

3 SOMETIMES it is partly in sleep, partly in waking, as if the movement of the flesh and the decision of seed happen in sleep: but the emission of seed in waking, in which you have full power of restraining, or half-full.

ALIQUANDO partim est in somno, partim in vigilia, ut si commotio carnis, et decisio seminis contingat in somno: effusio vero seminis in vigilia, in qua habeas plenam potestatem cohibendi, vel semiplenam.

4 If the movement and decision happen in dreams, and the emission in half-waking, there is no sin.

Si contingat commotio, et decisio in somnis, et effusio in vigilia semiplena, nullum est peccatum.

5 THE QUESTION, however, is whether, if the emission happens in full waking, it is culpable.

QUAESTIO est autem, an, si accidat effusio in plena vigilia, sit culpabilis.

6 THE FIRST opinion is that it is mortal not to repress it. So Tolet. *lib. 5. cap. 13.*

PRIMA opinio est esse mortale, eam non reprimere. Ita Tolet. lib. 5. cap. 13.

7 THE SECOND opinion is that there is no sin, but that it is enough not to take pleasure in it. So Sà *verb. Luxuria,* Filliucius *tom. 1. tract. 30. in 6. praecep. cap. 8.* Navar. *sum. cap. 16.* Graff. *lib. 2. decis. cap. 81. num. 14.* Azor *tom. 3. cap. 24.* Cordub. *quaest. 23.* Soto *in 4. dist. 12. quaest. 1. art. 2.* Sanchez *lib. 9. de matrim. disp. 17.* Fagundez *in 6. praecep. lib. 6. cap. 9.* with St. Bonaventure *in the places cited.*

SECUNDA sententia est nullum esse peccatum, sed satis esse, non complacere. Ita Sà verb. Luxuria, *Filliucius* tom. 1. tract. 30. in 6. praecep. cap. 8. *Navar.* sum. cap. 16. *Graff.* lib. 2. decis. cap. 81. num. 14. *Azor* tom. 3. cap. 24. *Cordub.* quaest. 23. *Soto* in 4. dist. 12. quaest. 1. art. 2. *Sanchez* lib. 9. de matrim. disp. 17. *Fagundez* in 6. praecep. lib. 6. cap. 9. *cum D. Bonavent.* locis citatis.

8 MY REASON is, because the seed once decided is naturally and necessarily carried outside. For whether seed is generated in the vessels of the testicles, as the learned Vesalius and Bartolinus teach, which I assert — for it has often been observed in cadavers, as Dodoneus writes *observ. 39.* Hofmannus *de gener. cap. 18.* Carpus Riolanus in Bartolinus *lib. 1. de infirmo ventre, cap. 22.* — or whether it is not generated in them, as Fallopius, Cabrolius, Posthius, Casp. Hofmannus, Caesar Cremoninus, Adr. Spigelius, Regius and others in Bartolinus will; certainly there are vessels of Seed, beginning from the testicles, ending at the root of the penis, by which they carry it, and with force ejaculate the seed, prepared in the testicles, or elaborated above in the spermatic vessels. Wherefore indeed it can restrain it for a time, but yet the seed will without doubt come forth at last.

RATIO mea est, quia semen decisum naturaliter, ac necessario defertur extra. Sive enim generetur semen in testiculorum vasculis, ut docent eruditi, Vesalius, et Bartolinus, quod ego assero; nam saepe observatum est in cadaveribus, ut scribit Dodoneus observ. 39. *Hofmannus* de gener. cap. 18. *Carpus Riolanus apud Bartolinum* lib. 1. de infirmo ventre, cap. 22. *sive non generetur in eis, ut volunt Fallopius, Cabrolius, Posthius, Casp. Hofmannus, Caesar Cremoninus, Adr. Spigelius, Regius, et alii apud Bartolinum; certe sunt Seminis vasa, incipientia a testibus, desinentia ad radicem penis, quo deferunt, et impetu eiaculantur semen, in testibus confectum, vel supra in vasis spermaticis elaboratum. Quare potest quidem ad tempus reprimere aliquando, sed tamen semen procul dubio tandem prodibit.*

9 BUT it CAN, even occurring in sleep, be culpable in its cause. First in the desire for pleasure, second in the procuration, third in not removing the foreseen cause.

POTEST vero, etiam in somno eveniens, esse culpata in causa. Primo in desiderio ad voluptatem, secundo in procuratione, tertio non removendo causam praevisam.

10 IT IS ASKED whether it is lawful to wish for pollution in sleep for health, or for a moderation of lust.

QUAERITUR, an liceat pollutionem optare in somno ad sanitatem, vel libidinis moderamen.

11 Valentia *disput. 9. quaest. 3. puncto 3.* Sot. *4. dist. 12. quaest. 1. art. 7.* Lopez *part. 1. cap. 74.* Syluius *2. 2. quaest. 154. art. 5.* DENY it; otherwise it would be lawful to procure it.

NEGANT Valentia disput. 9. quaest. 3. puncto 3. *Sot.* 4. dist. 12. quaest. 1. art. 7. *Lopez* part. 1. cap. 74. *Syluius* 2. 2. quaest. 154. art. 5. *alioqui liceret eam procurare.*

12 THEY GRANT that to wish for it, although not to procure it, is lawful: for thus it is lawful to wish for the death of a tyrant king, but God forbid procuring it: Sayrus *lib. 8. cap. 5.* Navar. *sum. cap. 16.* Angelus, and Sylvester *V. Pollu. Sa V. Luxur.* Toletus *lib. 5. cap. 13.* D. Anton. *2. part. tit. 6. cap. 6.* Vasquez *1. 2. disp. 115. cap. 3.* Sanchez *sum. cap. 2.* Filliucius *tom. 2. tract. 30. cap. 8. num. 144.* Fagundez *cap. 9. num. 31.* Bassaeus *V. Luxur. num. 14.* with St. Bonaventure *in the places cited.*

CONCEDUNT optare, etsi non procurare liceat: sic enim licet optare mortem Regis tyrani, sed absit procurare, Sayrus lib. 8. cap. 5. *Navar.* sum. cap. 16. *Angelus, et Sylvester* V. Pollu. Sa V. Luxur. *Toletus* lib. 5. cap. 13. *D. Anton.* 2. part. tit. 6. cap. 6. *Vasquez* 1. 2. disp. 115. cap. 3. *Sanchez* sum. cap. 2. *Filliucius* tom. 2. tract. 30. cap. 8. num. 144. *Fagundez* cap. 9. num. 31. *Bassaeus* V. Luxur. num. 14. *cum D. Bonavent.* locis citatis.

13 FOR THAT REASON it is lawful to rejoice, as they teach: Diana *part. 3. tract. 5. misc. Resol. 21. et 87.* Sanchez *select. disp. 21. num. 35.* Tannet. *prima secunda, disp. 4. quaest. 8. num. 145.* Fernand. *part. 4. cap. 2. §. 4.* Cruz *part. 1. praecep. 6. art. 8. dub. 10.*

EA de causa licet gaudere, ut docent Diana part. 3. tract. 5. misc. Resol. 21. et 87. *Sanchez* select. disp. 21. num. 35. *Tannet.* prima secunda, disp. 4. quaest. 8. num. 145. *Fernand.* part. 4. cap. 2. §. 4. *Cruz* part. 1. praecep. 6. art. 8. dub. 10.

14 TO PROCURE, however, is always lethal, as they teach with St. Bonaventure, in Sanchez *lib. 9. de matrim. disp. 17. num. 16.* Fagundez *num. 31.* who brings forward many reasons of disparity, not very strong. For if it is lawful to cut off a member for life; why not sperm, which is almost an excrement? Because, you say, the members are destined first for the conservation of the individual, therefore it is lawful to expose them for life; but not the seed, which is ordered to the propagation of the species — this, I say, is weak, even though it is commonly brought forward, because also the testicles are ordered to the species, and nearer still the very embryo inanimate, and yet it is lawful to tear these away for the health of the individual.

PROCURARE vero est semper lethale, ut docent cum S. Bonavent. apud Sanchez lib. 9. de matrim. disp. 17. num. 16. *Fagundez* num. 31. *qui multas disparitatis adducit rationes, non admodum vigentes. Si enim licet ad vitam recidere membrum; cur non sperma, fere excrementum? Dicete enim, membra destinata primo ad conservationem individui, ideo ea licere exponere ad vitam; non autem semen, quod ad speciem propagandam ordinatur; hoc inquam leve est, etsi communiter adducatur, quia etiam testiculi ordinantur ad speciem, et propius ipse embryo inanimis, et tamen haec licet ad salutem individui avellere.*

15 EXCELLENT is the reason of St. Bonaventure *in Diaeta, tit. 1. cap. ult.* which Sanchez uses *de Matrim. in the place cited*: for the emission of seed by excessive pleasure overwhelms reason, and reduces the will to a deplorable servitude. Wherefore nature granted it only for generation; but the mutilation of members, compensated by pain, man does not pursue. Fagundez brings the same reason *num. 33.* with Tostatus *quaest. 184. in cap. 5. Matth.* on these words: *It is expedient for you that you lose one* of your members *rather than that your whole body be cast into hell*, which passage the Saintly

Doctor turns to this purpose, loc. cit. St. Bonaventure indicates this reason also in 4. d. 31. art. 2. quaest. 3.

> *OPTIMA est ratio D. Bonavent.* in Diaeta, tit. 1. cap. ult. *qua utuntur Sanchez* de Matrim. loco cit. *nam effusio seminis nimia voluptate rationem obruit, voluntatemque in deplorandam redigit servitutem. Quare eam tantum concessit natura ad generationem; at vero mutilationem membrorum dolore compensatam, non prosequitur homo. Eandem rationem affert Fagundez* num. 33. *cum Tostato* quaest. 184. in cap. 5. Matth. ad ea verba: Expedit tibi, ut perdat unum *membrorum, quam totum corpus mittas in gehennam, quem locum ad haec convertit S. Doctor loc. cit. Hanc rationem indicat S. Bonavent. etiam in 4. d. 31. art. 2. quaest. 3.*

16 As regards foreseen pollution occurring in dreams.

> *Quoad pollutionem praevisam, in somnis evenientem.*

17 It is the opinion of many that you are bound under pain of mortal sin to avoid the causes from which you know pollution will come, or which you know morally, for example eating such foods, lying in such a position, provided however you are not morally certain, that it is only venial. So Tolet. lib. 5. cap. 13. Sylvest. verb. *pollutio*, Less. tom. 1. lib. 4. cap. 3. d. 14. Sotus 4. dist. 12. quaest. 1. art. 7. Fagundez in 6. praec. lib. 6. cap. 9. num. 34. They add the condition for mortal sin, if it can easily be avoided, for example by taking other foods, etc.

> *Est opinio multorum, te teneri sub mortali vitare causas, e quibus scis eventuram pollutionem, vel moraliter nosti, puta comedere tales cibos, tali situ decumbere, si tamen non sis moraliter certus, esse tantum veniale. Ita Tolet. lib. 5. cap. 13. Sylvest. verb.* pollutio*, Less. tom. 1. lib. 4. cap. 3. d. 14. Sotus 4. dist. 12. quaest. 1. art. 7. Fagundez in 6. praec. lib. 6. cap. 9. num. 34. Apponunt conditionem ad mortale, si facile potest vitare, puta alios cibos adhibendo, etc.*

18 In truth Diana p. p. Tract. de circumstan. aggrav. resol. 65. judges that foreseen pollution, but not intended, and not only in ordinary foods and eating, but in mortally lethal ones, for example drunkenness, is not mortal. He adduces Villalob. tom. 2. tract. 40. d. 16. Vasq. prima 2. d. 115. cap. 3. Sanchez de matrim. tom. 3. l. 9. d. 45. num. 17. Granado 3. part. 2. controv. 6. tract. 4. d. 6. Sancium fol. d. 21. num. 15. et d. 23. num. 29. who further adds that no cause is given efficacious of itself for polluting in dreams, whether the sights or touches be foul; for if they do not cause it while they are present, much less when absent. Therefore no cause is to be confessed unless one be given by the intention of willing that pollution; but then only the intention is to be confessed, not the pollution. Bassaeus praises this doctrine V. *Luxur. num. 15.* although he adds, from Sanchez lib. 9. d. 45. num. 30. that the pollution itself is also to be confessed. He adduces also Vasquez prima 2. d. 125.

> *Enim vero Diana p. p. Tract. de circumstan. aggrav. resol. 65. existimat, pollutionem praevisam, sed non intentam, nedum in cibis, et comestione ordinaria, sed mortaliter lethifera, puta ebrietate, non esse mortalem. Adducit Villalob. tom. 2. tract. 40. d. 16. Vasq. prima 2. d. 115. cap. 3. Sanchez de matrim. tom. 3. l. 9. d. 45. num. 17. Granado 3. part. 2. controv. 6. tract. 4. d. 6. Sancium fol. d. 21. num. 15. et d. 23. num. 29. qui amplius addit, nullam dari causam ex se efficacem ad polluendum in somnis, sive aspectus, sive tactus sint foedi; nam si non causant, dum sunt praesentes; multo minus absentes. Itaque nulla causa confitenda, nisi ex intentione volendi eam pollutionem dara sit, tunc vero confitendam solam intentionem, non vero pollutionem. Hanc doctrinam laudat Bassaeus V.* Luxur. num. 15. *etsi addat e Sanchez lib. 9. d. 45. num. 30. confitendam etiam ipsam pollutionem. Adducit etiam Vasquez prima 2. d. 125.*

19 This doctrine of Sancius stinks to me, for it too much conflicts with the practice and with confessions received from confessants of secular priests, whom I have consulted: why, however, those

objects materially absent act more in dreams is, because wherever they are moved intentionally, those species agitated in the quiet of the other senses are stronger by a power there united, and in a manner reflected.

> *Haec Sancii doctrina mihi foetet, nimis enim praxi e confessione accepta a confessariis saecularium, quos ego consului, repugnat: Cur vero obiecta illa materialiter absentia plus agant in somnis, est, quia ubicumque cum moveant intentionaliter species illae agitatae in quiete aliorum sensuum, sunt fortiores virtute ibi unita, et quodammodo reflexa.*

20 I will say, however, with Diana, that foreseen pollution, but not intended, from actions sinful only venially in the genus of luxury, is not mortal. He alleges Suarez, Henriquez, Sanchez, Villalob. Less. and others, whom Tanner. adduces 2. part. d. 4. quaest. 8. dub. 6. num. 123. whose opinion he judges probable in num. 126.

> *Dicam tamen cum Diana, pollutionem praevisam, sed non intentam ex actionibus peccaminosis tantum venialiter in genere luxuriae, non esse mortalem. Allegat Suarez, Henriquez, Sanchez, Villalob. Less. et alios, quos affert Tanner. 2. part. d. 4. quaest. 8. dub. 6. num. 123. quorum sententiam probabilem censet num. 126.*

21 From these Sancius also says, num. 12. that one is not bound otherwise to lie in bed, even if one can conveniently do otherwise: and num. 18. that one is not bound to leave the bed, even if one feels delectation with an alteration of the private parts. Diana reports him p. p. Tract. 16. resol. ult.

> *Ex his ait etiam Sancius num. 12. non teneri aliter in lecto accubare, etiamsi commode possit: Et num. 18. non teneri deserere lectum, etiamsi cum alteratione verendorum sentiat delectationem. Eum refert Diana p. p. Tract. 16. resol. ult.*

22 Many say it is lawful to procure the expulsion of corrupt seed by friction, even if by accident the emission of true seed follows. So Sanchez, and Villalobus. But here in the fifth edition he expunged this; the latter retracted it, because it is truly a false opinion, although Bonacina follows it de matrim. quaest. 4. p. 10. num. 11.

> *Multi dicunt, licere procurare expulsionem seminis corrupti confricatione, etiam si per accidens sequatur seminis veri emissio. Ita Sanchez, et Villalobus. Sed hic in quinta editione id expunxit; ille retractavit, quia vere est falsa opinio, etsi eam sequatur Bonacina de matrim. quaest. 4. p. 10. num. 11.*

23 It will indeed be lawful for a Surgeon to handle the private parts of a sick man in need of turning, for the sake of the cure, with the danger of pollution. So Vasquez prima 2. Tom. 1. d. 115. num. 9. Less. lib. 4. cap. 3. d. 14. Ioan. de la Cruz in direct. praec. 6. d. 9. and others in Diana.

> *Licebit sane Chirurgo vertenda contrectare infirmi cum periculo pollutionis, curationis causa. Ita Vasquez prima 2. Tom. 1. d. 115. num. 9. Less. lib. 4. cap. 3. d. 14. Ioan. de la Cruz in direct. praec. 6. d. 9. et alii apud Dianam.*

24 So neither is a runner forced to go on foot, even if he has experienced that he suffers pollution by riding. So many, with whom Diana concurs.

> *Sic neque cursor cogetur pedester incedere, etsi expertus sit se pollutionem pati equitando. Ita multi, quibus subscribit Diana.*

25 Much less will it be a sin not to abandon grave duties from which pollution follows, as confessions, studies, schools. Fagundez admits this also num. 35. adducing others.

> *Multo minus erit peccatum non relinquere officia gravia, e quibus pollutio sequitur, ut confessionum, studiorum, scholarum. Id fatetur etiam Fagundez num. 35. alios adducens.*

26 There is also pollution procured, occurring in waking, which is called softness, and it is a grave offence, as is had in 1 Cor. 6. Therefore of these it is said: *The soft shall not possess the kingdom of God.*

> *Est etiam pollutio procurata, in vigilia eveniens, quae dicitur mollities, et est grave piaculum, ut habetur prima Cor. 6. Ideo de istis dicitur:* Molles regnum Dei non possidebunt.

27 For it is against the special order of nature, as St. Bonaventure notes in the place adduced above.

> *Est enim contra naturae ordinem specialem, ut notat D. Bonavent. loco supra adducto.*

28 Therefore Physicians sin most gravely who persuade this to the sick, or provoke it with medicines, as Fagundez notes; nor are those excused from mortal sin who obey them. So they teach Tolet. lib. 5. cap. 13. Lessius lib. 4. cap. 3. d. 14. num. 94. and others in Fagundez. It can however be provoked per se, or with another, which are to be expressed in confession, as St. Bonaventure teaches, Speculo, cap. 3. and others.

> *Ideo gravissime peccant Medici hanc suadentes infirmis, aut medicinis provocantes, ut notat Fagundez; neque excusantur a mortali, qui eis obediunt. Ita docent Tolet. lib. 5. cap. 13. Lessius lib. 4. cap. 3. d. 14. num. 94. et alii apud Fagundez. Potest autem provocari per se, vel cum alio, quae sunt in confessione exprimenda, ut docet D. Bonavent. Speculo, cap. 3. et alii.*

29 To procure a great movement of the genital spirits is lethal; it is truly known to be great, if it gravely disturbs reason, as Bassaeus says with Sanch. num. 19. He says otherwise where a slight distillation and movement of the spirits is procured by reason of the patency of the matter ceasing, with the danger of pollution, and he adduces Sanch. de matr. and Bonacina: But I did not admit the patency of the matter, quaest. 3. disp. 1.

> *Procurare magnam genitalium spirituum motonem, lethale est; noscitur vero magna, si graviter rationem turbet, ut ait cum Sanch. Bassaeus num. 19. secus ait, ubi levis distillatio, et spirituum commotio procuretur ratione patuitatis materiae cessante, pollutionis periculo, et adducit Sanch. de matr. et Bonacinam: Sed patuitatem materiae non admisi, quaest. 3. disp. 1.*

Doubt IX: On lust between spouses

1 I presuppose that the use of marriage for the sake of offspring is lawful. Likewise, to avoid the danger of incontinence, as D. Bonaventure teaches in 4 d. 31, art. 2. The reason for the first is that this is the first end of the institution of marriage. The institution, moreover, is from God, as is said in Genesis 1 and 8, Matthew 19, John 2.

> *Suppono, usum connubii ad prolem esse licitum. Similiter ad periculum vitandum incontinentiae, ut docet D. Bonavent. in 4. d. 31. art. 2. Ratio primi est, quia ille est finis primus institutionis matrimonii. Institutio autem est a Deo, ut dicitur Genes. 1. et 8. Matth. 19. Ioan. 2.*

2 The other, however, is conceded in 1 Cor. 7: *Again return together into the same, lest Satan tempt you because of your incontinence.* So teach Rebello, 2 part. de oblig. iust. lib. 3 de imped. matrim. quaest. 19; Cajetan, sum. verb. *usus matrimonii*; Soto, 4 d. 32, art. 4; Fagundez, lib. 6, cap. 3; Diana, p. 2, Tract. 4, resol. 115, with others; or at most it is venial, as D. Bonaventure asserts, quaest. 2, with others cited by Sanchez, Tom. 3 de matrim. lib. 9, d. 11. One may also licitly use marriage for health's sake. So Rebello, sect. 1; Cajetan, tom. 1, opusc. tract. 12, quaest. 3; Henriquez, lib. 11 de matrim. cap. 17, num. 7; and others cited in Diana, resol. 218.

Altera vero conceditur 1. Cor. 7. Iterum revertimini in idipsum, ne tentet vos Satanas propter incontinentiam vestram. *Ita docent Rebell. 2. part. de oblig. iust. lib. 3. de imped. matrim. quaest. 19. Caiet. sum. verb.* matrimonii usus*, Sotus 4 d. 32. art. 4. Fagundez lib. 6. cap. 3. Diana p. 2. Tract. 4. resol. 115. cum aliis; aut ad summum est veniale, ut asserit D. Bonavent. quaest. 2. cum aliis apud Sanchez Tom. 3. de matrim. lib. 9. d. 11. Licite etiam potest uti quis coniugio ad sanitatem. Ita Rebell. sect. 1. Caiet. tom. 1. opusc. tract. 12. quaest. 3. Henriquez lib. 11. de matrim. cap. 17. num. 7. et alii apud Dianam resol. 218.*

3 I presuppose also that the union of spouses from mere delight is venial. So D. Bonaventure, quaest. 3, from D. Augustine, lib. 1 de nupt. cap. 15, and de bono coniug. cap. 6 and 7; Rebello, loc. cit.; Fagundez, num. 5; Cajetan, verb. *usus matrimonii*; and this the Saintly Doctor calls a disordination with respect to the final cause. The reason is that marriage makes honorable the union, yet it still retains some disordination. Many, however, with Diana, p. 2, Tract. 4, resol. 116, excuse it even from venial sin.

Suppono etiam, copulam coniugum e sola delectatione esse venialem. Ita D. Bonavent. quaest. 3. ex D. Augustino lib. 1. de nupt. cap. 15. et de bono coniug. cap. 6. et 7. Rebell. loc. cit. Fagundez num. 5. Caiet. verb. matrimonii usus*; et hanc vocat S. Doctor deordinationem quoad causam finalem. Ratio est, quia matrimonium cohonestat copulam, habet tamen aliquam deordinationem. Multi tamen cum Diana p. 2. Tract. 4. resol. 116. eam excusant etiam a veniali.*

4 The Saintly Doctor adds there, and in the Speculum animae, cap. 3, whom others follow: if from such concupiscence one is carried toward the spouse with a meretricious affection, so that he would wish, even if she were not his wife, or in the act should imagine another, it is mortal, and he is held to declare the condition of her whom he imagines, whether she is sacred, or married, or betrothed, or a virgin. But of these we must treat in the Tractate on Marriage.

Addit vero S. Doctor ibi, et in speculo animae, cap. 3. quem alii sequuntur; si ex tali concupiscentia feratur in coniugem affectu meretricio, ita ut vellet, etiamsi non esset uxor, vel in actu aliam imaginaretur, esse lethale, et teneri dicere conditionem eius, quam imaginatur, si est sacra, vel coniugata, vel coniuncta, aut virgo. Sed de his Tract. de matrimonio agendum.

5 The Saintly Doctor adds in the Speculum animae that a disordination of manner, of time, etc. may accompany the conjugal act.

Addit S. Doctor in speculo animae, posse in actu coniugali accedere deordinationem in modo, in tempore, etc.

6 With respect to manner, it is certain that it is a most grave sin if one defiles one's wife Sodomitically, as D. Bonaventure notes.

Quoad modum, certum est esse gravissimum peccatum, si polluat Sodomitice uxorem, ut notat D. Bonav.

7 D. Bonaventure here; D. Thomas, *quaest. 154, art. 11*; either between the thighs, or in any other way by spilling the seed outside the natural vessel, as D. Bonaventure says and as is commonly held, with Sanchez, *lib. 9 de debito coniugali, d. 17*. The reason is that it is opposed not only to the general but to the special order of nature, as the Saintly Doctor argues *in Compend. Theol. verit. lib. 3, cap. 21*, and with him Fagundez, *lib. 6, cap. 3, num. 17*. Understand, however, that this is so if it is done advertently, as Fagundez notes, *num. 20*.

D. Bonavent. hic, D. Thom. quaest. 154. art. 11. *vel inter crura, vel aliter semen effundendo extra vas naturale, ut ait D. Bonavent. et communiter apud Sanchez* lib. 9. de debit. coniugali, d. 17. *Ratio est, quia adversatur ordini non*

> *solum generali, sed speciali naturae, ut arguit S. Doctor* in Compend. Theol. verit. lib. 3. cap. 21. *et cum eo Fagundez* lib. 6. cap. 3. num. 17. *Intellige tamen, si advertenter fiat, ut notat Fagundez* num. 20.

[8] They ask, however, whether a man who begins the conjugal act Sodomitically with his wife, in order to complete it in the proper vessel, sins mortally.

> *QUAERUNT autem, an vir incipiens cum uxore copulam Sodomitice, ut eam perficiat in vase debito, laetaliter peccet.*

[9] The first opinion is that it is not mortal, provided the danger of pollution is absent. So Navarrus, *lib. 5 consil. tit. de paen. et remiss. num. 7*; Ovando, *4 d. 31, quaest. unic.*; Angelus, *V. debitum 25*; Zerola, *in praxi paen. cap. 12, quaest. 25*; Graffius, *tom. 1, lib. 5 de adulterio, conf. 3*; Gambacurta, *de casibus reser. casu 2*; Zancharda, *in direct. part. 1, Tract. de matrimonio, cap. 4, § 10*.

> *PRIMA opinio est, non esse mortale, si absit periculum pollutionis. Ita Navarr.* lib. 5. consil. tit. de paen. et remiss. num. 7. *Ovand.* 4. d. 31. quaest. unic. *Angel.* V. debitum 25. *Zerola* in praxi paen. cap. 12. quaest. 25. *Graff.* tom. 1. lib. 5. de adult. conf. 3. *Gambacurt.* de casib. reser. casu 2. *Zanard.* in direct. part. 1. Tract. de matrim. cap. 4. §. 10.

[10] But that it is not lawful teaches Bonacina, *de matrimonio, quaest. 4, punct. 11, num. 12*; Sanchez, *lib. 9, d. 17*; Rodriguez, *sum. tom. 3, cap. 88*; Basil Pontius, *de matrimonio, lib. 10, cap. 11* — whom Diana reports, *p. p. Tract. 17, resol. 37*. I add Fagundez, *in 6 praec. lib. 6, cap. 3, num. 18*, who calls it an absurdity to concede this. And I subscribe: for that act is not ordered by nature to that vessel, but is initiatory of an execrable abomination, and is accordingly reduced to it. If, however, he inserts his fingers into the woman's vessel, or his member into her mouth, they deny that it is a mortal sin — Sanchez, *de matrim. tom. 3, lib. 9, d. 17, num. 5*; Diana, *loc. cit.*; but Fagundez, *loc. cit. num. 19*, says it is mortal, as also to rub the member about the unnatural vessel. Diana, *part. 3, Tract. 4, resol. 204*, condemns this with Pontius, and deservedly, for they can have no order, but are brutish.

> *SED non licere, docent Bonacina* de matrimon. quaest. 4. punct. 11. num. 12. *Sanchez* lib. 9. d. 17. *Rodrig.* sum. tom. 3. cap. 88. *Basil. Ponc.* de matrim. lib. 10. cap. 11. *quos refert Diana* p. p. Tract. 17. resol. 37. *Addo Fagund.* in 6. praec. lib. 6. cap. 3. num. 18. *qui hoc vocat absurdum concedere. Et subscribo : Est enim actus ille, ad vas illud non ordinatus a natura, sed inchoativus abominationis execrandae, atque adeo ad eam reducitur. Si autem digitos in vas foeminae immittat, aut membrum in os eius, negant esse peccatum mortale. Sanchez* de matrim. tom. 3. lib. 9. d. 17. num. 5. *Diana* loc. cit. *sed Fagund.* loc. cit. num. 19. *ait esse mortale, sicut etiam membrum circa vas praeposterum perfricare. Diana* part. 3. Tract. 4. resol. 204. *hoc damnat cum Poncio, et merito, non enim ullam ordinationem habere valent, sed brutalia sunt.*

[11] They ask further: when the man is sowing and withdrawing his member, may the wife, gravely aroused, excite herself with touches.

> *QUAERUNT adhuc, an seminante viro, et membrum extrahente, liceat uxori, graviter excitatae, se tactibus provocare.*

[12] They say it is lawful: Sanchez, *num. 12*; Fagundez, *num. 21*; and very many others cited in Diana, *p. p. tract. 17, resol. 38* — who nevertheless, with Rodriguez, *summ. part. 3, cap. 88*, condemns such an act.

> *LICERE aiunt Sanchez* num. 12. *Fagundez* num. 21. *et alii plurimi apud Dianam* p. p. tract. 17. resol. 38. *qui tamen cum Rodriguez* summ. part. 3. cap. 88. *damnat talem actum.*

[13] To me the prior opinion seems more probable. The reason is that it is the consummation of the conjugal union, ordered to generation. For the seed of the woman, though not necessary,

nevertheless according to many contributes greatly to generation, as Sanchez proves, *num. 8*.

> *MIHI prior sententia probabilior videtur. Ratio est, quia est consummatio copulae coniugalis, ad generationem. Semen enim mulieris, esto non necessarium, secundum multos tamen valde confert ad generationem, ut probat Sanchez* num. 8.

14 As for variation of position — for instance, if the woman is on top — it is more probably not deadly; for the womb of the woman has a power of attracting and retaining the man's seed, as the stomach has for food. So Sanchez, *lib. 9 de matrim. d. 16*; Navarrus, *man. cap. 16, num. 42*; Rodriguez, *tom. 1, sum. cap. 143*; Fagundez, *in 6 praec. lib. 6, cap. 3*; Diana, *p. p. Tract. de circumstantia aggravante, resol. 35*; and others cited by these. The same they say if the union is had unnaturally, or sitting, or from the side — provided, however, there is no danger of spilling seed outside the proper vessel.

> *Quod situs variationem, puta si foemina sit incuba, probabilius est non esse mortiferum ; matrix enim foeminae habit vim attractivam, et retentivam seminis virilis, sicut stomachus cibi. Ita Sanchez* lib. 9. de matrim. d. 16. *Navarr.* man. cap. 16 num. 42. *Rodrig.* tom. 1. sum. cap. 143. *Fagundez* in 6. praec. lib. 6. cap. 3. *Diana* p. p. Tract. de circumst. aggr. resol. 35. *et alii apud istos. Idem dicunt si copula habeatur praepostere, vel sedendo, vel a latere, nisi tamen adsit periculum effundendi semen extra vas debitum.*

15 But if in an extraordinary manner of union he emits some quantity of seed outside the vessel, and, weary of children, at the end of the act pours out all the seed outside the vessel.

> *QUOD si in modo extraordinario coeundi aliquam seminis quantitatem extra vas emittat, et pertaesus liberorum, in fine copulae totum semen extra vas effundat.*

16 It is answered that the effusion of all the seed outside is deadly, nor can the wife, knowing this, render the debt — whatever Basil Pontius may say, *de matrim. lib. 19, cap. 11*, as reported by Diana, *p. p. Tract. 15, resol. 54*.

> *RESPONDE TUR effusionem totius seminis extra, esse lethiferum, nec posse uxorem, id scientem, debitum reddere. Quidquid dicat Basilius Poncius* de matrim. lib. 19. cap. 11. *apud Dianam* p. p. Tract. 15. resol. 54.

17 Thus as often as the husband wishes to exercise the act mortally, the wife is not bound, nor can she render it, as Sanchez notes, *lib. 9, d. 16, num. 8*; but when it is venial, it is probable that she is bound to render it. So Sanchez, *loc. cit.*; Peter Soto, *de matrim. lect. 16*; Cajetan, *2. 2, quaest. 154, art. 1*; Fagundez, *num. 27*; Henriquez, *lib. 11, cap. 16, num. 6, in gloss. litt. O*; Diana, *p. p. Tract. de circumstantia aggravante, resol. 35*; and others with D. Bonaventure, *in 4, d. 32, dub. 4*.

> *ITA quoties lethaliter vult copulam maritus exercere, non tenetur, nec potest uxor reddere, ut notat Sanchez* lib. 9. d. 16. num. 8. *quando vero est veniale, probabile est, teneri reddere. Ita Sanchez* loc. cit. *Petrus Soto* de matrim. lect. 16. *Caiet.* 2. 2. quaest. 154. art. 1. *Fagundez* num. 27. *Henriquez* lib 11. cap. 16. num. 6. in gloss. litt. O. *Diana* p. p. Tract. de circumst. aggran. resol. 35. *et alii cum D. Bonavent.* in 4. d. 32. dub. 4.

18 But whether to approach a menstruating woman is deadly.

> *AN vero ad menstruatam accedere sit lethale.*

19 The first opinion is that it is mortal, and of old it was punished by the penalty of death, Leviticus 18, as S. Bonaventure notes, *loc. cit.*, where he observes that the penalty enjoined was upon the husband asking, or even upon the wife, if she herself be the one asking; yet he must render to the one asking, if he cannot otherwise, because he is bound to render his due to his husband.

PRIMA opinio est, esse mortale, et olim poena mortis puniebatur Levit. 18. *ut notat S. Bonavent.* loc. cit. *ubi observat poenam iniunctam esse marito petenti, vel etiam uxori, si ipsa sit petens, debet tamen reddere petenti, si aliter non potest, quia tenetur reddere suum marito.*

20 He concludes, however, from what has been said, *art. 3, quaest. 1*, that if the time of the menses is, according to nature, customarily once a month, he ought not to ask, because he has a time to attend to generation, so that offspring may be born without danger of monstrosity or of elephantiasis, as D. Jerome admonishes, cited by the Saintly Doctor.

CONCLUDIT autem ex dictis art. 3. quaest. 1. *quod si tempus menstruorum est secundum naturam ordinarius semel in mense, non debet petere, quia habet tempus attendendi generationi, ita ut absque periculo monstrositatis, vel morbi elephantiaci, ut admonet D. Hieronymus apud S. Doctorem, nascatur proles.*

21 But if he violently renders, the wife is excused; if, however, he knowingly asks, and renders willingly, he sins; for at that time the man has no power over the body of the woman. But if it is a continuous disease, all concede with the Saintly Doctor that it is lawful to ask; otherwise they would be compelled to be long without their right, nor would a monstrous offspring then be born; even if there were danger of this, it would be better that she be, than not to be. So Navarrus, *man. cap. 16, num. 32*, and others cited by Fagundez, *num. 18*.

Tunc autem si violenter reddit, excusatur uxor, si vero scienter petit, et reddit libenter, peccat ; nam vir illo tempore non habet potestatem in corpus mulieris. Si autem est morbus continuus, omnes cum S. Doctore concedunt, licitum esse petere, alioqui cogerentur diu carere iure suo, neque tunc nasceretur proles monstrosa, etsi huiusce rei periculum esset, melius sic esset, eam esse, quam non esse. Ita Navar. man. cap. 16. num. 32. *et alii apud Fagundez* num. 18.

22 Some, however, say that to ask during the ordinary time of the menses is only venial. Fagundez says this is the common opinion, *num. 29*. But these things I shall defer to the *Tractate on Marriage*. So it is said likewise of the sin of one who approaches a pregnant woman, with danger of abortion.

ALIQUI tamen dicunt, solum veniale esse petere tempore menstruorum ordinariorum. Eam communem sententiam ait Fagundez num. 29. *Sed haec in* Tract. de matrimonio *differam. Sic et dicitur de peccato accedentis ad gravidam, cum periculo abortus.*

23 There remains to be considered whether, on account of sacred time, unions are illicit.

REMANET videndum, an ratione temporis sacri sint copulae illicitae.

24 First, when the most holy Eucharist is to be received: it is commonly asserted to be venial, as in Sanchez, *lib. 9 de matrimonio, d. 13*; Fagundez, *cap. 4, num. 51*, with D. Bonaventure, *in speculo animae, cap. 5*.

PRIMO, quando sumenda est sanctissima Eucharistia, veniale asseritur communiter apud Sanchez lib. 9. de matrimonio, d. 13. *Fagund.* cap. 4. num. 51. *cum D. Bonavent.* in speculo animae, cap. 5.

25 But others say it is not even venial; Fagundez reports them, *loc. cit.*

ALII vero nec veniale esse dicunt, cos refert Fagundez, loc. cit.

26 On the more solemn principal feasts, the Saintly Doctor judges it venial, *loc. cit.*; but *in compend. Theol. verit. lib. 3, cap. 21* he teaches that it is a sin if it is done from a mere impulse of lust.

IN solemnioribus vero primariis festis, veniale censet S. Doctor loc. cit. *et* in compend. Theol. verit. lib. 3. cap. 21. *docet esse peccatum, si fiat ex mero impetu libidinis.*

27 In the Confessional, *cap. 2, particula 14*, he reports the words of Alexander of Hales, who says that the conjugal act is deadly in five ways from mere impetuousness. The first is the cause of satisfying lust through meretricious blandishments; the second, when it is done against the natural use; the third, when it is at a prohibited time; the fourth, in a prohibited place; the fifth, when one approaches a menstruating woman. But in the other passages adduced, and there also before these words, he understands these circumstances of place and time to be mortal if the impulse of lust is grave, preferring delight to God.

IN Confessionali vero cap. 2. particula 14. *refert verba Alensis, qui ait, copulam coniugalem ex impetuositate mera esse quinque modis mortiferam. Primus est causa satiandae libidinis per meretricias blanditias : Secundus, quando fit contra naturalem usum : Tertius, cum sit tempore prohibito : Quartus, in loco prohibito : Quintus, cum acceditur ad menstruatam. Sed aliis locis adductis, et ibi etiam ante haec verba, intelligit has circumstantias loci, et temporis esse mortales, si impetus libidinis sit gravis, praeferens delectationem Deo.*

28 For the rest, he judges it not mortal, as I have reported; and it is the common opinion with respect to time; with respect to place, however, I have said enough when the sacrilege was treated.

DE caetero existimat, non esse mortale, ut retuli, et est communis sententia quoad tempus; quoad locum vero satis dixi cum de Sacrilegio actum est.

29 There are also certain preliminaries to the act. And indeed they ask: whether spouses sin mortally by touching one another and kissing the privy parts for the sake of mere pleasure.

SUNT etiam aliqua praeparatoria ad copulam. Et quidem quaerunt : an peccent mortifere coniuges tangentes se invicem, et osculantes pudenda ob solam voluptatem.

30 Many assert so. So Paludanus, *4 d. 31, quaest. 3, art. 2*; Sylvester, *V. debit. coniug. quaest. 7*; Rodriguez, *tom. 1, cap. 129*. But I shall say with Diana, *3 part. tract. 4, resol. 125*: woe, woe to the married, if this opinion were true. Therefore he upholds the contrary opinion with Zancharda, *de Sacram. matrimonio, cap. 41*; Sylvius, *2. 2, quaest. 154, art. 4, concl. 61*; Filliucius, *tomo 2, tract. 30, cap. 10, num. 195*. Diana adds that these men are to be gravely rebuked. Fagundez subscribes, in 6 praec. lib. VI, cap. 3, num. 37, who says they are venial — yet with this condition, that there be no danger of pollution; for then those acts would be deadly.

ASSERUNT multi. Ita Palud. 4. d. 31. quaest. 3. art. 2. *Sylvest.* V. debit. coniug. quaest. 7. *Rodrig.* tom. 1. cap. 129. *Sed dicam cum Diana* 3. part. tract. 4. resol. 125. *Vae, vae coniugatis, si haec opinio esset vera. Ideo contrariam sententiam astruit cum Zanardo* de Sacram. matrim. cap. 41. *Sylvius* 2. 2. quaest. 154. art. 4. concl. 61. *Filliuc.* tomo 2. tract. 30. cap. 10. num 195. *Addit Diana, hos graviter esse increpandos. Subscribit Fagundez in 6. praec. lib. VI. cap. 3. num. 37. qui dicit esse venialia: Cum hac tamen conditione, nisi sit periculum pollutionis; tunc enim actus illi essent lethales.*

Doubt X: On abduction

1 I speak of rape, as it is a species of Lust. It is defined, attending only to Canonical law: *It is the violent abduction, or carrying away, of a woman, or of an honest person, from place to place, for the cause of lust.* Thus it is defined also by D. Bonaventure in *spec. animae, cap. 3*. Three things therefore are required for rape. First, abduction; second, violence; third, that it be done for the cause of lust.

Loqvor de raptu, ut est species Luxuriae. Definitvr attento solo iure Canonico: Est violenta abductio, seu traductio foeminae, vel personae honestae de loco ad locum, causa libidinis. *Sic definitur etiam a D. Bonavent. in* spec. animae, cap. 3. *Tria ergo exiguntur ad raptum. Primo abductio: Secundo violentia: Tertio, ut fiat causa libidinis.*

2 And so this abduction must be from place to place, for the cause of ravishing; for if you lead her out from a public open place, and take her through a few steps into a secret place, so that he may sin with her more conveniently, it will be fornication. So Clarus, *lib. V sent. § Raptus*; and Bertrand, *lib. VI consil. 39*; Fagundez, *lib. VI, cap. 10, num. 2*.

Itaqve haec abductio debet esse de loco ad locum, causa rapiendi, nam si abducas ex loco publico aperto, et abducat per aliquos passus in locum secretum, ut commodius peccet cum ea, erit stuprum. Ita Clarus lib. V. sent. §. Raptus: et *Bertran.* lib. VI. consil. 39. *Fagund.* lib. VI. cap. 10. num. 2.

3 For incurring the penalties of the Council of Trent, *sess. XXIIU, cap. 6* — as Sanchez notes, *lib. VII de matrimonio d. 13, num. 7* — it is not necessary to have conducted the ravished woman to the destined place, but one incurs them at once, as soon as she was ravished.

Ad subeundas poenas Concil. Tridentini sess. XXIU. cap. 6. *notat Sanchez* lib. VII. de matrimonio d. 13. num. 7. *non esse necessarium perducere raptam foeminam ad destinatum locum, sed statim incurri, ac rapta fuit.*

4 It is called *violent*, that is, injurious either to the woman herself only, or to her parents and guardians, or to those who take the place of parents, or to the betrothed or husband, if she is betrothed or married. So Toledo, *lib. VII, cap. 17*; Fagundez, *num. 3*. It is also injurious and involuntary not only if done by force, but also if by guile or fraud; for these are equivalent to violence, *Leg. un. § siquidem, vers. poenas autem. Leg. de raptu virginum*. So commonly the Doctors with Sanchez, *lib. VII de matrim. d. 12*. Likewise if you abduct her with feigned promises. So Sanchez, *loc. cit. num. 6*; Fagundez, *num. 3*.

Dicitvr violenta*, idest iniuriosa vel ipsi foeminae tantum, vel parentibus illius, et tutoribus, vel iis, qui loco parentum succedunt, vel sponso, aut marito, si sponsata sit, vel coniugata. Ita Tolet.* lib. VII. cap. 17. *Fagundez* num. 3. *etir autem iniuriosa, et involuntaria non solum si vi fiat, sed etiam si dolo, vel fraude; haec enim violentiae aequivalent,* Leg. un. §. siquidem, vers. poenas autem. Leg. de raptu virginum. *Ita communiter Doctores cum Sanchez* lib. VII. de matrim. d. 12. *Similiter si promissionibus fictis eam abducas. Ita Sanchez* loc. citat. num. 6. *Fagundez* num. 3.

5 But if she consented with him, it will be rape only with respect to the parents, not with respect to her. And so if she is of her own right (sui iuris), it will not be rape. So Sanchez, *num. 10*; Clarus, *lib. V sent. § raptus*.

Qvod si consentisti cum ea, erit raptus solum respectu parentum, non respectu illius. Et ita si est sui iuris, non erit raptus. Ita Sanch. num. 10. *Clarus* lib. V. sent. §. raptus.

6 It is called *for the cause of lust*. Note, however, that the civil law imposes the penalties for rape done for the cause of lust, and of marriage; but whether the Tridentine does so for the mere liberty of marriage seems more probable. See Sanchez, *lib. VII de matrim. d. 13*; Farinaccius, *tom. IV, quaest. 145*; Salsedus on the Practica of Bernardus; Diaz, *cap. 78*; Rodriguez, *tom. II sum. cap. 213*; Fagundez, *lib. VI, cap. 10, num. 4*. Wherefore if anyone ravished a virgin for the cause of lust, he can validly contract marriage by reason of the Council of Trent, as many teach with Diana, *p. 3, tract. 4, resol. 261*; Sanchez, *tom. II, lib. VII, disp. 13*.

Dicitvr causa libidinis. *Adverte autem ius civile imponere, poenas raptui facto causa libidinis, et matrimonii; sed, an Tridentinum ob solam libertatem matrimonii, probabilius videtur. Vide Sanch.* lib. VII. de matrim. d. 13. *Farinac.* tom. IV. quaest. 145. *Salsedum ad practicam Bernardi, Diaz* cap. 78. *Rodrig.* tom. II. sum. cap. 213. *Fagund.* lib. VI. cap. 10. num. 4. *Quare si quis libidinis causa rapuit virginem, valide potest contrahere, ratione Concil. Trid. ut docent multi cum Diana* p. 3. tract. 4. resol. 261. *Sanchez* tom. II. lib. VII. disp. 13.

7 Hence you have that the Council punishes every rape of a woman, even one dishonest, although such rape be ordered to marriage.

Hinc habes, Concilium punire quemcumque raptum mulieris, etiam inhonestae, licet ad matrimonium ordinetur talis raptus.

8 The civil law indeed punishes with the ordinary penalty the rape of the honest woman only; yet if the woman be a married harlot, and both she and her husband resist, the rape is punished by the ordinary penalty of death. So Farinaccius, *num. 177*; Sanchez, *lib. VII de matrim. d. 12, num. 23*. The ordinary penalty of rape is death, *leg. 1 C. de raptu virginibus*; the same penalty is imposed on accomplices, helpers, etc. Likewise their goods are published (confiscated). See Farinaccius, *quaest. cit. num. 7*.

Ivs vero civile, solius honestae raptum, punit poena ordinaria, si tamen meretrix sit coniugata, et illa, et maritus renitantur, punitur raptus poena ordinaria mortis. Ita Farinac. num. 177. *Sanchez* lib. VII. de matrim. d. 12. num. 23. *Poena ordinaria raptus est mortis* leg. 1. C. de raptu virginis; *eadem poena imponitur complicibus, adiuvantibus, etc. Similiter publicantur bona. Vide Farinac.* quaest. cit. num. 7.

9 By Canonical law they are excommunicated, *can. si quis virginem, q. 2*, where: *If anyone shall have ravished a virgin or a widow without marrying her, with those favoring him, let him be anathema* — where excommunication is not imposed ipso facto, but to be incurred, as Sanchez learnedly notes, *lib. VII de matrim. d. 17, num. 2*; Sylvester, *verb. luxuria, quaest. 6*; and others with Fagundez, *lib. VI, cap. 10, num. 11*.

Ivre vero Canonico excommunicantur, can. si quis virginem, q. 2. *ibi:* Si quis virginem, vel viduam, nisi desponsaverit, rapuerit, cum sibi faventibus; anathema sit: *ubi non imponitur excommunicatio ipso facto, sed inferenda, ut docte notant Sanchez* lib. VII. de matrim. d. 17. num. 2. *Sylvest.* verb. luxur. quaest. 6. *et alii cum Fagundez* lib. VI. cap. 10. num. 11.

10 The reason is that the words *Anathema sit* — let him be excommunicated — never signify a sentence latae sententiae but one to be incurred, except in the matter of heresy and in definitions of faith in Councils, because there it is gathered from other texts that it is imposed by these words: *Excommunicatio ipso facto*, as Sanchez proves, *num. 1*.

Ratio est, quia verba: Anathema sit*, sit excommunicatus, nunquam important latam sententiam, sed inferendam, nisi in materia haeresis, et in definitionibus fidei in Conciliis, quia ibi ex aliis textibus colligitur imponi per haec verba:* Excommunicatio ipso facto*, ut probat Sanchez* num. 1.

11 By Canonical law, the Council of Trent, *sess. XXIIU de reformat. cap. 6*, punishes ravishers and their helpers and abettors with excommunication ipso facto and by law, and with perpetual infamy, and renders them incapable of contracting validly with the ravished woman as long as she shall be under their power and not established in a free place. Moreover it declares them incapable of every dignity.

De iure Canonico Concil. Trid. sess. XXIU. de refor. cap. 6. *puniuntur raptores, et eorum auxiliatores, fautoresque excommunicatione ipso facto, et iure, et infamia perpetua, et inhabilitantur ad contrahendum valide cum rapta, quamdiu ipsa sub eorum fuerit potestate, et in loco libero non fuerit constituta. Insuper incapaces declarat omnis dignitatis.*

12 And so the law corrects: *Si quis virginem*; for it imposes excommunication ipso facto, and invalidates the marriage which there was valid.

Itaqve corripit ius: Si quis virginem; *nam imponit excommunicationem ipso facto, et invalidat matrimonium, quod ibi erat validum.*

13 It can happen that a woman rape a man; but this rape is subject to the arbitrary penalties of the judge, as Clarus warns, *lib. V sent. § Raptus*; Sanchez, *lib. VII de matrim. d. 12, num. 25*. For since this happens most rarely, it is not defined by the laws, which provide for ordinary cases, not for the rarest. But if a woman rape another woman for lust, many teach, cited by Fagundez, *num. 8*, that she is to be punished by the ordinary penalty of the law; but others decree an arbitrary penalty.

Potest esse, ut mulier virum rapiat, sed hic raptus poenae arbitrariae iudicis subiacet, ut monet Clatus lib. V. sent. §. Raptus. *Sanchez* lib. VII. de matrim. d. 12. num. 25. *Hoc enim cum rarissimum contingat, non est a legibus terminatum, quae de casibus ordinatiis tantum provident, non autem rarissimis. Si vero mulier ad libidinem aliam rapiat, puniendam poena iuris ordinaria docent multi apud Fagundez* num. 8. *sed alii arbitrariam decernunt.*

14 But if anyone should ravish a boy for lust, without doubt he is to be chastised with the penalty of death. So Clarus, *num. 32*; Farra, *quaest. 145*; Fagundez, *num. 9*; and others cited by these.

Si vero quis puerum rapiat ad libidinem, proculdubio poena mortis est plectendus. Ita Clar. num. 32. *Farra* quaest. 145. *Fagundez* num. 9. *et alii apud istos.*

15 You ask whether it is rape if the ravished woman consents, and the parents refuse; or contrariwise.

Qvaeres, an sit raptus, si foemina rapta consentiat; parentes renuant; vel e contra.

16 It is answered briefly that it is rape in either case: if the woman is under another's power and assents, or if the parents assent and she herself refuses. See Fagundez, *cap. 11*. Nevertheless, if she herself assents, the marriage will be valid, as Diana says with Sanchez above; Filliucius, *tom. I, Tract. 10, part. 2, cap. 8, num. 165*.

Respondetvr breviter, esse raptum utrinque, si foemina sit sub potestate aliena, et assentiatut, vel si parentes assentianrut, et ipsa renuat. Vide Fagund. cap. 11. *Attamen si ipsa assentitur, erit validum matrimonium, ut ait Diana cum Sanch. supra Filliuc.* tom. I. Tract. 10. part. 2. cap. 8. num. 165.

17 The ravisher, however, will not be punished with the penalties of the Council of Trent in their whole rigor if the woman consents, the parents being ignorant, in whose power she is: the reason is that she is mistress of her own body. So Sanchez, *lib. VII de matrim. d. 13, num. 13*; Farinaccius, *num. 124, quaest. cit.*

Pvniendvs autem non erit raptor poenis Concil. Trid. in toto rigore, si foemina consentiat, patentibus ignorantibus, in quorum potestate est: Ratio est, quia est domina sui corporis. Ita Sanchez lib. VII. de matrim. d. 13. num. 13. *Farinacius* num. 124. quaest. cit.

18 But if the parents refuse, it is commonly taught that he is to be punished with the whole rigor: but Sanchez, *num. 13*, alone denies it.

Si vero parentes renuunt, communiter docent puniendum toto rigore: At Sanchez num. 13. *id negat solus.*

Question IV: On incontinence

1 Incontinence, indeed, in its universality extends to all vices; nevertheless it is a special vice opposed to Temperance — namely to that potential part of it which is continence, and which is opposed to the passions by bridling them, lest they rush in.

Incontinentia universalis quidem ad omnia vitia extenditur; attamen speciale est vitium oppositum Temperantiae, eius nempe parti potentiali, quae est continentia, et quae in fraenandis passionibus, ne irruant, opponitur.

2 Hence incontinence in this sense consists in a lapse into unbridled passion, and therefore the intemperate man sins more gravely than the incontinent, as Aristotle says, *7 Eth.* cap. 8; D. Thomas, art. 3: for the intemperate man sins from habit, but the incontinent from passion.

Hinc incontinentia hoc sensu in passionum infraeni lapsu consistit, et ideo magis peccare intemperantem, quam incontinentem, ait Aristoteles 7. Eth. *cap. 8. D. Thom. art. 3. nam intemperans peccat ex habitu ; sed incontinens ex passione.*

3 But the incontinence of concupiscence is more shameful than that of anger. First, because the movement of concupiscence is wholly according to sense; but the movement of anger participates somewhat in reason. Second, because the movement of anger follows more the complexion of the body on account of the swiftness of the motion of the choler, which tends to anger; whence from the irascible the irascible are more frequently born, than from the concupiscent the concupiscent. Third, because anger seeks to act manifestly; but concupiscence seeks hiding places. Fourth, because concupiscence acts with delight; but the angry man as if from a certain sadness. So S. Thomas, art. 4, from Aristotle, 7 Eth. cap. 6. D. Bonaventure, p. p. Centil. sect. 18, makes incontinence a daughter of vainglory, and describes it thus: *Incontinence is the will, by conforming itself, desiring to be praised by those who are evil.*

Turpior autem est incontinentia concupiscentiae, quam irae. Primo, quia concupiscentiae motus est totus secundum sensum ; at motus irae participat aliqualiter rationem. Secundo, quia motus irae magis sequitur corporis complexionem propter velocitatem motus cholerae, quae tendit ad iram, unde frequentius ex iracundis nascuntur iracundi, quam ex concupiscentibus concupiscentes. Tertio, quia quaerit manifeste operari ; sed concupiscentia quaerit latebras. Quarto, quia concupiscentia delectabiliter operatur ; sed iratus quasi ex quadam tristitia. Ita S. Thom. art. 4. ex Aristotele 7. Eth. cap. 6. D. Bonav. p. p. Centil. sect. 18. ponit incontinentiam filiam inanis gloriae, eamque sic describit : Incontinentia est voluntas per conformationem sui ab his, qui mali sunt, laudari appetens.

Question V: On anger

1 Anger is thus described by D. Bonaventure in the third place cited, p. p. Centil. sect. 20, and in the Declaratorium terminorum Theologiae from Cassiodorus: *Anger is an agitated movement of the soul, provoking the infliction of punishment.* By Rabanus: *Anger is every evil movement of the soul to do harm.* From Augustine: *Anger is sadness arising from the impotence of taking revenge.* From Damascene, lib. 2 de fide cap. 16: *Anger is the fervor of the blood about the heart, from the ebullition of bile, or from a disturbance striking.* From the same: *Anger is that which is bold, the avenger of injured concupiscence.* From the same: *Anger is the desire of vengeance.* From Aristotle, 2 Rhet. lib. 2 cap. 2: *Anger is the appetite of contrary pain, on account of an apparent examination: and the appetite of inflicting pain on one who opposes oneself, on account of an injury*

apparently inflicted: which in a certain manner examines, in that, by a due order, it deprives man as regards the judgment of the soul.

> ***De IRACUNDIA.***
>
> *Ira sic describitur a D. Bonavent. in 3. loco citando, p. p. Centil. sect. 20. et in Declaratorio terminorum Theol. ex Cassiodoro :* Ira est animi motus concitatus, ad poenam provocans inferendam. *E Rabbano :* Ira est omnis malus motus ad nocendum. *Ex Augustino :* Ira est tristitia ex impotentia ulciscendi. *E Damasceno, lib. 2. fid. cap. 16.* Ira est feruor eius, qui circa cor est, sanguinis ex evaporatione fellis, vel returbatione feriens. *Ex eodem :* Ira est, id quod est audax mentis vindex laesae concupiscentis. *Ex eodem :* Ira est desiderium repunitionis. *Ex Aristotele, 2. Reth. lib. 2. cap. 2.* Ira est appetitus contrary doloris, propter apparentem examinationem : et appetitus afferendi dolorem sibi adversanti, propter illatam iniuriam apparentem : quae quodammodo examinat, per hoc, quod debito ordine hominem quantum ad iudicium animae privat.

2 From some of these descriptions it is gathered that anger can exist without sin, but according to reason, as D. Thomas teaches, quaest. 156, art. 2. It is proved by that Psalm 4: *Be angry, and sin not* — whatever Cassian, in the lib. de Institutione Religiosorum cap. 6, and others may say.

> *Ex aliquibus harum descriptionibus colligitur, posse esse iram absque peccato, sed secundum rationem, ut docet D. Thom. quaest. 156. art. 2. Probatur ex illo Psal. 4.* Irascimini, et nolite peccare *: Quidquid Cassianus lib. de Instit. Relig. cap. 6. et alii dixerint.*

3 It is proved by D. Bonaventure, in 3 d. 15, quaest. ult., because holy zeal for vengeance is with anger; but this can be in the Saints, and it was in Christ, Mark 11, Luke 19, when he cast out the buyers and sellers from the temple. This is called anger through zeal according to the order of reason, as D. Thomas also says.

> *Probatvr a D. Bonavent. in 3. d. 15. quaest. ult. quia Zelus sanctus vindictae est cum ira, hic autem potest esse in Sanctis, et fuit in Christo Marci 11. Lucae 19. cum eiecit ementes, et vendentes de templo. Haec dicitur ira per Zelum secundum ordinem rationis, ut ait etiam D. Thomas.*

4 Secondly, to detest evil and to be angry at evil are the same; and both are good.

> *Secvndo, detestari malum, et irasci malo, sunt idem ; utrumque autem bonum est.*

5 Third, because the irascible power was given by God for being angry: therefore it is good.

> *Tertio, quia irascibilis potentia est a Deo data ad irascendum : Ergo bona.*

6 Hence he concludes that anger can be good, insofar as it signifies an affect of detestation, and could be found in Adam in the state of innocence. And if a disturbance of sense is added besides, it could have been, and was, in Christ, yet without disturbance of mind. Thus it is said: *He groaned in spirit and troubled himself*, John 11. It is also repeated in the just, with some disturbance of mind, through zeal; of whom D. Gregory says, lib. 5 moral. cap. 35, and lib. 1 cap. 31: *Whence the mind, when disturbed, profits, so that it may become clear; as the eye, when a collyrium is applied, is for a time disturbed, that afterwards it may be made clearer.*

> *Hinc concludit, Iram esse posse bonam, prout dicit affectum detestationis, et potuisse reperiri in Adam in statu innocentiae. Et si addatur etiam perturbatio sensus, potuisse esse, et fuisse in Christo, sine tamen perturbatione mentis. Sic dicitur :* Infremuit spiritu, et turbavit se ipsum*, Ioan. 11. Repetitur etiam in iustis cum aliqua perturbatione*

mentis per Zelum ; de quibus ait D. Gregor. lib. 5. moral. cap. 35. et lib. 1. cap. 31. Unde mens perturbata proficit, ut clarescat, sicut oculus per collyrium immissum, ad tempus turbatur, ut postmodum clarior efficiatur.

7 But truly a disturbance deviating from reason, tending to vengeance, is a vice.

Enim vero perturbatio a ratione devia tendens ad ultionem, est vitium.

8 I assert, therefore, that this anger is a vice opposed to meekness. So S. Bonaventure, LL. CC.

Assero igitur, hanc iram esse vitium oppositum mansuetudini. Ita S. Bonavent. LL. CC.

9 It is proved by Job 5: *Anger slayeth the foolish man*, where D. Gregory, lib. 5 moral. cap. 35: *Anger through vice blinds the eye of the mind; anger through zeal disturbs it.* It is thus defined by Damascene: *the avenger of injured concupiscence.*

Probatvr Iob 5. Virum stultum interficit Iracundia*, ubi D. Gregor. lib. 5. moral. cap. 35.* Ira per vitium oculum mentis caecat, ira per Zelum turbat. *sic definitur a Damasceno :* Vindex laesae concupiscentiae.

10 The Saintly Doctor shows, loc. cit. Centil., why it is opposed to meekness; for the meek man neither wishes to begin to be disturbed toward anger immoderately. He shows that anger the vice differs from anger through zeal by reason of matter; for they are concerned with the same matter, namely with the person whom both wish to punish; but anger the vice wishes the person to be punished, so that vengeance upon the person be sated. Anger through zeal seeks vengeance upon the person, that the vice in the person may be destroyed. It is opposed also to patience, he says, by reason of the end, because patience extinguishes anger, lest it proceed; for *he that is patient mitigates stirreth up angers*, as Solomon testifies, Proverbs 15.

Ostendit autem S. Doctor loc. cit. Centil. cur opponatur mansuetudini ; nam mansuetus, neque vult incipere perturbari ad iracundiam immoderate. Differte autem Iram vitium, ab ira per Zelum ratione materiae ostendit ; sunt enim circa eandem materiam, scilicet circa personam, quam utraque cupit puniri, sed ira vitium vult, ut persona puniatur, ut sic satietur vindicta personae. Ira per Zelum appetit vindictam in persona, ut destruatur vitium in persona. Opponi etiam patientiae, ait, ratione finis, quia patientia extinguit iram, ne procedat ; nam, qui patiens est, iras mitigat suscitatas*, ut testatur Salomon. Proverb. 15.*

11 Hence the inordinateness of anger is apparent from the vengeance which it seeks, not according to reason; for it wills punishment unto the destruction of the person, and therefore either one which he did not deserve, or above his merit, or not according to the right order, and not according to the due end, which is the preservation of justice and the correction of fault; as, on the contrary, zeal seeks in an ordered way.

Hinc appatet inordinatio irae ex vindicta, quam appetit, non secundum rationem, quia vult punitionem ad destructionem personae, et ideo vel quam non meruit, vel supra meritum, vel non secundum ordinem rectum, et non secundum debitum finem, qui est conservatio iustitiae, et correctio culpae ; sicuti e contra, Zelus ordinate appetit.

12 Secondly, in which anger the vice is discerned, is that within, and often also outwardly, it boils over immoderately. Hence there arise, as it were, species of Anger, from Damascene, lib. 2 de fide ort. cap. 16: the bilious passion, which is a sudden movement of the soul, impatient of injury, and it happens on the part of the body from the commotion of the bile, and on the part of the soul from the corruption of the irascible power; and then the bile is moved to vengeance, that sadness may be expelled. This anger quickly passes. Secondly, Mania, that is, lasting anger. Thirdly, Cotus, which is

anger observing the time for vengeance. And this Aristotle means, 4 Eth. cap. 5, teaching that some of the irascible are sharp and sudden, some bitter and persistent, some difficult, who watch for occasions of vengeance; nearly the same has Nyssenus, lib. 4 de viribus animae, cap. 13.

> *Secvndvm, in quo dignoscitur ira, vitium est, quia interius, et saepe etiam extra immoderate feruescit. Hinc enim enascitur veluti species Irae ex Damascen. lib. 2. de fide ort. cap. 16. Fellea passio, quae est subitus animi motus, impatiens laesionis, et accidit ex parte corporis, ex commotione fellis ; et ex parte animae ex corruptione vis irascibilis, et tunc movetur fel ad vindictam, ut expellatur tristitia. Haec ira cito transit. Secundo Mania, id est, manens ira. Tertio Cotus, quae est ira observans tempus ad vindictam. Et hoc vult Aristoteles 4. Eth. cap. 5. docens iracundos quosdam esse acutos subitos, quosdam amaros pertinentes, quosdam difficiles, qui observant vindictae occasiones, eadem fere habet Nyss. lib. 4. de viribus animae, cap. 13.*

13 Six daughters are reported of this impious mother: Rixa (Brawling), which is the bold will of avenging proceeding in injury done. Tumor mentis (Swelling of mind), which is the will of avenging fleeing the adversary on account of estimated enmities. Contumelia (Contumely), which is the will of avenging fleeing the adversary on account of estimated enmities. Contumelia (Contumely), which is the vindicating will through the upbraiding of evils. Clamor (Clamour), which is the act of the avenging will, exalting the voice through vituperation, coming to the ears of others. Indignatio (Indignation), which is the will avenging itself through a sign of annoyance outwardly declared. Blasphemia (Blasphemy), which is the will avenging itself through opprobrium inflicted upon God or the Saints. Or, according to Isidore, lib. in Deuter. cap. 16, there are three daughters of anger, namely homicide, clamour, and indignation; for vengeance is inflicted by homicide through the hand, by clamour through the mouth, and by indignation through a sign.

> *Hanc impiam matrem referunt sex filiae, Rixa, quae est audax vindicandi voluntas in iniuriam facti procedens. Tumor mentis, quae est voluntas vindicandi fugiens aduersantem propter aestimatas inimicitias : Contumelia, quae est voluntas vindicandi fugiens aduersantem propter aestimatas inimicitias : Contumelia, quae est voluntas vindicans per exprobrationem malorum. Clamor, qui est voluntatis ultricis actus, exaltando vocem per vituperium ad aliorum aures perveniens. Indignatio, quae est voluntas, se vindicans per signum molestiae exterius declaratum. Blasphemia, quae est voluntas se vindicans per opprobrium, Deo, vel Sanctis illatum. Vel secundum Isidorum lib. in Deuter. cap. 16. sunt tres filiae irae, scilicet homicidium, clamor, et indignatio ; nam vindicta infertur homicidio per manum, clamore per os, et indignatione per signum.*

14 The same are indicated by S. Thomas, art. 2; Tannerus, d. 3, quaest. 3, dub. 7, num. 116.

> *Eadem indicant S. Thom. art. 2. Tannerus d. 3. quaest. 3. dub. 7. num. 116.*

15 Nevertheless anger is not altogether deadly, but only if grave vengeance is intended; the eruption outward into signs, or clamour, can be deadly per accidens, through scandal, or for another reason given above. Whence the Gloss on Psalm 4, from Cassiodorus: *Anger is venial which is not carried through to effect.* So far S. Thomas, art. 3, from the common opinion; D. Bonaventure, in speculo animae, cap. 3, from D. Gregory, lib. 5 moral. cap. 31, and from the Gloss of Cassiodorus in Pharetra, lib. 2, cap. 9.

> *Non tamen omnino ira est mortifera, sed solum, si vindicta gravis intenditur ; eruptio vero ad extra signis, vel clamore, potest esse per accidens mortifera, per scandalum, vel alia ratione supra. Unde Glossa ad Psal. 4. e Cassiodoro,* Venialis est ira, quae non perducitur ad effectum. *Hactenus S. Thom. art. 3. ex communi sententia. D. Bonavent. in speculo animae, cap. 3. ex D. Gregorio lib. 5. moral. cap. 31. et ex Glossa Cassiodori in Pharetra, lib. 2. cap. 9.*

16 I assert, thirdly, that Anger is a capital vice. It is evident from the daughters of Anger related above. Hence Proverbs 19: *He that is apt to be angry shall be more prone to sin,* and cap. 27: *Anger hath no mercy, nor fury when it breaketh forth,* as the Saintly Doctor observes in *Diaeta, tit. 1, cap. 5*.

> *ASSERO tertio, Iram esse vitium capitale. Patet ex filiabus supra relatis Irae. Hinc Prov. 19*. Qui ad indignandum facilis est, erit ad peccandum proclivior*, et cap. 27.* Ira non habet misericordiam, nec erumpens furor*, ut observat S. Doctor in* Diaeta, tit. 1. cap. 5.

17 The daughters of Anger the Saintly Doctor there enumerates: Hatred, Contention, War, Conflagration, Homicide, Rapine, and many others.

> *FILIAS Irae ibi numerat S. Doctor, Odium, Litem, Bellum, Incendium, Homicidium, Rapinam, et alias multas.*

18 Their birth the Saintly Doctor thus reviews in *speculo animae, cap. 3*: *For it is considered as in the heart, and hence indignation and the murmur of the mind; or it breaks forth at the mouth, and behold clamour, blasphemy, contumely, etc. The will goes forth to works, and behold calumnies, injuries, etc.*

> *EARUM nativitatem sic recenset S. Doctor in* speculo animae, cap. 3. Vel enim consideratur ut in corde, et hinc indignatio, et rumor mentis; aut erumpit ad os, et ecce clamor, blasphemia, contumelia, etc. Voluntas ad opera egreditur, et ecce calumniae, damnificationes, etc.

19 Of anger the Saintly Doctor thus speaks in *compend. Theol. verit. lib. 3, cap. 24*: *Anger in its genus is a mortal sin, because, according to Isidore, Anger is the mind agitated to the inflicting of provoked punishment. But such a movement is contrary to charity, which is not provoked, nor thinketh evil. Anger, therefore, either signifies the anger of zeal, which is the detestation of vice — and this is not sin, but of perfection.*

> *DE ira sic loquitur S. Doctor. in* compend. Theol. verit. lib. 3. cap. 24. Ira ex suo genere est peccatum mortale, quia, secundum Isidorum, Ira est animus concitatus ad poenam provocanti inferendam. Talis autem motus contrariatur charitati, quae non irritatur, nec cogitat malum. Ira igitur vel dicit iram Zeli, quae est detestatio vitii, et haec non est peccatum, sed est perfectionis.

20 One can also be angry at oneself in this manner, as the Gloss says upon that Psalm 4 text, *Be angry, and sin not*: *What is a penitent man, but one angry with himself?* Or it signifies a remission of affection toward one's neighbor, whereby a man neither grieves over his neighbor's evil, nor rejoices over his good — although he likewise does not grieve over his good, nor rejoice over his evil, but is indifferent toward him: but this is not mortal, but an imperfection of his charity. Or it signifies actual impatience without the appetite for vengeance; and such a movement, even deliberate, is a venial sin, because it has the incomplete nature of anger, as is evident from the definition cited. Or it signifies impatience with an appetite for vengeance; and this in three ways: sometimes it is from nature, as in melancholics, and thus it is no sin, since it is a natural movement; sometimes from an undeliberate appetite, and it is venial; sometimes from a deliberate will, and it is mortal.

> *POTEST etiam quis sibi per hunc modum irasci, sicut dicit Glossa super illud, Psal. 4.* Irascimini, et nolite peccare. Quid est homo poenitens, nisi irascens sibi? *Vel dicit remissionem affectus circa proximum, per quem homo non dolet de malo proximi, nec gaudet de bono eius, licet etiam non doleat de bono, nec gaudeat de malo eius, sed est indifferens ei: At sic non est mortale, sed imperfectio eius charitatis. Vel dicit actualem impatientiam absque appetitu Vindictae, et talis motus etiam deliberatus est veniale peccatum, quia habet incompletam rationem irae, ut patet ex citata definitione. Vel dicit impatientiam cum appetitu vindictae; et hoc tripliciter; quandoque enim hoc a natura, ut in melancholicis, et sic nullum est peccatum, cum sit motus naturalis. Quandoque est ab appetitu indeliberato, et est veniale. Quandoque a voluntate deliberata, et est mortale.*

21 The various kinds of anger, good and evil, the Saintly Doctor reviews in *lib. 1 de profectu Relig. cap. 14. Of the nature of anger, its similitudes, effects, and harms, and remedies, wonderful things are those which the Saintly Doctor reviews in Diaeta, tit. 1, cap. 5, and de profectu Religiosi, lib. 1, cap. 30 and 31.*

> *VARIA irae genera, bona, et mala recenset S. Doctor* lib. 1. de profectu Relig. cap. 14. De irae natura, similitudinibus, effectibus, et damnis, remediisque, mira sunt, quae recenset S. Doctor in Diaeta, tit. 1. cap. 5. et de profectu Religiosi, lib. 1. cap. 30. et 31.

22 Christ distinguished anger according to three degrees, as it breaks forth in the heart: *Whosoever is angry with his brother*, Matthew 5; secondly, as it breaks forth into signs: *Whosoever shall say, Raca*; thirdly, into effects: *Whosoever shall say, thou fool. This S. Doctor reports in Pharetra, lib. 2, cap. 9, from D. Gregory, 21 Moral. cap. 4, where he says: He who with subtle examination enumerates the steps of human actions, assigns anger without voice to judgment; anger in voice, to counsel; but anger both in voice and in speech, to the fires of gehenna. Here it is held that all these can be mortal, yet always the later ones graver, as D. Augustine also teaches, lib. 1 de Sermone Domini in monte, cap. 19, where he says: If it is not lawful to be angry with his brother without cause, or to say Raca, or to say thou fool; much less is it lawful to hold something in the mind, so that indignation be converted into hatred.*

> *DISTINXIT Christus iram secundum tres gradus, prout erumpit in corde:* Qui irascitur fratri suo*, Matth. 5. Secundo pro ut erumpit in signa:* Qui dixerit, Raca. *Tertio in effectibus:* Qui dixerit, fatue. Haec refert S. Doct. in Pharetra, lib. 2. cap. 9. ex D. Gregor. 21. Moral. cap. 4. ubi ait: Qui humanorum actuum subtili examine gressus enumerat, iram sine voce, iudicio; iram in voce, consilio; iram vero in voce, atque sermone, gehennae ignibus mancipat; Ubi habetur posse haec omnia esse mortalia, semper tamen posteriora esse graviora, ut docet etiam D. Augustinus lib. 1. de Serm. Domini in monte, cap. 19. ubi ait: Si irasci non est fas fratri suo sine causa, aut dicere Raca, aut dicere fatue: multo minus fas est in animo tenere aliquid, ut in odium indignatio convertatur.

23 The same S. Augustine, rule 3, cap. 38: *Better is he who, though often tempted by anger, yet hastens to obtain forgiveness from him to whom he acknowledges he has done an injury, than he who is slower to be angry, and slower to incline to asking pardon.* Many other excellent things see in *Pharetra* with the Saintly Doctor, *loc. cit.*

> *IDEM S. Augustinus regula 3. cap. 38.* Melior est, qui quamvis ira saepe tentetur, tamen impetrare festinat ut sibi dimittat, cui se fecisse agnoscit iniuriam, quam qui tardius irascitur, et ad veniam petendam tardius inclinatur. *Multa alia praeclara vide in* Pharetra *apud S. Doctorem* loc. cit.

24 Examples of anger in Scripture read in the Biblia pauperum, cap. 95, where of the anger of man through zeal, and cap. 96, where of the vice of anger. The Saintly Doctor warns in *Confessionali, cap. 2, particula 4*: the penitent is to be questioned about Anger, concerning those things in which he breaks forth outwardly into Anger by cursing, reviling, blaspheming, etc.

> *EXEMPLA irae in scriptura lege in Bibl. pauperum, cap. 95. ubi de Ira hominis per Zelum, et cap. 96. ubi de irae vitio. Monet autem S. Doctor in* Confessionali, cap. 2. particula 4. Interrogandum poenitentem de Ira, de his, quibus extra erumpit in Iram maledicendo, convitiando, blasphemando, etc.

25 One must also note, with D. Bonaventure, in *Pharetra, loc. cit.*, from D. Bernard, *ep. 69*, that there is also given a vice in the extreme opposite to anger, that is, not to be angry when one ought to be angry; for he says this is to be unwilling to amend sin; just as previously to be angry before one ought to be angry is to add sin to sin. The same has the Author of the Imperfect Work on Matthew, homil.

11, and D. Thomas, *quaest. 158, art. 8*, and Tannerus noted it, *disp. 3, quaest. 3, dub. 7, num. 174*, and others.

> *OPORTET autem advertere cum D. Bonavent. in* Pharetra, loc. cit. *ex D. Bernardo* ep. 69. *dari etiam vitium in aliquo extremo oppositum irae, id est, non irasci, quando irascendum sit; hoc enim ait esse, nolle peccatum emendare; sicut prius irasci, quam irascendum sit, est peccatum peccato addere. Idem habet Author* imperfecti in Matth. homil. 11. *et D. Thom.* quaest. 158. art. 8. *et notavit Tannerus* disp. 3. quaest. 3. dub. 7. num. 174. *et alii.*

Question VI: On cruelty

1 THIS is opposed to Clemency, and is defined by St. Bonaventure from Seneca, book 2. de Clementia, cap. 4. *Atrocitas animi in exigendis poenis,* that is, harshness of mind in exacting punishments. From this, he says, arise those daughters, imprisonments, beatings, floggings, duels, mutilations, and killings: Whence it is clear that it is contrary to that virtue which is in Princes and Prelates, and which consists in mildness of soul. The same is taught by St. Thomas, *art. 1.* To this is nearly reduced that lack of mercy which nevertheless does not inflict evil, but only does not relieve misery; of which Jerem. 6. He is cruel, and will not show mercy.

> *HAEC opponitur Clementiae, et definitur a D. Bonavent. ex Seneca, lib. 2. de Clementia, cap. 4.* Atrocitas animi in exigendis poenis. *Ex hac ait, oriri has filias, incarcerationes, percussiones, verbera, duella, mutilationes, et occisiones: Ex quo patet, eam esse illi virtuti contrariam, quae est in Principibus, et Praelatis, et dicit animi lenitatem. Idem habet D. Thom.* art. 1. *Ad hanc fere immisericordia reducitur, quae tamen non infligit malum, sed solum non sublevat miseriam; de qua Hierem. 6.* Crudelis est, et non miserebitur.

2 CRUELTY differs from ferocity, as the holy Doctor says, because ferocity, or savagery, so called from its likeness to wild beasts, without regard to any fault of him who is punished, delights of itself in the very torture of men, for which reason wild beasts harm men, even that they may feed on their bodies, as Seneca also says *loc. cit.* D. Thom. *art. 2.* Whence it comes about that savagery is contained under bestiality, since such delight is not human but bestial.

> *DIFFERT autem crudelitas a feritate, ut ait S. Doctor, quia feritas, sive saevitia, sic dicta est a ferarum similitudine, non habito respectu ad ullam culpam eius, qui punitur, ipso per se cruciatu hominum delectatur, qua ratione ferae bestiae hominibus nocent, ut eorum etiam corpora depascant, ut ait etiam Seneca* loc. cit. *D. Thom.* art. 2. *Quo fit, ut saevitia contineatur sub bestialitate, siquidem talis delectatio non est humana, sed bestialis.*

3 CRUELTY, indeed, does attend to the fault in him who is punished, but exceeds the measure in punishing; and thus cruelty differs from ferocity, as human wickedness differs from bestiality, according to Aristotle 7. *Eth. cap. 5.* And as cruelty is opposed to clemency, so ferocity is opposed to that virtue of superexcellence, which Aristotle at the beginning of 7. *Eth.* calls Heroic or Divine, so that we may say it is opposed to the gift of Piety, as St. Thomas says, *art. 2.* and Tannet. *dub. 7.* who rather opposes it to humanity. But St. Bonaventure seems to approve both as probable.

> *CRUDELITAS vero attendit quidem culpam in eo, qui punitur, sed excedit modum in puniendo, et ita crudelitas differt a feritate, sicut malitia humana a bestialitate, iuxta Aristotelem 7.* Eth. cap. 5. *et sicut crudelitas opponitur clementiae, sic feritas opponitur superexcellentiae virtuti, quam Aristoteles 7.* Eth. *initio vocat Heroicam, vel Divinam, ut possimus dicere opponi dono Pietatis, ut ait D. Thom.* art. 2. *et Tannet.* dub. 7. *qui magis eam opponit humanitati. Sed D. Bonavent. videtur utrumque approbare probabile.*

4 ANOTHER vice is placed by the holy Doctor in *Pharetra, lib. 3. cap. 24.* at the other extreme of cruelty, which he says is excessive leniency in punishing crimes, concerning which he brings forward illustrious things from the holy Fathers.

> *ALIUD vitium in altero extremo crudelitatis ponitur S. Doctor in* Pharetra, lib. 3. cap. 24. *eam vero ait esse nimiam, in puniendis criminibus remissionem, de qua praeclara refert e Sanctis Patribus.*

5 ST. GREGORY, lib. 32. moral. cap. 17. Very often lax remission is esteemed as though it were meekness and piety, and while offenders are spared temporally more than is fitting, they are cruelly reserved to eternal punishments.

> *D. GREGORIUS lib. 32. moral. cap. 17.* Plerumque dissoluta remissio, quasi mansuetudo, ac pietas reputatur, et dum plus, quam decet, delinquentibus temporaliter parcitur, ad aeterna supplicia crudeliter reservantur.

6 ST. AUGUSTINE, *ep. 50.* The physician seems troublesome and cruel to the raving madman, and the father to the undisciplined son: the one by binding, the other by striking, but both loving. But if they neglect them and allow them to perish, that is rather false meekness, true cruelty. The same is brought forward from St. Bernard, *pref. in Psal. Qui habitat.*

> *D. AUGUSTINUS* ep. 50. Molestus est, et crudelis videtur Medicus furenti frenetico, et pater indisciplinato filio: ille ligando, ille caedendo, sed ambo diligendo. Si autem illos negligant, et perire permittant, ista potius falsa mansuetudo, vera crudelitas est. *Eadem refert e D. Bernardo* pref. in Psal. Qui habitat.

7 THE holy Doctor observes in the places cited that the excess of cruelty in exacting punishments, by imprisoning, etc., is a mortal sin. Excessive leniency, too, by which the guilty are not punished and the way is opened to crimes, is likewise mortal. Of this the holy Doctor often treats in the *opusculo de Ecclesiastica hierarchia*, and elsewhere.

> *OBSERVAT autem S. Doctor locis allatis, peccatum esse mortale excessum crudelitatis in poenis exigendis, incarcerando, etc. Est etiam mortalis nimia remissio, qua non puniuntur rei, et aperitur via sceleribus. De hac saepe agit S. Doctor in* opusculo de Ecclesiastica hierarchia*, et alibi.*

Question VII: On immodesty

1 TO Modesty this vice is opposed, and it consists in transgressing the due measure of those operations which require a mean beyond mediocrity in the senses, in food, dress, games, etc.

> De *IMMODESTIA.*
>
> *MODESTIAE hoc vitium opponitur, et stat in trasgrediendo modo debito earum operationum, quae extra mediocritatem in sensibus, in victu, vestitu, ludis, etc. exigent.*

2 But as modesty shines forth especially in dress and outward ornament, in moderate studiousness, and in games not exceeding the bounds of Eutrapelia, so immodesty stands in the opposites, as St. Thomas teaches, *quaest. cit.*

> *Sicut autem modestia praecipe elucet in vestitu, et ornatu externo, in studiositate moderata, et in ludis; Eutrapeliae metas non excedentibus, ita immodestia in oppositas stat, ut docet D. Thom.* quaest. cit.

3 FIRST, indeed, superfluity of ornament is a sin opposed to modesty in outward appearance by excess, namely when one uses unmeasured cultivation, whether in clothing or in other things, otherwise than is fitting: namely either by referring it to vainglory, or to illicit pleasure, or by giving it more careful attention than is proper; or when he directs his adornment to exciting to sin; or when fraud and falsehood are mixed into that cultivation, as St. Thomas discusses, *art. 1. et 2. quaest. 169.*

> *PRIMO quidem ornatus superfluitas peccatum est oppositum modestiae in exteriori apparatu per excessum, scilicet immoderato cultu, sive quoad vestes, sive quoad alias res utitur aliter, quam oportet, nempe aut illum referendo ad vanam gloriam, aut ad illicitam voluptatem, aut cum ei sollicitius operam dat, quam par est; aut cum ornatum dirigit ad incitandum ad peccatum; aut cum in eo cultu admiscetur fraus, et falsitas, ut disserit S. Thom.* art. 1. et 2. quaest. 169.

4 From these you have when they are mortal sins, namely when they are done with a mortal end, or cause grave sin.

> *Ex his habes, quandonam sint mortalia peccata nempe cum ad finem mortalem fiunt, vel causant peccatum grave.*

Doubt I: On the adornment of women

1 HERE arises a question exceedingly grave and necessary concerning the ornament of women; on which St. Thom. *art. 2.* and St. Bonaven. *in speculo animae, cap. 3. ante medium, §. circa inhonestatem habitus: an sit Lethalis.*

> De MULIERUM ornatu.
>
> *OCCURRIT hic quaestio admodum gravis, et necessaria circa ornatum mulierum; de qua S. Thom.* art. 2. *et D. Bonaven.* in speculo animae, cap. 3. ante medium, §. circa inhonestatem habitus: an sit Lethalis.

2 The holy Doctor observes, first, that four excesses are enumerated in these things. The first is of superfluity, when they have more garments than is fitting, or too wide and flowing ones. The second is curiosity, whether in color or in the manner of workmanship. The third is dishonesty, when the workmanship of the garments displays dishonesty and provokes to evil, as when the neck and bare breast are exposed. And unctions are employed to acquire color, paints, deceptions in changing the hair, or painting the head. The fourth is composition, when a singular manner is employed, tocalia are multiplied, new fashions are devised, etc.

> *OBSERVAT autem S. Doctor primo in his, quatuor excessus enumerari. Primus est superfluitatis cum plures vestes habent, quam par sit, vel nimis latas, et diffluentes. Secundus est curiositas, vel in colore, vel in modo facturae. Tertius inhonestas, cum vestium factura inhonestatem praetendit, et ad malum provocat, ut cum exponitur collum, et pectus nudum. Et adhibentur unctiones ad acquirendum colorem, fuci, deceptiones in mutandis capillis; vel fucando caput. Quartus est compositio, cum singularis modus adhibetur, multiplicantur tocalia, adinveniuntur novi modi, etc.*

3 He observes, second, that these four can have the nature of sin, either by reason of a perverse intention, or of a contrary custom, or of the condition of the person, or of the time, or by reason of the root.

> *OBSERVAT secundo, haec quatuor posse habere rationem peccati, vel ratione pravae intentionis, vel contrariae consuetudinis, vel conditionis personae, vel temporis, vel ratione radicis.*

4 ¶ BY REASON of the end they can be done out of vanity, or out of an intention of provoking to lust; and plainly where there is a mortal intention, the fault will be mortal also.[1] Such is the intention *ut*

appetaris, for, as St. Augustine says, epist. 100, not only to desire, but also to wish to be desired, is criminal.

[1] Editor's note: the 1655 print reads 'ad luxuriam ex sanè ubi est intentio mortalis'; 'ex sanè ubi' is corrupt, probably for 'ex quâ sanè' (whence plainly); rendered from context.

> ¶ *RATIONE finis possunt fieri ex vanitate, vel ex intentione provocandi ad luxuriam ex sane ubi est intentio mortalis, erit etiam culpa mortifera. Talis est intentio,* ut appetaris, nam ut ait D. Augustinus epist. 100. non solum appetere, sed etiam appeti velle, criminosum est.

[5] Secondly, vicious ornament can be sinful by reason of a contrary custom, especially soft ornament, as when a man walks about in womanly attire; and he says that so grave a scandal can be given in this as to be mortal. Whence St. Augustine, lib. 3. confess. c. 8. *Consuetudo, vel lex terrae, nulla civis, vel peregrini libidine violetur.* [Custom, or the law of the land, is by no means to be violated by the lust of citizen or stranger.]

> *POSSUNT secundo esse vitiosi ornatus ratione consuetudinis contrariae, maxime ad mollem ornatum, ut cum vir muliebri habitu incedit, et in hoc scandalum adeo grave dari posse ait, ut esset mortiferum. Unde S. Augustinus lib. 3. confess. c. 8.* Consuetudo, vel lex terrae, nulla civis, vel peregrini libidine violetur.

[6] Thirdly, they can be evil by reason of the condition of the person; as if a cleric or religious use the indecent dress of seculars, a poor man the garments of the rich, a widow the habit of married women; and it can be a grave excess in one's state, arise from an evil root, and verge into scandal.

> *POSSUNT tertio esse mali ratione conditionis personae; ut si clericus, vel religiosus habitu indecenti saecularium utatur, si pauper vestibus divitum, vidua habitu coniugatarum, et potest esse excessus gravis in suo statu, et ex mala radice oriri, et in scandalum vergere.*

[7] Fourthly, they can be evil by reason of the time; as when one uses such things and multiplies them in a time of the poor's necessity, and when famine is so great that the poor suffer gravely, when they ought rather to be helped; and the indigence in the poor can be so great, and the superfluity in the rich on the other side so great, that they can have the nature of mortal sin, in the way said of prodigality. Thus the holy Doctor, to whom D. Thomas also assents, *art. 2.* And Cajetan *there, his doubts multiplied, where they take the gravity of this excess either from the end and grave scandal, or per accidens from the evils that follow.* Concerning these I shall put forward many assertions, and I shall cite Doctors on both sides.

> *POSSUNT quarto esse mali ratione temporis; ut cum quis utitur talibus, et talia multiplicat tempore necessitatis pauperum, et cum tanta est fames, ut pauperes graviter patiantur, cum deberent adiuvari, et potest esse tanta in pauperibus indigentia, et tanta ex opposito in divitibus superfluitas, ut possent habere rationem mortalis, eo modo, quo de prodigalitate dictum est. Haec S. Doctor, cui assentitur etiam D. Thomas* art. 2. *Et Caietanus* ibi multiplicatis dubiis, ubi gravitatem huius excessus, vel ex fine, et e scandalo gravi, vel per accidens e malis, quae sequuntur, accipiunt. *Circa haec ponam assertiones multas, et Doctores allegabo utrinque.*

[8] I ASSERT first. The ornament of women, or of men, if it is ordered to provoking to lust, is mortal. Thus commonly, with the holy Doctors, Cajetan *ad art. 2. D. Thomae, and others to be cited.*

> *ASSERO primo. Ornatus muliebris, aut virorum, si ordinetur ad provocandum ad luxuriam, est mortalis. Ita communiter cum SS. Doctoribus Caietanus* ad art. 2. D. Thomae, et alii allegandi.

[9] It is PROVED from the holy Doctors, because a mortal end gravely depraves the work, and *if the eye is wicked, the whole body of the work will be full of darkness, as Christ says.*

PROBATUR a SS. Doctoribus, quia finis mortalis depravat graviter opus, et si oculus nequam est, totum corpus operis tenebrosum erit, ut ait Christus.

10 I ASSERT second. That moderate ornament, by which a woman knows she will dishonestly provoke some one to lust, is not evil, nor is she simply bound to abstain or stay at home. Thus Cajetan *2. 2. quaest. 154. art. 4. in fine; and quaest. 169. art. 2. ad 2. dubium with St. Thomas, who asserts it is lethal only from the end, Armilla sum. verb. Ornatus, and verb. Scandalum, where also Palacios, Granado 2. 2. Controv. 3. tract. 23. disp. 5. sec. 5. Citing Navarro Summa cap. 14. num. 47. and cap. 23. num. 18. Azorius tract. 1. lib. 11. cap. ult. quaestio. 12.*

ASSERO secundo. Ornatum moderatum, quo inhoneste provocandum sciat mulier aliquem ad libidinem, non esse malum, neque teneri abstinere aut domi contineri simpliciter. Ita Caietanus 2. 2. quaest. 154. art. 4. in fine; et quaest. 169. art. 2. ad 2. dubium cum D. Thoma, qui solum ex fine lethale esse asserit, Armilla sum. verb. Ornatus, et verb. Scandalum, ubi et Palacios, Granado 2. 2. Controv. 3. tract. 23. disp. 5. sec. 5. Referens Navarrom Summa cap. 14. num. 47. et cap. 23. num. 18. Azorium tract. 1. lib. 11. cap. ult. quaestio. 12.

11 Against this is D. Antonius *PP. tit. 7. cap. 4. §. Ad finem.* Sylvester *verb. Scandalum, quaest. 2.* Corduba *Summa, quaest. 5.* Medina *p. 2. quaest. 54. art. 6. ad 2.* Zumellus *ibidem art. 8. dub. 4.* Lopez *P. P. instruc. cap. 10.* Navarre and Azor are also cited by Sanchez *in Decalogum tract. 1. lib. 1. cap. 6. num. 16.*

Est contra D. Antonium PP. tit. 7. cap. 4. §. Ad finem. *Sylvester* verb. Scandalum, quaest. 2. *Cordubam* Summa, quaest. 5. *Medinam* p. 2. quaest. 54. art. 6. ad 2. *Zumellus* ibidem art. 8. dub. 4. *Lopez* P. P. instruc. cap. 10. *Citantur etiam Nauar. et Azor. a Sanchez* in Decalogum tract. 1. lib. 1. cap. 6. num. 16.

12 For indeed Navarre speaks of one too much adorned, who knows she will be coveted by some determinate person; but Azorius speaks of excessive ornament.

ENIM VERO Navarrus loquitur de ornata nimis, sciente se ab aliquo determinato concupiscendam: Azorius vero de excessivo ornatu asserit.

13 I JUDGE, however, that there ought to be some cause for going out, with Diana *part. 5. tract. 7. resol. 51.* Castro Palao. *tomo 1. trac. 6. disp. 6. puncto 7.* Hurtado *2. 2. disp. 173. sec. 31. §. 404. et seq.* The reason is, because one ought to provide for the spiritual danger of the neighbor,[1] while one can without grave loss. And this is the sense of D. Antoninus and the others above, to whom Sanchez subscribes, who says: *It is one thing to deprive oneself of one's liberty: another to offer oneself spontaneously: the latter is evil.* Wherefore Diana concludes that one who knows she is desired, when she could go to another temple, cannot transfer herself to this place where a coveter is; or that one showing herself at the window like the horse of Amasis, or going out to be looked at, sins by giving cause and occasion of ruin.

1 N. Editor's note: the print reads 'debet minae spirituali providere'; kept as printed in the Latin — the translator conjectured 'periculo spirituali' (spiritual danger), since 'providere' with the dative 'minae' is irregular.

ARBITROR autem aliquam causam esse debere prodeundi, cum Diana part. 5. tract. 7. resol. 51. *Castro Palao.* tomo 1. trac. 6. disp. 6. puncto 7. *Hurtado* 2. 2. disp. 173. sec. 31. §. 404. et seq. *Ratio est, quia debet minae spirituali providere, dum potest sine gravi damno. Et hic est sensus D. Antonini, et aliorum supra, quibus subscribit Sanchez, qui ait:* Aliud est se sua libertate privare: Aliud se sponte offerre: Hoc enim malum est. *Itaque concludit Diana, scientem se desiderandam, cum possit aliud Templum adire, non posse ad hoc se transferre, ubi est*

concupiscens; vel sentientem Amasii equum et se exponentem ad fenestram, vel egredientem, ut spectetur, peccare, dando causam ansam ruinae.

14 Moreover, since moderate ornament is of itself lawful, likewise going out according to circumstances, one is not bound scrupulously to deprive oneself of these altogether.

Caeterum, cum ornatus mediocris sit sui iuris; similiter et egressus iuxta agenda, non tenetur se scrupulose omnino his privare.

15 Lessius, however, lib. 4. cap. 4. num. 110. gives this Rule: *That when something is not evil of itself but indifferent, excess in its use (all extrinsic malice set aside) is only venial; and therefore excess in bodily ornament, considering the quality of the person, place, etc., is only venial sin.*

Lessius autem lib. 4. cap. 4. num. 110. Regulam tradit: Quod quando scilicet aliquid non est per se malum, sed indifferens, excessus in usu illius (seclusa omni malitia extrinseca) non esse nisi veniale; et ideo excessum in corporis ornatu, considerata qualitate personae, loci, etc. esse tantum veniale peccatum.

16 And that one so adorns oneself out of vanity does not yet contract the guilt of scandal, Salas denies — prim. 2. tom. 2. tract. 13. disp. 5. num. 132. Zumel prim. 2. quaest. 73. art. 8. dub. 2. conclus. 3. Hurtadus 2. 2. disp. un. 173. sect. 14. §. 299. Because, he says, scandal arises of itself neither from the substance of ornament nor from a vain end. But if a woman is bound by some precept of her husband, or a vow, or another grave circumstance to abstain gravely, then he says it will be mortal.

Et sic se ornet ex vanitate, non adhuc contrahere culpam scandali, negant Salas prim. 2. tom. 2. tract. 13. disp. 5. num. 132. Zumel prim. 2. quaest. 73. art. 8. dub. 2. conclus. 3. Hurtadus 2. 2. disp. un. 173. sect. 14. §. 299. Quia, ait hic, nec e substantia ornatus, nec e fine vano, oritur per se scandalum. Quod si foemina tenetur ex aliquo vel praecepto mariti, vel voto, vel alia circumstantia graviter abstinere, tunc ait fore mortiferum.

17 I think the opposite, however, with Alphonso de Leone de offic. Confess. tom. 1. recollect. 7. num. 369. et 371. Sanchez num. 17. ut supra, because I am bound by charity to guard against the spiritual ruin of my neighbor; and therefore I am bound not only not to cause it by my vanity, but, without grave cause, not to furnish even an unintentional occasion.

Oppositum tamen reor cum Alphonso de Leone de offic. Confess. tom. 1. recollect. 7. num. 369. et 371. Sanchez num. 17. ut supra, quia teneor cavere ex charitate a ruina spirituali proximi; et ideo non modo eam non causare mea vanitate, sed sine causa gravi teneor non praebere occasionem etiam non volitam.

18 I assert third, that the nakedness from lascivious modes of ornament, by which women display the breast, from which men ordinarily seek an occasion of sinning, is not without grave stimulus. Thus the holy Doctor seems to think, even if it is done according to the custom of the country without evil intention.

Assero tertio, nuditatem ex modis ornandi lascivis, qua pectus mulieres exhibent, ex quo viri ordinarie captant occasionem peccandi, non esse absque gravi stimulo. Ita videtur sentire S. Doctor etiam si fiat iuxta morem patriae absque mala intentione.

19 I know the opposite is taught by Layman lib. 2. tract. 3. cap. 13. num. 11. quaestio 13. nor does Diana refuse it, loco citato, where he sends one to see Suarez disp. 10. sect. 3. Granadum Tom. 1. lib. 6. quaest. 16. cap. 5. §. 2. Sanchez, and Lessius on this question.

Scio oppositum docere Layman lib. 2. tract. 3. cap. 13. num. 11. quaestio 13. nec renuere Dianam, loco citato, ubi mittit ad videndum Suarez disp. 10. sect. 3. Granadum Tom. 1. lib. 6. quaest. 16. cap. 5. §. 2. Sanchez, et Lessium de hac quaestione.

20 Diana adds, resol. 32, that it is indeed evil for women to use the dress of men and men that of women, but not mortal. Thus also Sylvius 2. 2. loco citato, ad 3. It was, however, prohibited *Deuter. 22.* as Tannerus notes, num. 122.

Addit Diana resol. 32. malum esse quidem mulieribus uti vestitu virorum, et viris mulierum, non tamen mortale. Ita etiam Sylvius 2. 2. loco citato, ad 3. Prohibebatur autem Deuter. 22. *ut notat Tannerus num. 122.*

21 I assert fourth, with the holy Doctor, that it is not immediately mortal, but it can nevertheless be mortal if it is introduced against the laws of the country, and scandal results from it; for instance, if this manner is commonly introduced at great expense by the luxury of the rich.[1]

1 N. Editor's note: the print reads 'Asseso quarto' — a typesetter's slip for 'Assero quarto', matching the series Assero primo/secondo/tertio/quinto.

Assero quarto cum S. Doctore, non esse illico mortale, posse tamen esse mortiferum, si contra leges patrias inducatur, et inde resultet scandalum, puta si communiter introducatur hic modus magnis sumptibus luxuriantibus.

22 I assert fifth, that it can be evil by reason of the persons, as if Religious use dissolute ornaments, if Clerics use purple shoes and other similar, lascivious things, etc.

Assero quinto, posse esse malos ratione personarum, ut si Religiosi dissolutis ornatibus utantur, si Clerici purpurinis calceis, et aliis similibus, lascivis, etc.

23 I assert sixth, that it can be mortal by reason of the time, if the poor gravely suffer from it; for it is against charity; nay, against justice prescribed by the law of nations, that the rich should retain what they occupy, yet not to the grave prejudice of the necessity of the poor, from whom things had been unjustly seized. Thus perished the purpled Dives at the feast, letting Lazarus hunger, as D. Gregory teaches, *Homil. 40. in eundem*, and the holy Doctor on that place of Luke; and Tannerus observes it, *disp. 3. quaest. 3. dub. 8.* and many others.

Assero sexto, posse esse mortale ratione temporis, si graviter pauperes inde patiantur; est enim contra charitatem; imo contra iustitiam, iure Gentium praescriptam, ut divites retinerent, quae occupant, non tamen in grave praeiudicium necessitatis pauperum, quibus inique fuerant res ereptae. Sic periit dives Epulo purpuratus, sinens Lazarum esurire ut docet D. Gregorius, Homil. 40. in eundem*, et S. Doctor ad eum locum Lucae, et observat Tannerus,* disp. 3. quaest. 3. dub. 8. *et alii multi.*

24 I assert seventh, that paints and other artifices by which women are colored, and their faces smoothed, are not of themselves mortal sin. Thus the holy Doctors, where Cajetan, *loco citato*, and others.

Assero septimo, fucos, et alias fictiones, quibus foeminae colorantur, lambunturque vultus, non esse per se culpam mortalem. Ita SS. DD. ubi Caietanus, loco citato*, et alii.*

25 The reason is had from the holy Doctors, because artifice is not mortal unless it is pernicious, as I said of lying, as Cajetan notes there: it is nevertheless vicious and reproved by the Saints. Whence 1. Petri 3. *Quarum non sit extrinsecus capillatura, aut circumdatio auri, aut indumenti vestimentorum cultus.* [Whose adorning let it not be the outward plaiting of the hair, or the surrounding with gold, or the

clothing of garments.] It pleases me to cite here many holy Fathers from the Seraphic Doctor *lib. 3. Pharetrae, cap. 20.*

> *Ratio habetur e SS. DD. quia fictio non est mortalis, nisi sit perniciosa, sicuti dixi de mendacio, ut notat Caietanus, ibi: est tamen vitiosa, et a SS. vituperata. Unde 1. Petri 3.* Quarum non sit extrinsecus capillatura, aut circumdatio auri, aut indumenti vestimentorum cultus. *Libet aliis hic referre multos SS. Patres e Seraphico Doctore* lib. 3. Pharetrae, cap. 20.

[26] D. Gregory, lib. 20. Moral. cap. 15. says: *The wicked, when under the pretext of covering they seek garments for their limbs, seek not only those which cover, but also those which adorn: and against the torpor of cold, not only those which protect by thickness, but also those which delight by softness; and not only those which caress the ankle by their softness, but also those which seduce the eyes by their color.*

> *D. Gregorius lib. 20. Moral. cap. 15. ait:* Pravi cum tegendo membris vestimenta quaerunt, non solum, quae tegant, sed etiam quae excolant, expetunt: et contra torporem frigoris, non solum, quae per pinguedinem muniant, sed etiam quae per mollitiem delectent, et non solum, quae per mollitiem tallum mulceant, sed etiam quae per colorem oculos seducant.

[27] Chrysostom, de compunctione cordis, has thus: *We consume all the time of our life stripping the mistress and adorning the handmaid with divers ornaments.*

> *Chrysostomus de compunctione cordis sic habet:* Nos omne tempus vitae consumimus expoliantes dominam, et adornantes ancillam diversis ornatibus.

[28] From the same, in Matth. *He who shines forth with unmeasured cultivation of body and dress, or the splendor of other things, is easily convicted by the very things that he is a follower of the pomps of the world.*

> *Ex eodem in Matth.* Qui immoderato cultu corporis, atque vestitus, vel caeterarum rerum nitore praefulget, facile convincitur rebus ipsis, pomparum saeculi esse sectator.

[29] D. Augustine is cited, lib. 4. de Doctr. Christ. cap. 20. where he says: *What judge, O woman, would we seek more lenient of your deformity than yourself, who fear to be seen? If you are deformed, why do you pretend to be beautiful, having neither your conscience nor the favor of another's face: but this is a saying of Ambrose, lib. 1. de Virginitate.*

> *Citatur D. Augustinus lib. 4. de Doctr. Christ. cap. 20. ubi ait:* Quem iudicem, mulier, veniorem requirimus deformitatis tuae, quam teipsam, quae videri times? Si deformis, cur te formosam esse mentiris, nec tua conscientia, nec alieni gratiam oris habitura: est autem Ambrosii dictum lib. 1. de Virginitate.

[30] D. Ambrose there, speaking of the paints of women: *The crimes in adultery are almost more tolerable: for there chastity, here nature, is adulterated.*

> *D. Ambrosius ibidem, loquens de fuco mulierum:* Tolerabiliora propemodum in adulterio crimina sunt: ibi enim pudicitia, hic natura adulteratur.

[31] Likewise before, from D. Cyprian, lib. de disciplina, et habitu Virginum, cap. 7. the voice of the Apostle admonishing is: *expurge the old leaven, etc. In the unleavened bread of sincerity, etc. Does sincerity persevere, and truth, when things sincere are polluted, and true things are changed into falsehood by the adulterine paints of colors? Your Lord said: You cannot make your hair white or black: and do you, to conquer the voice of your Lord, wish to be mightier with a bold attempt and a sacrilegious contempt? You dye your locks; with an evil omen of things to come, you already take the auspices of flaming hair for yourself.*

Itidem ante ex D. Cypriano, lib. de disciplina, et habitu Virginum, cap. 7. monentis Apostoli vox est: expurgate vetus fermentum, etc. In azymis sinceritatis, etc. Num sinceritas perseverat, et veritas, quando, quae sincera sunt, polluuntur, et colorum adulterinis fucis in mendacium vera mutantur? Dominus tuus dixit: Non potes facere capillum tuum album, aut nigrum: et tu ad vincendum Domini tui vocem, vis te esse potiorem audaci conatu, et sacrilego contemptu? Crines tuos, inficis, malo praesagio futurorum, capillos iam tibi flammeos auspicaris.

[32] The same St. Cyprian, cap. 6. *Let chaste virgins flee, and modest ones, the adornments of the defiled, and the habit of immodest women, the ensigns of the brothel, the ornaments of harlots. These things God blames, these he marks. Clothed in silk and purple, they cannot put on Christ: adorned with gold and pearls and necklaces, they have lost the ornaments of the heart and breast.*

Idem S. Cyprianus, cap. 6. Fugiant castae virgines, et pudicae incestuarum cultus, et habitum impudicarum, lupanarium insignia, ornamenta meretricum. Haec Deus culpat, haec denotat. Sericum, et purpuram indutae, Christum induere non possunt: auro et margaritis, et monilibus adornatae, ornamenta cordis, et pectoris perdiderunt.

[33] The same there, cap. 3. *Let virginal integrity offer itself equal in all things, nor let the cultivation of the body defame the good of the heart. For why does a virgin go forth adorned, made up, as though she had, or sought, a husband? Let her rather fear to please, if she is a virgin, nor seek danger for herself, who keeps herself for better and divine things.*

Idem ibidem, cap. 3. Parem se in omnibus integritas virginea praestet, nec bonum cordis, corporis cultus infamet. Quid enim ornata virgo, quid compta procedit, quasi maritum habeat, aut quaerat? Timeat potius placere, si virgo est, nec periculum suis appetat, quae ad meliora, et divina se servat.

[34] Jerome, Epist. 14. *It is a crime, after the sanctification of chrism, for the head to be defiled with the paint of saffron, or of any other pigment, or with powder; or to be adorned with gold, or gems, or any lovely species of earthly creature, when it already shines with the splendor of heavenly ornament.*

Hieronymus Epist. 14. Crimen est, caput post chrismatis sanctificationem, aut croci, aut alterius pigmenti fuco, vel pulvere sordidari; aut auro, vel gemmis, vel cuiuscumque terrenae creaturae specie comi, quod iam coelestis ornatus splendore refulget.

[35] The same, Epist. 10. *What does the rouge and ceruse do on a Christian face, of which the one feigns the redness of cheeks and lips; the other the whiteness of face and neck — the fires of youths, the fomentations of lusts, the signs of an immodest mind. And below: That ornament is not of the Lord; that veil is of Antichrist. With what confidence are countenances raised to heaven which their Creator does not recognize.*

Idem Epist. 10. Quid facit in facie Christiana purpurissus, et cerussa, quorum alterum ruborem genarum, labiorumque mentitur; alterum candorem oris et colli ignis iuvenum, fomenta libidinum, impudicae mentis indicia. Et infra: Ornatus iste non Domini est; velamen istud Antechristi est. Qua fiducia erigit ad caelum vultus, quos Conditor non agnoscit.

[36] D. Ber*D. Bernard, epist. 113. Daughters of Babylon, whose true glory is in confusion, are clothed in purple and fine linen, and presently their conscience lies ragged: they shine with necklaces, and are foul in morals.*

D. Bernardus epist. 113. Filia Babylonis, quarum vere gloria in confusione, induuntur Purpura, et bysso, et subinde conscientia pannosa iacet, fulgent monilibus, et moribus sordent.

[37] *The same in Apologia ad Guilliel. Abb. soft garments indicate a soft soul.*

Idem in Apologia ad Guilliel. Abb. mollia indumenta mollitiem animi indicant.

38 Hence you have it proved that these painted ornaments are culpable.

Hinc habes probatum, ornatus istos fucatos esse culpabiles.

39 For indeed D. Thomas observes that some of these Fathers gravely condemn the ornament of women, either because it was ordered to pleasing others than their husbands, or to alluring to lust and into contempt of God; especially D. Cyprian; and Tannerus also admonishes, num. 221. and others; nevertheless all superfluous ornament is altogether to be reprehended.

Enim vero observat D. Thomas, aliquos ex his Patribus graviter damnare ornatum mulierum; vel quia erat ordinatus ad placendum aliis, quam maritis; vel ad alliciendos ad libidinem, et in Dei contemptum, praecipue D. Cyprianus, et monet etiam Tannerus num. 221. et alii; omnino tamen est reprehendendus omnis ornatus superfluus.

Doubt II: On immodesty in words, gestures, jokes, and games

1 AS modesty in keeping measure consists chiefly in externals, as D. August. teaches, *de vita beata, disp. 3.* cited by D. Bonavent. *lib. 2. Pharetra, cap. 41. so in excess, posture, habit, and in all your movements let nothing be done that offends anyone's aspect*, as D. August. says, *reg. 3. cap. 20.* cited by the holy Doctor.

Sicut modestia in modo servando, quoad externa maxime consistit, ut docet D. August. de vita beata, disp. 3. *apud D. Bonavent.* lib. 2. Pharetra, cap. 41. ita in excessu, statu, habitu, et in omnibus motibus vestris nihil fiat, quod cuiusquam offendat aspectum, *ut ait D. August.* reg. 3. cap. 20. *apud S. Doctorem.*

2 Whence D. Ambrosius *loco citato, de offic. cap. 18.* cited by the holy Doctor there, says: *Nor do I think it becoming to walk in haste, unless the cause of some danger, or just necessity, requires it.*

Unde D. Ambrosius loco citato, de offic. cap. 18. *apud S. Doctorem ibi, ait:* Nec cursim ambulare honestum arbitror, nisi cum causa exigit alicuius periculi, vel iusta necessitas.

3 And D. Isidorus in synon, cap. 9. there. *Professio nem tuam habitu, et incessu demonstra. Sit in gressu tuo simplicitas, in motu puritas, in gestu gravitas, in incessu honestas.* [Show your profession by habit and gait. Let there be simplicity in your step, purity in your movement, gravity in your gesture, honesty in your walking.] The reason is, because as the exterior members pertain to the physical integrity of man, and are moved according to the command of the will; so too to moral perfection it pertains to order rightly the movements of the same, both that they befit the person acting, and that they be suited also to business and places, as Tannerus argues *disp. 3. quaest. 3. dub. 8. num. 211.* from D. Bonavent. *in speculo disciplinae ad novitios, part. 1. cap. 19. et seq.*

Et D. Isidorus in synon, cap. 9. ibi. Professio nem tuam habitu, et incessu demonstra. Sit in gressu tuo simplicitas, in motu puritas, in gestu gravitas, in incessu honestas. *Ratio est, quia sicut membra exteriora ad physicam hominis integritatem pertinent, et iuxta voluntatis imperium moventur; ita etiam ad perfectionem moralem pertinet eorundem motus recte componere, tum ut conveniat personae operanti; tum ut accommodi sint etiam negotiis, et locis, ut arguit Tannerus* disp. 3. quaest. 3. dub. 8. num. 211. *e D. Bonavent.* in speculo disciplinae ad novitios, part. 1. cap. 19. et seq.

4 Concerning words, sin occurs in foolish talking, in jests, and in jocose words.

Circa verba occurrit peccatum in stultiloquio, ludicris, et iocosis verbis.

5 This indeed is that ignorance and flux of words which is dangerous, according to Prov. 10. *In multiloquio non deerit peccatum.* [In much talking sin will not be wanting.] Of this Isidorus in synon. cap. 9. *multiloquium non declinat peccatum, sinuosus enim exundans cito colligit lutum*, and there: *loqui multum, stultitia est, et vox insipientis in multiplicatio ne sermonis.*

> *Haec sane verborum inscitia, et profluentia periculosa est, iuxta id Prov. 10.* In multiloquio non deerit peccatum. *De hoc Isidorus in synon. cap. 9.* multiloquium non declinat peccatum, sinuosus enim exundans cito colligit lutum, *et ibidem:* loqui multum, stultitia est, et vox insipientis in multiplicatio ne sermonis.

6 D. Gregory, homil. 12. in Ezech. *It is exceedingly difficult that he who speaks many things should not also lie.*

> *D. Gregorius homil. 12. in Ezech.* Valde difficile est, ut qui multa loquitur, non etiam mentiatur.

7 The same in Pastorali, part. 3. admonit. 15. and lib. 7. Moral. cap. 17. *Because it has not the wall of silence, the city of the mind lies open to the darts of the enemy; and when by many words it casts itself outside itself, it offers itself wholly open to the adversary, who overcomes it so much the more without labor, as it, though conquered, fights against itself by much talking.* In Proverbs it is said, *as a city open, and without the circuit of walls, so is a man who cannot restrain his spirit in speaking.*

> *Idem in Pastorali, part. 3. admonit. 15. et lib. 7. Moral. cap. 17.* Quia murum silentii non habet, patet inimici iaculis civitas mentis; et cum per multa verba se extra semetipsum eiicit, apertam se totam adversario offendit, quam ille tanto sine labore superat, quanto et haec eadem, quae vincitur contra semetipsum, per multiloquium pugnat. *In Proverbiis dicitur,* sicut Urbs patens; et absque murorum ambitu, ita vir, qui non potest in loquendo cohibere spiritum suum.

8 *The same lib. 10. Moral. cap. 2. It is certain that a wordy man cannot be justified.*

> Idem lib. 10. Moral. cap. 2. Certum est, quod verbosus vir iustificari nequeat.

9 *The same lib. 7. cap. 17. The justice of the mind is desolated when no sparing is had of immoderate speech.*

> Idem lib. 7. cap. 17. Mentis iusticia desolatur, quando ab immoderata locutione non parcitur.

10 These things the holy Doctor has, Pharetrae *lib. 3. cap. 3.*

> *Haec S. Doctor Pharetrae* lib. 3. cap. 3.

11 Of foolish talking the holy Doctor has much there from the holy Fathers, where he also has that golden sentence of D. Gregory, lib. 2. Moral. cap. 7. *Among men the heart is weighed from words, but before God words are weighed from the heart.*

> *De stultiloquio multa habet S. Doctor, ibi e sanctis Patribus, ubi auream illam etiam habet sententiam D. Gregorii, lib. 2. Moral. cap. 7.* Apud homines cor ex verbis, apud Deum vero verba pensantur ex corde.

12 The same D. Gregory, lib. 16. cap. 1. *They who know not how to measure their words, without doubt slip into idle sayings: in which, if they do not at all reprehend themselves, they at once spring forward to harmful and contumelious ones.*

> *Idem D. Gregorius, lib. 16. cap. 1.* Qui verba sua metiri nesciunt, proculdubio ad otiosa dicta dilabuntur: in quibus, si se minime reprehendunt, statim ad noxia, et contumeliosa prosiliunt.

13 The same lib. 3. Dialog. cap. 5. *It comes about from speaking with seculars that we pass from idle things to harmful, from light to graver.* See the holy Doctor loco citato Pharetrae.

Idem lib. 3. Dialog. cap. 5. loquendo cum saecularibus fit, ut ab otiosis ad noxia, a levibus ad graviora veniamus. *Vide S. Doctorem loco citato Pharetrae.*

14 These things are simply venial, as St. Bonavent. notes, *in speculo animae, cap. 3. §. Circa inhonestatem in gestu; and they are reprehended* by Paul to the Ephesians, saying that such things ought neither to be, nor to be named among us.

Haec simpliciter venialia sunt, ut notat. S. Bonavent. in speculo animae, cap. 3. §. Circa inhonestatem in gestu; et reprehenduntur *a Paulo ad Ephesios, dicente talia nec esse, nec nominari debere in nobis.*

15 These, however, are to be weighed from the affection, he says, according to the rule of D. Gregory cited above, or according to the scandal of the person, insofar as they incite to evil, and are said with such intention, they can be mortal, he says; and thus he asserts of songs, choruses, and plays.

Haec autem ex affectu pensanda, ait iuxta regulam D. Gregorii supra allatam, vel secundum scandalum personae, pro ut ad malum incitant, et tali intentione dicuntur, mortalia esse posse, ait, et sic de cantilenis, choraeis, et lusibus asserit.

16 Hence he gravely gathers that actors, dancers, and jesters, who allure to pleasures by dishonest words and deeds, that they may extort money, are not in a state of salvation; and such were also the ancient spectacles, which Chrysostomus *homil. 6. in matth.* and other Fathers condemn, as Tannerus notes, *disp. 3. quaest. 3. dub. 8. num. 216.*

Hinc graviter colligit histriones, saltatrices, ioculatores, qui inhonestis verbis, et factis alliciunt ad delectationes, ut pecuniam extorqueant, non esse in statu salutis, et talia fuere etiam antiqua spectacula, quae Chrysostomus homil. 6. in matth. *et alii Patres damnant, ut notat Tannerus,* disp. 3. quaest. 3. dub. 8. num. 216.

17 Hence the holy Doctor gathers from D. Augustine, *tract. 110. in Ioannem*, that it is sin to give money to these men and to be present at their comedies; yet he does not condemn it as mortal, if they are heard out of curiosity without danger of consent, even if the things are base.

Hinc colligit S. Doctor e D. Augustino, tract. 110. in Ioannem*, peccatum esse pecunias dare istis, eorumque comediis interesse; non tamen id damnat ut mortale, si ob curiositatem audiantur absque periculo consensus, etiamsi res sint turpes.*

18 Bonacina consents, *de Matrim. quaest. 4. puncto 9. num. 22.* Squillante, *de oblig. Cler. part. 2. num. 45.* Sanchez *de Matrim. lib. 9. disp. 47. num. 41.* Alphonsus de Mendoza, *quaest. 9. positio. num. 11. fol. 607.* Rodrig. *Summa, tom. 3. cap. 71.* Salas *prim. 2. tom. 2. tract. 13. disp. 6. sect. 24. num. 165.* Lorca *prim. 2. tom. 2. disp. 28. de peccatis, membro 3.* who puts the condition, provided the pleasure stops in the representation, and does not pass over to the thing represented. Azorius subscribes to these *parte 3. lib. 5. cap. 27. quaestio. 7.*

Consentiunt Bonacina, de Matrim. quaest. 4. puncto 9. num. 22. *Squillante,* de oblig. Cler. part. 2. num. 45. *Sanchez* de Matrim. lib. 9. disp. 47. num. 41. *Alphonsus de Mendoza,* quaest. 9. positio. num. 11. fol. 607. *Rodrig.* Summa, tom. 3. cap. 71. *Salas* prim. 2. tom. 2. tract. 13. disp. 6. sect. 24. num. 165. *Lorca* prim. 2. tom. 2. disp. 28. de peccatis, membro 3. *qui ponit conditionem, dummodo delectatio sistat in repraesentatione, non autem transeat ad rem repraesentatam. Subscribit his Azorius* parte 3. lib. 5. cap. 27. quaestio. 7.

19 They hold, consequently, that it holds good even as to Clerics, who do not sin mortally, scandal ceasing, which now has been taken away like rust; for Clerics are frequently present at Comedies. But that they are prohibited *C. Clerici 2. de vita, et honest. Cler.* Diana says, *parte 2. Tract. 27. resol. 35.* does

not oblige under mortal sin, with Cajetan, verbo *Clericorum peccata*. Nay, they say this has been abrogated by custom — Sanchez, Rodriguez, Salas, Bonacina, and Squilante, above.

> *Eam vero consequenter tenent valere etiam quoad Clericos, qui non peccant mortaliter, cessante scandalo, quod modo rubigine ablatum est; frequenter enim Clerici adsunt Comoediis. Quod vero prohibentur* C. Clerici 2. de vita, et honest. Cler. *ait Diana,* parte 2. Tract. 27. resol. 35. *non obligare sub mortali, cum Caietano, verbo* Clericorum peccata. *Imo hoc consuetudine esse abrogatum aiunt Sanchez, Rodriguez, Salas, Bonacina, et Squilante, supra.*

20 I, however, with Diana assert these things to be dangerous, nor easily to be conceded. Therefore also Comitol. *resp. Moral. lib. 5. quaest. 21.* condemns it with mortal sin; and the matter reduced to practice, I judge it to be always in danger, as appears from the confession of those who are present, who always retire defiled.

> *Ego tamen cum Diana assero haec esse periculosa, nec facile concedenda. Ideo et Comitol.* resp. Moral. lib. 5. quaest. 21. *mortali peccato damnat, et re ad praxim deducta, existimo semper esse in periculo, ut patet confessione eorum, qui adsunt, qui semper coinquinati recedunt.*

21 Concerning immodesty in games, the holy Doctor supposes, *loco citato Speculi animae*, that honest and moderate games are reduced to Eutrapelia with Aristotle, *4. Eth. cap. 8.* The reason is, because relaxation of the mind is necessary to man from labors and occupations, as D. Thom. also teaches, *quaest. 168. art. 2.* For as the fatigue of the body is recreated by its rest, so also the fatigue of the mind by its rest.

> *Circa immodestiam in ludis, supponit S. Doctor,* loco citato Speculi animae*, ludos honestos moderatos ad Eutrapeliam reduci cum Aristotele,* 4. Eth. cap. 8. *Ratio est, quia remissio animi, est homini necessaria a laboribus, et occupationibus, ut docet etiam D. Thom.* quaest. 168. art. 2. *Sicut enim fatigatio corporis, quiete eius recreatur, sic et fatigatio animi eiusdem requie.*

22 He admonishes, however, that excess in these can be, either from intention, and then such also is the work; or it can be evil by reason of scandal, as if a Religious person, or one placed as an example, should lead choruses and dances; Or perhaps if these were exercised on Parasceve. Three things, therefore, are necessary, that this relaxation be not perverse.

> *Monet vero, excessum in his esse posse, vel ex intentione, et tunc tale est etiam opus; vel posse esse malum ratione scandali, ut si persona Religiosa, vel posita in exemplum, choreas, et tripudia ducat; Vel forte si haec in Parasceve exercerentur. Tria igitur necessaria sunt, ut ea relaxatio non sit prava.*

23 FIRST, that nothing base be sought in games or jests.

> *PRIMUM, ne quaeratur in ludis, vel iocis turpibus.*

24 SECOND, that the gravity of the mind be not altogether dissolved, nor be poured out too much in jests, as Ambrose admonishes, *lib. I. de offic. cap. 20.* where he says: *Let us beware, lest while we wish to relax the mind, we dissolve all harmony, as it were a certain concord of good works.* And Cicero *lib. I. de offic. As we do not grant to boys every license of playing, but that which is not alien from honest actions, so in jest itself let some light of a good nature shine forth; not that you be the more dissolved,* as the holy Doctor admonishes. *loco citato Pharetrae ex Patribus.*

> *SECUNDUM, ne omnino gravitas animi resolvatur, neue in iocos nimis effundatur, ut monet Ambrosius,* lib. I. de offic. cap. 20. *ubi ait:* Cavemus, ne dum relaxare animum volumus, solvamus omnem harmoniam, quasi concentum quemdam bonorum operum. *Et Cicero* lib. I. de offic. Sicut pueris, ait, non omnem ludendi

licentiam damus, sed eam, quae ab honestis actionibus non sit aliena, sic in ipso ioco aliquod probi ingenii lumen eluceat; non ut magis dissoluaris, *ut monet S. Doctor.* loco citato Pharetrae ex Patribus.

25 THIRD, that it befit the person, place, and time, as Cicero admonishes, *loco citato.*

TERTIUM, ut congruat personae, loco, et tempori, ut monet Cicero, loco citato.

26 THERE is granted, however, also that vice which I call *Saturnine,* opposed in the other extreme, as the holy Doctor teaches. *locis adductis,* whereby some are willing neither to speak nor to hear anything urbane.

DATUR vero et vitium, quod ego voco Saturninum, *oppositum in extremo, ut docet S. Doctor.* locis adductis, *quo nec loqui, nec audire aliquid urbanum aliqui volunt.*

Question VIII: On pride

1 FIRST therefore I assert that Pride, opposed to Humility, is a special vice.

DE Superbia agit S. Thomas, quaest. 162. *et D. Bonaventura latius passim.*

PRIMO igitur assero, Superbiam Humilitati oppositam, esse vitium speciale.

2 It is proved by D. Thomas, *art. 1.* and D. Bonavent. *in speculo animae, cap. 1. and part one of the Centil. sect. 17. and book 3. of the Compend. Theol. verit. cap. 15.* For it is against reason, which dictates that the will of each be borne toward that which is proportioned to him: but Pride wills to overstep; or wills to seem above, whence it is called Superbia.

Probatur a D. Thoma, art. 1. *et D. Bonavent.* in speculo animae, cap. 1. et parte prima Centil. sect. 17. et lib. 3. Compend. Theol. verit. cap. 15. *Est enim contra rationem, quae dictat, ut voluntas uniuscuiusque feratur in id, quod est sibi proportionatum: Superbia autem vult supergredi; vel super vult videri, unde dicta est Superbia.*

3 I ASSERT secondly that there are four species of pride, from D. Gregory *23. Moral. cap. 7.* So D. Thom. *art. 4.* D. Bonavent. *LL. CC. of the Centil. and of the Compendium Theol. verit.*

ASSERO secundo quatuor esse species superbiae, ex D. Gregorio 23. Moral. cap. 7. *Ita D. Thom.* art. 4. *D. Bonavent.* LL. CC. Centil. et Compendii Theol. verit.

4 THE FIRST is to esteem that one has a good from oneself. The second, to esteem the gifts of God as received from one's own merits. The third is, to boast of having what one does not have. The fourth is, despising the others, to wish to be seen uniquely to have what one has.

PRIMA est aestimare bonum a seipso habere. Secunda, aestimare dona Dei a propriis meritis accepta. Tertia est, iactare se habere, quod non habet. Quarta est, despectis caeteris, velle singulariter videri habere, quod habet.

5 THE REASON is, because the immoderate appetite of excellence and preeminence above others is wont to vary according to the aforesaid modes: And indeed according to the various degrees of humility so many degrees of Pride could be numbered, because contraries are multiplied in just as many modes, as the S. Doctor declares *in the places cited,* and D. Thomas *ad 4.* who also *ad primum* notes that it is without the vice of unbelief that the proud man glories, as if he had goods from himself and from his merits.

RATIO est, quia immoderatus excellentiae, et praeeminentiae supra alios appetitus, secundum praedictos modos variari solet: Etsi etiam secundum varios gradus humilitatis possint tot numerari gradus Superbiae. quia contraria totidem

modis multiplicantur, ut declarat S. Doctor. locis allegatis, *et D. Thomas* ad 4. *qui etiam* ad primum *notat, absque vitio infidelitatis superbum gloriari, ac si a seipso, et meritis, bona haberet.*

6 I ASSERT thirdly: Pride from its genus is mortal sin, and among the vices opposed to the moral virtues the gravest. So S. Thom. *quaest. 162. art. 5.* D. Bonavent. *in Pharetra, lib. I. cap. 6. and LL. cc.*

ASSERO tertio: Superbia ex suo genere est peccatum mortale, et inter opposita virtutibus moralibus gravissimum. Ita S. Thom. quaest. 162. art. 5. *D. Bonavent.* in Pharetra, lib. I. cap. 6. et LL. cc.

7 IT IS PROVED by the S. Doctor *in the place cited,* with the argument of D. Augustine *de Virginitate, cap. 31. and 19. de Civit. cap. 12.* which D. Thomas uses, because just as humility regards the subjection of man to God: so on the contrary Pride properly regards the defect of this subjection, so much so that it pertains properly to Pride to refuse to be subject to God, and to exalt oneself above that which is fixed for the man himself according to the divine rule or measure, against what the Apostle says, *I. Corinth. 10. But we will not glory beyond measure, but according to the measure of the rule which God hath measured to us.* Therefore *Eccles. 10.* it is said: *The beginning of the pride of man is to fall away from God.*

PROBATUR a S. Doctore loco citato, *argumento D. Augustini* de Virginitate, cap. 31. et 19. de Civit. cap. 12. *quo utitur D. Thomas, quia sicut humilitas respicit subiectionem hominis ad Deum: ita a contrario Superbia proprie respicit defectum huius subiectionis, adeo ut ad Superbiam proprie pertineat nolle subiici Deo, seque extollere supra id, quod ipsi homini praefixum est secundum divinam regulam, vel mensuram, contra id, quod Apostolus ait,* I. Corinth. 10. Nos autem non in immensum gloriabimur, sed secundum mensuram, quae mensus est nobis Deus. *Ideo* Eccles. 10. *dicitur:* Initium superbiae esse apostatare a Deo.

8 From this excellence, however, by which he refuses to be subject to God, it arises that it exceeds the other sins opposed to the moral virtues, which turn away from God either through ignorance, or through cupidity and frailty. For Pride prevails in malice above them. The same argument he has *in speculo animae, cap. 3.*

Ex hac autem excellentia, qua Deo subiici renuit, oritur, ut excedat alia peccata, virtutibus opposita moralibus, quae vel ignorantia, vel cupiditate, et fragilitate a Deo avertunt. Superbia enim malitia maiori pollet. Idem argumentum habet in speculo animae, cap. 3.

9 I ASSERT fourthly, that Pride is a capital vice.

ASSERO quarto, Superbiam esse vitium capitale.

10 IT IS PROVED by D. Bonavent. *in Diaeta, tit. I. cap. 3.* for from it arise Presumption, Ambition, Disobedience, Boasting, Shame at good, the Mockery of the good, or of the simple, Vainglory, and Hypocrisy.

PROBATUR a D. Bonavent. in Diaeta, tit. I. cap. 3. *ex ea enim oriuntur Praesumptio, Ambitio, Inobedientia, Iactantia, Erubescentia boni, Irrisio bonorum, vel simplicium, Vana gloria, et Hypocrisis.*

11 OR, as the S. Doctor says *in speculo animae, cap. 1.* there arise Presumption, Contempt, and Vain glory.

SEU, ut ait S. Doctor. in speculo animae, cap. 1. *oritur Praesumptio, Contemptus, et Inanis gloria.*

12 PRESUMPTION consists chiefly in this, that man presumes that he has grace and other goods, either from himself, or from his merits, or falsely, or more than others; which are the four modes, or species of Pride, related above from D. Gregory.

PRAESUMPTIO in hoc consistit praecipue, quod homo praesumat, gratiam se habere, et alia bona, vel ex se, vel pro meritis suis, vel falso, vel plus aliis, qui sunt quatuor modi, seu species Superbiae, relatae ex D. Gregorio supra.

13 HENCE arises the tempting of God, by which one wills to ask without necessity, and to make trial of the Divine power. Hence arises the presumption of peril [discrimen], when someone exposes himself to danger, trusting in the divine power alone, despising human aid, or spurning the fitting means without necessity of faith, or of the Church; and this has the character of mortal sin; whence it is said *Deuter. 6. Thou shalt not tempt the Lord thy God.* Where he brings in the Gloss saying: *He tempts God, who having what he might do, without reason commits himself to danger.* Thus S. Bonaventura.

HINC oritur tentatio Dei, qua vult aliquis petere absque necessitate, et experimentum Divinae potentiae facere. Hinc oritur discrimen, quando quis se exponit periculo, in sola divina virtute confidens, contempto humano adiutorio, seu spretis mediis convenientibus absque necessitate fidei, vel Ecclesiae; et haec habet rationem mortalis; unde dicitur Deuter. 6. Non tentabis Dominum Deum tuum. *Ubi affert Glossam dicentem:* Deum tentat, qui habens quod faciat, sine ratione se committit periculo. *Haec S. Bonaventura.*

14 THESE things must be explained somewhat. Temptation and the presumption of peril, related above, are opposed to that religious subjection by which we are bound to God. For we pretend to take trial of some perfection of God, doubting of it at least indirectly, by asking such things as seem ordered to nothing else, as when I despise the means ordered by God, wishing to obtain the effect from the power of God, as that God provide food from heaven for a whole multitude, and other similar things.

OPORTET haec aliquantulum explicari. Tentatio, et Discrimen, supra relata, sunt opposita illi subiectioni religiosae, qua Deo tenemur. Praetendimus enim experimentum capere de aliqua Dei perfectione, dubitantes saltem indirecte de illa, petendo talia, quae ad nil aliud videntur ordinata, ut cum media a Deo ordinata sperno, volens a Dei potentia effectum consequi, ut quod Deus provideat victum e caelo uni multitudini, et alia similia.

15 ANOTHER mode of the presumption of peril is, when I expose myself to danger, pretending that God deliver me by a miracle, as if falling from a high tower I wished to be sustained by God; for Christ also *Matth. 4.* answered the Devil persuading this: *It is written: Thou shalt not tempt the Lord thy God.*

ALTER modus discriminis est, quando me expono periculo, praetendens, ut Deus me miraculo liberet, sicuti si ex alta turri ruens, vellem a Deo sustentari; nam et Christus Matth. 4. *respondit Diabolo, hoc suadenti:* Scriptum est: Non tentabis Dominum Deum tuum.

16 FORMAL temptation indeed, which includes doubt about some perfection of God, is mortal: for it includes a great injury inflicted on God, and grave contempt; whence it does not become venial from the smallness of the matter, but only from the surreption of the act, as Sanchez notes, *in Decal. Tom. I. lib. II. cap. 4. num. 5.* Valentia *II. II. disput. 6. quaest. 14. puncto 2.*

TENTATIO quidem formalis, quae includit dubitationem de aliqua perfectione Dei, est mortalis: magnam enim Deo illatam iniuriam, gravemque contemptum includit; unde neque ex materiae parvitate fit venialis, sed solum ex actus subreptione, ut notat Sanchez, in Decal. Tom. I. lib. II. cap. 4. num. 5. *Valentia* II. II. disput. 6. quaest. 14. puncto 2.

17 BUT if the temptation of God is without express doubt, *Toletus, lib. 4. sum. cap. 19.* says it can be venial, when it arises from mere curiosity of seeing a supernatural work: And Valentia above, Sayrus

lib. 4. cap. 7. num. 14. say it is commonly venial, unless the matter be too grave, as when one tempting God exposes himself to the greatest danger. But Sanchez says it is mortal, unless simplicity and ignorance, not altogether coarse, excuse.

> *SI vero tentatio Dei est sine expressa dubitatione,* Toletus, lib. 4. sum. cap. 19. *ait, posse esse veniale, quando ex mera curiositate videndi opus supernaturale oritur: Atque Valentia supra, Sayrus* lib. 4. cap. 7. num. 14. *aiunt communiter esse veniale, nisi materia sit nimis gravis, ut quia tentans Deum, se maximo exponit periculo. At Sanchez ait, esse mortale, nisi simplicitas, et ignorantia non omnino crassa excuset.*

18 So also *Suarez Tom. 1. de Relig. tract. 3. lib. 1. cap. 2. num. 16.* The reason is, because he wills the Divine omnipotence to serve his curiosity by supernal works. Nevertheless Sanchez adds, and almost Suarez with *Lessio, lib. 2. de Iustitia, cap. 45. dub. 1.* that the danger and the work must be so slight that the fault be venial, as in a light illness refusing to use medicines. I judge also that the tempting of the Divine will by some sign asked is a tempting of God, as the S. Doctor teaches *here*, and *D. Thomas, quaest. 97. art. 1. Suarez Tomo 1. de Relig. tract. 3. lib. 1. cap. 2. Sanchez, num. 8.* Nor is it required that it always arise from doubt about some perfection of God.

> *Sic etiam* Suarez Tom. 1. de Relig. tract. 3. lib. 1. cap. 2. num. 16. *Ratio est, quia vult Divinam omnipotentiam suae curiositati supernis operibus deservire. Addit tamen Sanchez, et fere Suarez cum* Lessio, lib. 2. de Iustitia, cap. 45. dub. 1. *periculum, et opus esse adeo exiguum, ut sit culpa venialis, ut in levi morbo nolle medicinis uti. Existimo etiam tentationem Divinae voluntatis per aliquod signum petitum, esse tentationem Dei, ut docet S. Doctor* hic, *et* D. Thomas, quaest. 97. art. 1. Suarez Tomo 1. de Relig. tract. 3. lib. 1. cap. 2. Sanchez, num. 8. *Neque requiritur, ut semper oriatur ex dubio de aliqua Dei perfectione.*

19 TO the temptation of God pertains the willing of a sign from God for the truth of faith, for instance, that Christ appear in the Most Holy Sacrament.

> *AD tentationem Dei pertinet, velle a Deo signum pro veritate fidei, puta, ut Christus in Sanctissimo appareat.*

20 TO the presumption of peril pertains the purgation by glowing iron, which is forbidden by Canon law, *cap. Mennam, and can. Monomachiam, and cap. Consulnisti 2. quaest. 5. and cap. Ex tuarum on canonical purgation.* See *D. Thomam 2. 2. quaest. 95. art. 8. ad 3. and p. p. quaest. 80. art. 6. ad 3.* Valentiam *2. 2. disput. 6. quaest. 14. puncto 1. corolar. 4.* Sayrum, *lib. 4. cap. 7. Sanchez, num. 71.*

> *AD discrimen pertinet purgatio per ferrum candens, quae iure Canonico est vetita,* cap. Mennam, et can. Monomachiam, et cap. Consulnisti 2. quaest. 5. et cap. Ex tuarum de purgatione canonica. *Vide* D. Thomam 2. 2. quaest. 95. art. 8. ad 3. et p. p. quaest. 80. art. 6. ad 3. *Valentiam* 2. 2. disput. 6. quaest. 14. puncto 1. corolar. 4. *Sayrum,* lib. 4. cap. 7. Sanchez, num. 71.

21 TO the temptation of God also belongs, in grave illness to refuse medicines, and to will to obtain health from God suddenly, and it is mortal. So *Navar. Summa, cap. 11. Sanchez, num. 14. Suarez in the place cited, cap. 2.*

> *AD tentationem Dei spectat etiam in gravi morbo respuere medicinas, et velle a Deo sanitatem repente obtinere, et est mortale. Ita* Navar. Summa, cap. 11. Sanchez, num. 14. Suarez loco citato, cap. 2.

22 IT is also a temptation of God rashly to expose oneself to martyrdom without cause. So *Navar. cap. 11. Sanchez num. 15. and others.* But already in the Treatise on Hope, and on Religion, these things have been treated.

EST etiam tentatio Dei, se martyrio temere absque causa exponere. Ita Navar. cap. 11. Sanchez num. 15. et alii. *Sed iam in Tractatu de Spe, et Religione, de his actum est.*

23 FROM Presumption also arise excessive confidence in oneself, inept audacity, etc. And the like.

E Praesumptione oriuntur etiam nimia in se confidentia, audacia inepta, etc. Et similia.

24 CONTEMPT is the proper effect of pride, refusing to be subject to God and superiors; from which result Disobedience, Despising, Irreverence, Killing, Mockery, Irony, etc. See the S. Doctor.

CONTEMPTUS est proprius superbiae effectus, renuens Deo, et superioribus subiacere; e quo resultant Inobedientia, Despectus, Irreverentia, Occisio, Subsannatio, Ironia, etc. Vide S. Doctorem.

25 VAIN glory is that by which someone vainly strives to show forth his own excellence, and it is mortal, when it covets the glory due to God. From this arise Ambition for honor, the appetites of human favor, fear of confusion, and love of praise.

INANIS gloria est, qua quis appetit vane suam excellentiam ostendere, estque mortalis, cum appetit gloriam Deo debitam. Ex hoc oriuntur Ambitio honoris, favoris humani appetitus, confusionis timor, et laudis amor.

26 From ambition for honor arises Pomp, from which three fruits blossom: Ostentation in a superfluous retinue and apparatus, and an ostentatious bearing and speech, which are often venial, and sometimes deadly.

Ex ambitione honoris oritur Pompa, e qua tres fructus pullulant: Fastus in superfluo comitatu, et apparatu, et fastoso gestu, et affatu, quae venialia saepe sunt, et aliquando mortifera.

27 From the appetite for human favor arises Flattery, which is mortal, if one praise an evil grievously [laudes malum grave], giving occasion that they remain in sin, glory, and are puffed up beyond their merits. But if you praise with the sole intention of pleasing, it will be venial sin according to *D. Augustinum, serm. 41. de Sanctis.* From that appetite for favor also arises prodigality, which is mortal, when those goods which ought to be expended on the poor are dissipated uselessly, or distributed to dishonest persons. And in this he reprehends Ecclesiastics, whose goods beyond the sustentation of their person and state ought to be bestowed on the poor.

Ex appetitu humani favoris oritur Adulatio, quae est mortalis, si laudes malum grave, ansam praebens, ut in peccato maneant, glorientur, et ultra merita efferantur. Si autem sola intentione placendi laudaveris, erit veniale peccatum iuxta D. Augustinum, serm. 41. de Sanctis. *Ex eo appetitu favoris oritur etiam prodigalitas, quae est mortalis, dum ea bona, quae in pauperes essent expendenda, dissipantur inutiliter, vel personis inhonestis distribuuntur. Et in hoc Ecclesiasticos reprehendit, quorum bona ultra sustentationem personae, et status, debent pauperibus erogari.*

28 From fear of confusion arises evil bashfulness, and false humility. Evil bashfulness begets shame at divine things, shame at poverty, shame in Confession. There arises also the denial of truth, false impugning, excuse, and the defense of sin.

Ex timore confusionis oritur mala verecundia, et falsa humilitas. Verecundia mala parit erubescentiam divinorum, verecundiam paupertatis, verecundiam in Confessione. Oritur etiam veritatis negatio, impugnatio falsa, excusatio, et peccati defensio.

29 From the appetite for human praise arise Hypocrisy, Ostentation, Singularity, and Boasting.

Ex appetitu humanae laudis oriuntur Hypocrisis, Ostentatio, Singularitas, et Iactantia.

30 HYPOCRISIS according to Isidore, *de summo bono, cap. 14. sentent. 2.* is the simulation of a good not existing; but it is a lie. Therefore just as a lie is not mortal, unless it be pernicious to one's neighbor, or against the truth of Faith and morals: so Hypocrisy is mortal, when it is with the intention of deceiving under the appearance of goodness: as he who feigns sanctity, that he may obtain ecclesiastical goods of which he is unworthy.

> *HYPOCRISIS secundum Isidorum,* de summo bono, cap. 14. sentent. 2. *est simulatio boni non existentis; est autem mendacium. Itaque sicut mendacium non est mortale, nisi sit perniciosum proximo, vel contra veritatem Fidei, et morum: Ita Hypocrisis est mortalis, quando sit intentione decipiendi sub specie bonitatis: Sicuti qui sanctitatem fingit, ut bona Ecclesiastica, quibus est indignus, obtineat.*

31 OSTENTATION is, when one strives to show outwardly the good which he has, or simulates that he has, that he may thence catch praises, nor is it mortal from its genus.

> *OSTENTATIO est, quando bonum, quod habet, vel habere se simulat, exterius ostendere enititur, ut laudes inde captet, nec est mortale ex suo genere.*

32 SINGULARITY is, when one wishes to appear singular, and it has various evil fruits, according as it is found in various matters. From this also arises Envy.

> *SINGULARITAS est, cum qui singulariter vult apparere, et fructus habet diversos malos, pro ut in diversis materiis invenitur. Oritur hinc etiam Invidia.*

33 BOASTING is that by which one glories in words about a good, either which he has, or which he does not have. See the S. Doctor declaring at length that almost all sins are begotten from Pride.

> *IACTANTIA est, qua gloriatur verbis de bono, vel quod habet, vel quod non habet. Vide S. Doctorem prolixe declarantem, omnia fere peccata e Superbia gigni.*

34 HENCE also *D. Thomas, quaest. 162. art. 2. from D. Augustino, lib. de natura, et gratia, cap. 29.* says, that Pride is indeed a special sin, but that it can nevertheless be called general by causality, inasmuch as other sins arise from it. First per se, inasmuch as others are ordered to the end of Pride, which is one's own excellence, to which whatever is inordinately desired can be ordered. Secondly indirectly, and per accidens, namely by removing a hindrance, inasmuch as man in Pride contemns the Divine Law, by which he is prohibited from sinning, according to that *Hieremiae 2. Thou hast broken my yoke in pieces, and thou hast said: I will not serve: Yet many things are done against the law of God not from contempt, but from ignorance, or frailty. Whence D. August. says in the place cited, Many things are done wrongly which are not done proudly.*

> *HINC etiam* D. Thomas, quaest. 162. art. 2. ex D. Augustino, lib. de natura, et gratia, cap. 29. *ait, Superbiam speciale quidem esse peccatum, sed tamen causalitate dici posse generale, quatenus ex ea oriuntur alia peccata. Primo per se, quatenus alia ordinantur ad finem Superbiae, qui est propria excellentia, ad quam potest ordinari, quicquid inordinate appetitur. Secundo indirecte, et per accidens, scilicet removendo prohibens, quatenus homo Superbia contemnit Divinam Legem, qua a peccando prohibetur, iuxta id* Hieremiae 2. A saeculo confregisti iugum, et dixisti: Non serviam: Multa tamen non ex contemptu, sed ex ignorantia, vel fragilitate contra Dei legem fiunt. Unde ait D. August. loco citato, Multa perperam fiunt, quae non fiunt superbe.

35 EX HIS you have that Pride is a vice, not only capital, but the head, and beginning of almost every sin: Whence *S. Gregorius 31. Moral. cap. 31.* names it not a capital vice, but the Queen of vices.

Ex his habes, Superbiam esse vitium, non modo capitale, sed caput, et initium omnis fere peccati: Unde S. Gregorius 31. Moral. cap. 31. *non capitale vitium nominat, sed Reginam vitiorum.*

36 IT is however difficult to avoid, as *S. Doctor, LL. CC. especially, lib. 3. Compendii Theol. cap. 15. and D. Thom. art. 16. ad 1.* warns; for pride insinuates itself even into goods. This he pursues at length and most beautifully in *S. Doctor, in Diaeta, tit. 1. cap. 3.* which I beseech you to read, treating the various and apt similitudes of Pride.

DIFFICILE autem vitatur, ut monet S. Doctor, LL. CC. praecipue, lib. 3. Compendii Theol. cap. 15. et D. Thom. art. 16. ad 1. *nam superbia etiam in bona se insinuat. Haec late, et praeclare prosequitur* S. Doctor, in Diaeta, tit. 1. cap. 3. *quem obsecro lege, prosequentem varias, et concinnas Superbiae similitudines.*

37 I ASSERT lastly, that this is the beginning of every sin. *Eccl. 11. Pride is the beginning of all sin.*

ASSERO ultimo, hanc esse initium omnis peccati. Eccl. 11. Initium omnis peccati Superbia.

38 THE REASON is, because the aversion from God, which formally completes the nature of sin, pertains to Pride per se; but to the other sins consequently. It is called therefore the beginning of all sin, both because the first sin of Lucifer and of Man issued from Pride; and because every sin is aptly born to be begotten from Pride, even if not all necessarily arise from it, as *Tannerus, disp. cit.* says.

RATIO est, quia aversio a Deo, quae formaliter complet rationem peccati, pertinet ad Superbiam per se; ad alia autem peccata consequenter. Dicitur ergo initium omnis peccati, tum quia primum peccatum Luciferi, et Hominis e Superbia prodiit; tum quia omne peccatum est aptum natum gigni a Superbia, etsi non omne necessario oriatur, ut ait Tannerus, disp. cit.

39 To these the S. Doctor adds, *Compend. Theol. lib. 3. cap. 15.* that every sin, since it is an aversion from God, is a certain contempt of God. That therefore which *D. Prosper* lib. de vita Contempl. cap. 2. says: *No sin can, or could be, or will be able to be without Pride,* is understood materially, inasmuch as in every sin there is a certain appetite for something above that which befits man subject to the divine laws, namely for the very transgression itself, under the notion of a certain excellence and loftiness; which is the proper object of Pride, which is a special vice, as Valentia notes *disput. 9. quaest. 3. puncto 1.* with Bonaventura, *in the place cited.*

His addit S. Doctor, Compend. Theol. lib. 3. cap. 15. *quod omne peccatum, cum sit aversio a Deo, est quidam Dei contemptus. Quod ergo* D. Prosper *lib. de vita Contempl. cap. 2. ait :* Nullum peccatum sine Superbia potest, vel potuit esse, aut poterit. *intelligitur materialiter, quatenus in omni peccato est quidam appetitus in aliquid supra id, quod decet hominem divinis legibus subiectum, scilicet in ipsam transgressionem, sub ratione cuiusdam excellentiae, et celsitudinis; quae est obiectum proprium Superbiae, quae est vitium speciale, ut notat Valentia* disput. 9. quaest. 3. puncto 1. *cum Bonaventura,* loco citato.

40 HE notes truly, with the S. Doctor, at the beginning of cap. 1. that all Pride can be venial on account of the imperfection of an act not fully deliberate, as happens also with other vices.

NOTAT vero cum S. Doctore initio cap. 1. Superbiam omnem posse esse venialem propter imperfectionem actus, non plene deliberati, sicuti evenit etiam aliis.

41 THE SIGNS of Pride, from D. Prospero, *lib. 3. de vita Contempl. cap. 8.* the S. Doctor relates in the *Speculo ad Novitios, parte 2. cap. 5.*

SIGNA Superbiae, e D. Prospero, lib. 3. de vita Contempl. cap. 8. *refert S. Doctor. in* Speculo ad Novitios, parte 2. cap. 5.

42 THE REMEDIES against Pride the S. Doctor brings forward at the end of the *Speculum animae*, namely, simple Obedience, subjection, the showing of humility toward all, exercise in humble works; to walk with humble bearing, in humble habit, to flee honors, always to choose to minister rather than to be ministered to, to avoid boasting about those things which ultimately conduce to the excellencies of one's family, or of other things; finally to avoid all signs pretending vanity.

REMEDIA contra Superbiam affert S. Doctor in fine Speculi animae*, scilicet, Obedientiam simplicem, subiectionem, exhibitionem humilitatis erga omnes, exercitium in operibus humilibus; humili gestu, humili habitu incedere, honores fugere, semper eligere ministrare magis, quam ministrari, iactantiam devitare circa ea, quae ad familiae, vel aliarum rerum excellentias ultimate conducunt; Omnia denique signa devitare, vanitatem praetendentia.*

43 THE TWELVE fruits of Pride the S. Doctor relates *p. p. Centilog. sect. 17.* from D. Bernardo *Tract. de gradib. Humilit.* and they are: Curiosity, lightness of mind, Inept joy, Boasting, Singularity, Arrogance, Presumption, Defense of sins, Simulated Confession, Rebellion, Liberty of sinning, Custom. By these steps the proud man ascends.

DUODECIM fructus Superbiae refert S. Doctor. p. p. Centilog. sect. 17. *e D. Bernardo* Tract. de gradib. Humilit. *et sunt: Curiositas, levitas mentis, Inepta laetitia, Iactantia, Singularitas, Arrogantia, Praesumptio, Defensio peccatorum, Simulata Confessio, Rebellio, Libertas peccandi, Consuetudo. His passibus superbus ascendit.*

44 CURIOSITY is, when the Proud man inquires into rumors, namely what is said of him. Lightness of mind is, when someone is lightly changed from delight at words of praise into sadness at words of blame. Inept joy is, when he rejoices at the defects of others. Boasting is, when he narrates those things which he has, that he may be praised. Singularity, when beyond custom he does some things singularly, that he alone may both appear and be praised. Arrogance is, when he boasts of having what he does not have. Presumption is, when he thrusts himself into doing what does not pertain to him. Defense of sin is, when one openly defends and excuses his error and sin. Simulated confession is, when he secretly excuses his sin. Rebellion, when he dissents, namely from superiors, equals, and inferiors: he opposes superiors, oppresses inferiors, molests and disturbs equals. Then the liberty of sinning succeeds, because neither fearing God nor reverencing men, he sins freely, accustomed to evils, falling into the depth of sins.

CURIOSITAS est, quando Superbus inquirit rumores, scilicet quid de ipso dicatur. Levitas mentis est, quando aliquis leviter mutatur de delectatione ex verbis laudis, in tristitiam ob verba vituperii. Inepta laetitia est, quando laetatur ex defectibus aliorum. Iactantia est, quando narrat ea, quae habet, ut laudetur. Singularitas, quando praeter consuetudinem aliqua singulariter operatur, ut solus et appareat, et laudetur. Arrogantia est, quando iactat se habere, quod non habet. Praesumptio est, quando ingerit se ad faciendum, quod ad eum non pertinet. Defensio peccati est, quando errorem, et peccatum suum defendit, et excusat quis manifeste. Simulata confessio est, quando peccatum suum excusat occulte. Rebellio, quando dissidet, scilicet a superioribus, paribus, et inferioribus: Superioribus obviat, inferiores opprimit, pares molestat, atque perturbat. Tunc libertas peccandi succedit, quia nec Deum timens, nec homines reverens, peccat libere, consuetus ad mala, in profundum decidens peccatorum.

45 HE GATHERS *cap. 18.* the difference between Pride and vainglory.

COLLIGIT cap. 18. *differentiam inter Superbiam, et inanem gloriam.*

46 For Pride is the appetite of one's own excellence, from D. Bernardo, *epist. 42.* Or it is the love of one's own excellence, from D. Augustino, *lib. 11. de Genes. ad litt. cap. 14.* Or it is the appetite of perverse loftiness, from the same, *lib. 14. de civit. cap. 13.*

> *Superbia enim est propriae excellentiae appetitus, ex D. Bernardo,* epist. 42. *Vel est amor propriae excellentiae, ex D. Augustino,* lib. 11. de Genes. ad litt. cap. 14. *Vel est perversae celsitudinis appetitus ex eodem,* lib. 14. de civit. cap. 13.

47 BUT Vain glory is the appetite of the manifestation of one's own excellence, as S. Bonavent. says there, and D. Thomas, *quaest. 162. art. 8.* and Taner. *num. 201.* From both however many daughters arise. See the S. Doctor, *in the place cited,* where he says they are distinguished by reason, unless you should say that vainglory is a daughter of Pride, because from the excessive affection for one's own excellence arises the appetite of manifesting oneself.

> *INANIS vero gloria est appetitus manifestationis propriae excellentiae, ut ait S. Bonavent. ibi, et D. Thomas,* quaest. 162. art. 8. *ac Taner.* num. 201. *ex utraque vero oriuntur filiae multae. Vide S. Doctorem,* loco citato, *ubi ait eas ratione distingui, nisi dixeris, inanem gloriam esse filiam Superbiae, quia ex nimio affectu ad propriam excellentiam oritur appetitus se manifestandi.*

48 Against those he acts, S. Doctor, *parte 3. Stimuli Divini amoris, cap. 10.*

> *Contra eos agit S. Doctor,* parte 3. Stimuli Divini amoris, cap. 10.

49 ¶ MANY most illustrious things he heaps together from the Fathers, *lib. 2. Pharetrae, cap 6.*

> ¶ *PLURIMA e Patribus congerit praeclara,* lib. 2. Pharetrae, cap 6.

50 LIKEWISE he gathers much from the Scriptures in the *Bibliis pauperum, cap. 98.* He treats of Boasting in *cap. 99.*

> *PARITER multa e Scripturis conglomerat in* Bibliis pauperum, cap. 98. *De Iactantia agit* cap. 99.

51 HE EXPLAINS truly *in 2. dist. 42. dub. 4.* how those two propositions are true, namely: *Pride is the beginning of all sin, Eccles. in the place cited:* and that one: *The desire of money is the root of all evils, as it is said ad Timoth. ultimo.*

> *Explicat vero* in 2. dist. 42. dub. 4. *quomodo verae sint duae illae propositiones, scilicet:* Initium omnis peccati superbia, Eccles. loco citato: *et illa:* Radix omnium malorum est cupiditas, ut dicitur ad Timoth. ultimo.

52 *HE ANSWERS*, that it is different to say *Beginning, and Root;* for Beginning signifies that from which the motion begins: but Root signifies that from which the nourishment is drawn.

> RESPONDET, *diversum esse dicere,* Initium, et Radicem; *nam Initium dicit id, unde incipit motus: Radix vero dicit id, unde trahitur fomentum.*

53 THEREFORE since sin signifies a falling away from God, from which it begins through contempt, at least implicit, of God, and the refusal to be subject to him; hence it is that the Beginning is from Pride, because there follows the conversion to a changeable good, toward which the appetible power tends, taking nourishment from the appetite of that coveted good. Hence Cupidity is called the root of all evils. And because in every sin there is an aversion from God: and a covetous conversion to the creature; hence Pride is called the Beginning, and Cupidity, the Root of every sin.

CUM igitur peccatum dicat recessum a Deo, unde incipit per contemptum, saltem implicitum Dei, et nolle ei subiici; hinc est, ut Initium sit a Superbia, quia sequitur conversio ad bonum commutabile, ad quod appetibilis potentia tendit, nutrimentum capiens ex illius boni concupiti appetitu. Hinc Cupiditas dicitur radix omnium malorum. Et quia in omni peccato est aversio a Deo: et conversio cupida ad creaturam; hinc dicitur Superbia; Initium, et Cupiditas, Radix omnis peccati.

54 BUT a capital vice differs from a Root; for that is a complete vice, from which the others take their sense and motion, as the members from the head: but Root signifies something less complete; therefore it does not name a determined sin, but the pronity of concupiscence, which concurs to every sin.

DIFFERT autem capitale vitium a Radice; nam illud est vitium completum, a quo caetera sensum, et motum accipiunt, sicuti ex capite membra: Radix vero dicit aliquid minus completum; ideo non nominat peccatum determinatum, sed pronitatem libidinis, quae concurrit ad omne peccatum.

55 BUT they note that both the root, and the beginning of sins, is taken in three modes.

NOTANT vero, tam, radicem, quam initium peccatorum tribus modis sumi.

56 Root is taken first most generally; as when it is said, concupiscence, or cupidity, is the root of all evils: Generally, when it is said: there is a double root of sin, Love kindling badly; and Fear humbling badly; for love is taken with respect to a good; and Fear with respect to an evil. Thirdly it is taken less generally, as when it is said: the root is triple, the concupiscence of the flesh, the concupiscence of the eyes, and the pride of life, by comparison to a triple good; Inferior, Exterior, and Interior.

Radix sumitur primo generalissime; ut cum dicitur, libido, sive cupiditas est radix omnium malorum: Generaliter, cum dicitur: duplex est radix peccati, Amor male accendens; et Timor male humilians; amor enim accipitur respectu boni; et Timor respectu mali. Tertio sumitur minus generaliter, ut cum dicitur: triplex est radix, Concupiscentia carnis, Concupiscentia oculorum, et Superbia vitae, per comparationem ad triplex bonum; Inferius, Exterius, et Interius.

57 SIMILARLY the beginning of sin is said in three modes. First, as it signifies the falling away of the free will from the law of God, and thus it is called Pride, as contempt. Secondly, as it falls away from the law of truth, and it is called Error. Thirdly, as it falls away from the law of goodness, and thus it is Folly, which is contrary to Wisdom. Hence D. Chrysostomus on Psal. 27. *From before my foolishness*, says: *The beginning of every sin is folly.*

SIMILITER initium peccati dicitur tribus modis. Primo ut dicit recessum arbitrii a lege Dei, et sic dicitur Superbia, sicut contemptus. Secundo, ut recedit a lege veritatis, et dicitur Error. Tertio, ut recedit a lege bonitatis, et sic est Insipientia, quae est contraria Sapientiae. Hinc D. Chrysostomus ad id Psal. 27. A facie insipientiae meae, *ait:* Omnis peccati initium insipientia.

58 THAT all the other capital vices arise from Pride the S. Doctor concludes *in Psal. 81.*

A Superbia omnia alia vitia capitalia oriri concludit S. Doctor. in Psal. 81.

59 BUT there is also a beginning in the other extreme opposed to Pride, as the SS. DD. Seraphicus, and Angelicus intimate above *art. 1. ad 8.* and it is called the application of the mind to viler things than humility requires, Just as the pusillanimous falls short of the virtue of Magnanimity, as Tannerus noted *num. 195.* and it is called Pusillanimity, contrary also to humility. It is rarely however mortal,

unless it inflict grave loss on oneself, or on one's neighbor, as Valentia notes, *disput. 9. quaest. 3. puncto 1. ad finem.*

> *EST vero et initium in altero extremo oppositum Superbiae, ut innuunt supra SS. DD. Seraphicus, et Angelicus* art. 1. ad 8. *et dicitur applicatio animi ad viliora, quam humilitas exigat, Sicut pusillanimis recedit a virtute Magnanimitatis, ut notavit Tannerus* num. 195. *et dicitur Pusillanimitas, contraria etiam humilitati. Raro tamen est mortalis, nisi grave damnum inferat sibi, vel proximo, ut notat Valentia,* disput. 9. quaest. 3. puncto 1. ad finem.

Last Question: On the other vices opposed to the potential parts of temperance

1 AMONG these vices curiosity first presents itself, which can be taken broadly or strictly; taken broadly it stands for an immoderate eagerness for trying novelties in any way whatever; thus the Holy Doctor takes it in his exposition on the Psalter, *Psalm 13*, where he sets out four things by which a Christian man is most corrupted; and he puts Curiosity first among them, saying: there are four things that corrupt, Curiosity, loquacity, cruelty, and pleasure.

> *INTER haec vitia primo occurrit curiositas, quae potest sumi late, vel stricte; late sumitur pro immoderato studio novitates experiendi, quocumque modo; sic eam sumit S. Doctor exposit. in Psalt.* Psalm. 13. *ubi quatuor enarrat, quibus homo Christianus maxime corrumpitur; et horum primum ponit Curiositatem; dicens: quatuor sunt, quae corrumpunt, Curiositas, loquacitas, crudelitas, ac voluptas.*

2 And since the experience of novelties is perceived chiefly by sight, therefore the Holy Doctor *in the place cited* ascribes Curiosity to the eyes; for these, while the mind within is distracted through negligence, run about and wander abroad among various objects; whence a multitude of thoughts, creeping into the mind in a throng, empties piety, and by degrees drives the soul on to graver sins.

> *Cum autem, novitatum experientia visu praecipue percipiatur; ideo S. Doctor* loco cit. *Curiositatem oculis adscribit; hi enim, dum mens intus ob incuriam distrahitur, foris per diversa obiecta discurrunt, et divagantur; unde in mentem cogitationum multitudo certatim irrepens, pietatem evacuat, et ad graviora peccata pedetentim animam impellit.*

3 The Holy Doctor also elegantly sets forth another, more physical reason, in the place cited above: why the eyes are seduced by curiosity more than the other senses? For since the four elements flourish especially in four parts of man, fire shines forth most of all in the eyes, and therefore by nature, being remote from the center, it strives to burst forth in every direction and to course about, and scarcely allows the visual rays to be fixed long on one object; hence the young are more curious than the old, since in the latter that fire lies almost extinct and languishes, while in the former, being more lively, it distracts: The other parts, in which the remaining elements flourish, are the hands, in which, because of the predominance of earth, there is touch; the tongue, in which the air forms the voice; and the genitals, in which the watery humor serves generation: And these parts (the Holy Doctor subjoins) the aforesaid four vices, like a fourfold pestilence, destroy — the eyes namely curiosity, the tongue loquacity, the hands cruelty, and the genitals pleasure. I relate this because those vices oppose that temperance in a special manner, of which more fully elsewhere.

> *Aliam etiam rationem magis physicam eleganter profert S. Doctor, ubi supra; cur praeter caeteros sensus oculi magis curiositate seducantur? nam cum in quatuor speciatim hominis partibus vigeant quatuor elementa; ignis maxime elucet in oculis, ideoque natura mobilitate, a centro remotus, quaquaversum erumpere, et cursitare conatur, ac radios visuales diu in unum obiectum vix intendere patitur; hinc curiosiores sunt iuvenes, quam senes, quippe in his ille ignis emortuus fere languet; in istis vero vivacior distrahit: Aliae partes, in quibus caetera vigent elementa, sunt manus, in quibus ob praedominium terrae, est tactus; lingua, in qua aër vocem format; et genitalia, in quibus aqueus humor generationi*

deservit: Has autem partes (subdit S. Doctor) dicta quatuor vitia, tanquam quadripartita pestis, disperdunt, oculos scilicet curiositas: linguam loquacitas: manus crudelitas: et genitalia voluptas: Haec refero, cum temperantiae illa vitia, de quibus latius alibi, speciali modo adversentur.

4 STRICTLY speaking, however, curiosity taken thus is opposed to studiousness by excess, and consists in the desire and immoderate eagerness to know and to be wise, not unto sobriety, but to satisfy the lust of the mind.

STRICTIUS vero sumpta curiositas opponitur per excessum studiositati, et consistit in desiderio, et studio immoderato sciendi, et sapiendi, non ad sobrietatem; sed ad mentis libidinem explendam.

5 Hence this curiosity is very well defined by the Holy Doctor in his exposition on Ecclesiastes on the words *I saw all things that are done.* It is the lustful prostitution of the human understanding, embracing any truth whatsoever everywhere and committing adultery with it: The reason for this definition is given in the same place by the Seraphic Doctor, because the first Truth is the bride, whose faith the human understanding in a certain way breaks, while it curiously explores other truths and places its satiety, or happiness, in them; And since curiosity advances thus far, it is without doubt deadly, when it turns the soul wholly away from the first Truth.

Hinc optime definitur haec curiositas a S. Doctore exposit. in ecclesiast. in ea verba: vidi cuncta, quae fiunt. *Est Intellectus humani libidinosa prostitutio, passim quamlibet veritatem amplexantis, et cum ea adulterantis: Rationem huius definitionis profert ibidem Seraphicus Doctor, quia prima veritas est sponsa, cui fidem quodammodo frangit humanus intellectus, dum alias veritates curiosius explorat; et in eis saturitatem suam, seu foelicitatem collocat; Cum autem hucusque progreditur curiositas, proculdubio lethifera est, cum a prima veritate animam totaliter avertat.*

6 That this immoderate desire of knowing can occur in four ways is taught by St. Thomas, *q. 167,* and St. Bonaventure *in the mirror of the soul, chap. 1.*

Hoc autem immoderatum sciendi desiderium quatuor modis posse contingere docent D. Thomas, q. 167. *et D. Bonaventura* in speculo animae, cap. 1.

7 FIRST on the part of the end, if he ordains knowledge to an evil end, or does not refer it to God as he ought, as St. Augustine says *book on true religion, chap. 29, and book on the morals of the Church, chap. 21,* in Valencia's collection.

PRIMO ex parte finis, si cognitionem ordinet ad finem malum, aut eam non referat in Deum, ut deberet, sicuti ait D. Augustinus lib. de vera relig. cap. 29. et lib. de moribus Ecclesiae, cap. 21. *apud Valentiam.*

8 SECOND on the part of the learner, if by means of it he is hindered from satisfying his duty. On this ground St. Jerome *in the epistle to Damasus, on the prodigal son,* rebukes Priests, who, setting aside the Gospels and the Prophets, read comedies and love poems, and sing the words of bucolic verses.

SECVNDO ex parte discentis, si per eam impediatur, ne muneri suo satisfaciat. Qua ratione D. Hieronymus epistola ad Damasum, de filio prodigo, *reprehendit Sacerdotes, qui dimissis Evangeliis, et Prophetis, legunt Comoedias, et amatoria, ac Bucolicorum versuum verba cantant.*

9 THIRD on the part of the one from whom knowledge is sought, as if it be sought from a demon, as I said concerning Superstition and Adjuration, *Treatise on Religion.*

TERTIO ex parte eius, a quo cognitio quaeritur, ut si quaeratur a Daemone, ut dixi de Superstitione, et de Adiuratione, Tract. de Religione.

10 FOURTH on the part of the thing whose knowledge is sought, if it be above nature. Therefore *Ecclesiasticus 3: Seek not the things that are too high for thee.*

> *QVARTO ex parte rei, cuius cognitio quaeritur, si sit supra naturam. Ideo* Eccl. 3. Altiora te ne quaesieris.

11 THE EXCESS of games is opposed to Eutrapelia, as I said when treating of Games and Jests. See St. Thomas *question 178, article 3.*

> *LUDI superexcessus opponitur Eutrapeliae, ut dixi, cum de Ludis, et Iocis. Vide D. Thomam* quaest. 178. art. 3.

12 And indeed it will be mortal, if the manner of playing is disgraceful and obscene, or pernicious to one's neighbor through mingled frauds: Or if anyone so gives himself to play that he neglects the commandments of God or of the Church, and indeed places in it his ultimate end, as St. Bonaventure teaches *in the mirror of the soul, chap. 2, §. The fifth fruit of rapine is the game of dice.* Hence some say of this that it is a mortal sin, because it is against Canonical and Civil law. And what is gained from play is possessed by no good title, nor can it be retained, but ought to be distributed to the poor. For since he who gains in play gains unjustly, and he who loses loses justly, therefore he who gains is not bound to restore to him from whom he gains, unless perhaps he led him into playing. And since play seems to have sufficiently from its root the character of mortal sin, because it seems to proceed from avarice, and because many sins are communicated in play — namely fraud, lying, perjury, blasphemy, scandal, loss of time, and anger — therefore this seems to be the reason for the prohibition of play. When one plays for the sake of recreation, the sins said above being excluded, it does not seem to have the character of mortal sin. Thus the Seraphic Doctor.

> *Et sane erit mortale, si ludendi modus erit flagitiosus, et obscaenus, vel perniciosus proximo ob mixtas fraudes: Vel si quis ita intendat ludo, ut omittat praecepta Dei, vel Ecclesiae; atque adeo in illo ponat ultimum finem, ut docet D. Bonavent.* in speculo animae, cap. 2. §. Quintus fructus rapina est ludus alearum, seu taxillorum. *Unde de hoc dicunt quidam, quod sit peccatum mortale, eo quod sit contra Ius Canonicum, et Civile. Et quod ex ludo habetur, nullo bono titulo possidetur, nec potest retineri, sed debet pauperibus erogari. Quia enim, qui in ludo lucratur, iniuste lucratur; et qui amittit, iuste amittit; ideo qui lucratur, eidem, a quo lucratur, restituere non tenetur, nisi forte induxerit eum ad ludendum. Cum autem ludus satis videatur ex radice rationem habere mortalis peccati, quia scilicet ex avaritia videtur procedere, et quia ludo multa communicantur peccata; scilicet fraus, mendacium, periurium, blasphemia, scandalum, amissio temporis, et ira; ideo haec causa videtur prohibitionis ludi. Cum ludit aliquis causa recreationis, peccatis supra dictis exclusis, non videtur habere rationem mortalis. Haec Seraphicus Doctor.*

13 And *chap. 3, §. On dishonesty in gesture,* he strikes the same note.

> *Et* cap. 3. §. Circa inhonestatem in gestu, *eadem accinit.*

14 From these gather, first, that the game of dice is not forbidden by the natural law. So Molina *Volume 2, on Justice, question 510.* Stephanus Costa, *Treatise on Play, article 4, number 5.* Diana *part one, treatise 15, resolution 65,* against Scacchius *treatise on commerce, §. 1, question 1, number 104.*

> *Ex his collige primo, ludum alearum, et taxillorum iure naturae non esse vetitum. Ita Molina* Tomo 2. de Iustitia, quaest. 510. *Stephanus Costa,* Tract. de Ludo, art. 4. num. 5. *Diana* parte prima, tract. 15. resol. 65. contra *Scacchium* tract. de commerciis, §. 1. quaest. 1. num. 104.

15 GATHER, second, that the civil and canonical laws prohibiting these games do not of themselves bind under mortal sin, as the Holy Doctor says, but only by reason of the sins that follow; and that the civil laws have been abrogated by custom, as taught by Homobonus *on the examination of churches,*

part 2, treatise 9, chap. 24, question 25. Regius *in the resolution of cases, case 23.* Salas *treatise on play, disputation 3.* Lessius *book 2, chap. 26, doubt 1.* Filliucius *volume 2, treatise 38, chap. 4, number 58.* Diana *in the place cited,* who with others infer that, by force of the said laws, other circumstances set aside, there is not even sin.

> *COLLIGE secundo, leges civiles, et Canonicas, prohibentes ludos istos, non cogere per se ad mortale, ut ait S. Doctor; sed solum ratione peccatorum sequentium, civiles vero abrogatas esse consuetudine, docent Homobonus* de exam. Eccl. part. 2. tract. 9. cap. 24. quaest. 25. *Regius* in resol. casuum, casu 23. *Salas* tract. de ludo, disp. 3. *Lessius* lib. 2. cap. 26. dub. 1. *Filliucius* tom. 2. tract. 38. cap. 4. num. 58. *Diana* loco citato*, qui duo inferunt, ex vi dictarum legum, seclusis aliis circumstantiis, nequidem esse peccatum.*

16 THERE is, moreover, the question whether the keepers of houses for these games sin gravely.

> *EST autem quaestio, an exponentes domus his ludis, peccent graviter.*

17 THE NEGATIVE opinion is upheld by Vincentius Iustinianus, a Dominican, cited by Lopez, to be quoted below; for by the authority of St. Thomas 1. 2. *question 169, article 2, ad 4,* and by the examples adduced after Sanchez by Bonacina, *Treatise on laws, disputation 2, question 4, point 2,* it is lawful to minister and sell indifferent things, even with knowledge of their wicked abuse: And such are these games.

> *NEGATIVAM sententiam sustinent Vincentius Iustinianus Dominicanus apud Lopez, infra citandum; nam ex authoritate D. Thomae 1. 2.* quaest. 169. art. 2. ad 4. *et exemplis adductis post Sanchez a Bonacina,* Tract. de legibus, disp. 2. quaest. 4. puncto 2. *licitum est ministrare, et vendere res indifferentes, etiam cum cognitione pravi abusus: Tales autem sunt hi ludi.*

18 THAT it is nevertheless unlawful St. Bonaventure teaches *in the place cited of the mirror, chap. 2,* for there those grave sins are perpetrated which the Holy Doctor enumerates, as tearful experience teaches.

> *ILLICITUM tamen esse docet D. Bonavent.* loco cit. speculi, cap. 2. *ibi enim ea peccata gravia patrantur, quae S. Doctor enumerat, sicuti lacrymabili experientia docet.*

19 He has been followed by *Suarez, treatise on Charity, disputation 10, section 4. Sanchez, Volume 1, book 1, chap. 7, number 39. Sylvester, under the word Ludus, question 15. Navarrus, Manual, chap. 19. Comitolus, book 3, question 7. Zanardus, in the Directory, part 2, precept 3, chap. 28. John de la Cruz, in the Directory, part 1, precept 7, article 5, doubt 13. Valencia, volume 2, disputation 5, question 6, point 5, §. 2. Molina, Volume 2, on Justice, disputation 516, and many others among these, with whom Diana subscribes above, referring to others.*

> *Eum secuti sunt* Suarez tract. de Charit. disp. 10. sect. 4. Sanchez Tomo 1. lib. 1. cap. 7. num. 39. Sylvester verb. Ludus, quaest. 15. Navar. Manual. cap. 19. Comitol. lib. 3. quaest. 7. Zanardus in Director. part. 2. praecepto 3. cap. 28. Ioan. de la Cruz in Direct. part. 1. praecept. 7. art. 5. dub. 13. Valentia tomo 2. disp. 5. quaest. 6. puncto 5. §. 2. Molina Tom. 2. de Iustitia, disp. 516. et alii multi apud istos, quibus subscribit Diana supra, alios referens.

20 It is *proved* by the argument of St. Bonaventure: Those things from which grave sins follow are gravely forbidden: such are these gatherings of houses, or conventicles: Therefore. The minor is proved from St. Bernard *sermon 33,* where he enumerates twelve sins. What is Barattry but a betting-house, in which by blasphemies the limbs are cut down of him who redeemed us with his own blood, and of his sweetest Mother, and of all the Saints, as Bellochius says *in practice, part 2, question 4, from*

number 492 to 504, who says it is the seed-bed of all vices, of which St. Antoninus enumerates twenty-one *part 2, title 1, chap. 23, §. 6.* Wherefore he beseeches Princes, in the bowels of Christ, to root out this most foul pestilence.

> Probatur *argumento D. Bonavent. Ea, ex quibus sequuntur peccata gravia, sunt vetita graviter: tales sunt istae domorum congregationes, seu conventicula: Ergo. Minor probatur ex D. Bernardo* serm. 33. *ubi duodecim peccata recenset. Quid est Barattaria, nisi becaria, in qua per blasphemias, illius caeduntur membra, qui proprio sanguine nos redemit, ac dulcissimae Matris eius, et omnium Sanctorum, ut ait Bellochius* in praxi, part. 2. quaest. 4. a num. 492. ad 504. *qui ait esse seminarium omnium vitiorum, e quibus viginti unum recenset D. Antoninus* part. 2. tit. 1. cap. 23. §. 6. *Quare in visceribus Christi obsecrat Principes, ut teterrimam hanc pestem eradicent.*

21 Bellochus *number 466 infers*, and Diana *in the place cited* and others, that the patrons of these conventicles, should the principal players default, step in and are bound in restitution.

> Infert *vero Belloch.* num. 466. Diana loco cit. *et alii, hos conventiculorum Patronos deficientibus principalibus lusoribus in restitutione subintrare, et teneri.*

22 Diana *infers*, second, that Princes cannot grant a license for exposing a house for play.

> Infert *secundo Diana, non posse Principes concedere licentiam exponendi domum ludo.*

23 From what has been said the adverse argument is answered: it is not lawful to minister things to wicked uses when the wicked use is exercised in the very exhibition itself; and thus dice, dice-games, and candles are exercised while men are actually blaspheming, as Diana notes with Lorca *2. 2, question 10, article 9.* Nor does Diana rightly concede in his first answer that these things are indifferent, since on the very fact they are wicked and morally ordered to this.

> *Ex dictis respondetur argumento adverso, non licere ministrare res ad pravos usus, quando in ipsa exhibitione pravus usus exercetur; sic autem exercentur taxilli, aleae, et candelae actu blasphemantibus, ut notat Diana cum Lorca* 2. 2. quaest. 10. art. 9. *Neque recte Diana concedit in primo responso haec esse indifferentia, cum ipso facto sint prava, et moraliter ad hoc ordinata.*

24 THE DEFECT opposed to Eutrapelia at the other extreme remains, and is called Rusticity, as Aristotle teaches *Nicomachean Ethics 2, chap. 7, and book 4, chap. 8,* and St. Thomas *question 168, article 4,* and St. Bonaventure *in the places adduced,* and it occurs when a man is so boorish as to make himself burdensome to all, hindering honest recreations, either by not cooperating in them or by biting, carping, and embittering them out of a certain unurbanity which I call Saturnine, which very many hunt after, especially spiritual Cydonians, and by which they vex others.

> Remanet *defectus in altero extremo oppositus Euttrapeliae, et dicitur Rusticitas, ut docet Aristoteles* 2. Ethice, cap. 7. et lib. 4. cap. 8. et D. Thom. quaest. 168. art. 4. et D. Bonavent. locis allatis, *et accidit, cum homo est adeo agrestis, ut se omnibus molestum praebeat, impediens honestas recreationes, aut eis non cooperando, aut eas mordendo, carpendo, amaricando ex quadam, quam voco Saturninam inurbanitatem, quam plurimi, maxime spirituales cydonici, venantur, aliosque vexant.*