CHRISTIAN THEOLOGY

Dogmatic and Moral

in Compendium

by Fr. Daniele Concina, of the Order of Preachers

BOOK II

Apparatus to Christian Dogmatic-Moral Theology: Conscience and Probabilism

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Book II — Apparatus to Christian Dogmatic-Moral Theology

Dissertation I — On Conscience

Chapter I — On Conscience, and its division

I. Question I. *What is conscience?* Answer. It is the dictate of our reason, concluding from the general principles of synderesis what, here and now, all circumstances considered, is to be embraced as good, and to be shunned as evil. It is called a dictate, or judgment, of the practical intellect, not of the speculative: because it does not halt in contemplation, but directs to the execution of the work. It differs from synderesis in this, that synderesis consists in those first dictates implanted, as it were, by nature, by which we judge: good is to be done, evil to be shunned; what thou wouldst not have done to thyself, do not to another; and other like principles of this kind. Wherefore conscience is not a habit, nor a power, but an act — not of the will, as Durandus contends, but of the practical intellect, as has been said.

II. Question II. *Of how many kinds is conscience?* Answer. One is antecedent, which directs the operation; the other consequent, which rejoices over a good work, and is distressed over an evil one. Again, one commands, another counsels: the former prescribes the operation by way of precept, the latter by way of counsel. Furthermore, on the part of the object it is divided into true — that is, right and good — and into false — that is, evil and not right. On the part of the assent it is distributed into certain, probable, doubting, scrupulous, and erroneous.

III. Question III. *Does he sin who does not follow a right conscience?* Answer. Conscience is called right by relation to a right rule. The rule of operation is twofold: one remote, which is the eternal law; the other proximate, which is the reason of the practical intellect. St. Thomas, I-II, q. 19, art. 5 — to whom the theologians commonly subscribe — teaches that he sins who resists a conscience proposing something as commanded under precept. This is perspicuously established from holy Scripture: *All that is not of faith* (that is, of conscience) *is sin*: Romans 14. If conscience proposes anything as prohibited under mortal sin, he sins mortally who resists it; the sin will be venial, if what conscience proposes as venial is venial. It is disputed whether he sins mortally who resists a conscience proposing something as sin without determining the gravity of the sin. Dismissing petty distinctions, I say that he sins gravely who acts against such a conscience. The reason is evident. He who with deliberate mind exposes himself to a manifest danger of sinning mortally, sins mortally, as Scripture itself testifies: *He that loveth danger shall perish in it*. To this danger he exposes himself who acts against the aforesaid conscience; since in that malice proposed absolutely there is contained equally a grave malice and a light one. Therefore, unless the gravity or lightness of the malice be first ascertained with due diligence, there is a grave danger of offending mortally.

IV. Question IV. *Is a man bound to follow his own conscience, whether right or erring?* Answer. All affirm it. For the same reason which proves the duty of following a right conscience proves also that no one can act against an erring conscience. For an erring conscience, just as much as a right conscience, proposes what is to be done as commanded by the divine Law. Both prescribe that the divine Law must be obeyed. On this matter read St. Thomas, I-II, q. 19, art. 5, ad 2. In an erroneous conscience a twofold judgment must be distinguished: one by which it is judged that something is prohibited by

God which is not prohibited; the other by which it is judged that the divine Law must be obeyed. The first is false; the second is true.

V. Question V. *Does he sin who does not act according to a vincibly erroneous conscience?* Answer. Conscience can be erroneous in two ways. 1. Invincibly, when the error, all diligence having been applied, cannot be overcome; and in this case the conscience is without fault. 2. Vincibly, when the error, diligence being applied, can be overcome. Both these consciences oblige, with this difference: that the vincible conscience can and ought to be laid aside, whereas the invincible cannot be laid aside. Now these two things — namely, the duty of laying aside a vincibly erroneous conscience, and the obligation of following it — are by no means repugnant to one another, because they flow from diverse principles. The first arises from the principle of applying the diligence necessary for finding the truth and expelling the error; the second — namely, the duty of following the erroneous conscience — arises from the dictate of that very conscience, whereby the obligation of obeying the divine Law is proposed. Read St. Thomas, question 17 On Truth, article 4.

VI. Question VI. *How should he conduct himself who, from an erroneous conscience, judges both extremes of a contradiction to be sin?* Answer. If the erroneous conscience be vincible, it must be laid aside. Unless you lay it aside, you sin, whether you follow it or contradict it, as St. Thomas teaches, question 17 On Truth, article 4, ad 8: *Just as in syllogistic matters, one absurdity being granted, others necessarily follow; so in moral matters, one absurdity being posited, others follow of necessity. Thus, supposing that a man seeks vainglory, whether for the sake of vainglory he does what he is bound to do, or omits it, he will always sin; and yet he is not perplexed, because he can dismiss his evil intention. And similarly, supposing an error of reason or of conscience which proceeds from an ignorance that does not excuse, it is necessary that evil in the will should follow; and yet the man is not perplexed, because he can withdraw from the error, since the ignorance is vincible and voluntary.*

VII. What if the erroneous conscience be invincible, and judge both parts of a contradiction to be sin? This hypothesis I count scarcely probable. But granting it, no sin is committed, because there is no sin without liberty; invincible ignorance takes away liberty; therefore, the supposition being made that the conscience is invincibly erroneous, it cannot be said that the man sins, whichever part he follows. The Adversaries object that even in this hypothesis the man is free to omit or to perform his act. He is free with physical liberty, but not with moral liberty. But for sin, since it is in the genus of morals, moral liberty is necessary — which all Catholics, against Jansenius, confess to be taken away by invincible ignorance. A pastor assisting his flock on a feast day invincibly reckons that he sins if he omits Mass, and that he likewise sins if he abandons his flock to the incursions of wolves. This man is not morally free; therefore, whichever extreme he chooses, he will not sin. Though he is physically free to choose either of these two extremes, he is nevertheless not morally free: because he is not free to avoid acting against conscience, since in each extreme he apprehends sin.

VIII. Authors are wont to dispute whether it is graver to act against a vincibly erroneous conscience, or to follow it. But no certain rule can be assigned. Sometimes it is graver to follow it; sometimes it is less grave to act against it. Absolutely speaking, however, it is graver to act against it: since he who acts against it sins knowingly; he who follows it sins from ignorance; and ignorance, even though vincible, diminishes the malice of the sin. He who, shut up in prison, has the erroneous conscience that he sins mortally unless he hear Mass, according to the common opinion does not sin, for want of liberty: since that erroneous dictate is not the cause of the omission.

IX. Question VII. *How is an erroneous conscience to be laid aside, and what diligence is to be applied?* Answer. If the erroneous conscience has been formed rashly and imprudently, then it can be laid aside at will; and it suffices to advert to the falsity of the erroneous judgment, and to lay it aside by forming a contrary judgment upon the honesty of the operation. If, on the contrary, the conscience has been formed from a probable reason, then a contrary and more probable reason is necessary, to conquer the prior false persuasion. Ordinary diligence — not extraordinary — is necessary for laying aside a vincibly erring conscience. The former uses the accustomed means, namely study, counsel, prayers, pious works, by which the necessary light is implored of God. The latter applies extraordinary means: for instance, after taking the counsel of the Doctors of his own city, a man proceeds to other provinces to consult more learned men. The diligence to be applied must be gathered from the magnitude and diversity of the affairs. In unusual affairs, and those of extreme and highest moment, an unusual, exact, and utmost diligence must likewise be applied; on the contrary, in ordinary affairs there suffices the ordinary diligence which prudent and diligent upright men are wont to use. The extremes to be avoided are negligence and extraordinary diligence — for this latter fills the soul with scruples, anxiety, and disturbance. The omission of that ordinary and exact diligence which upright and vigilant men are wont to apply is, in affairs of grave moment, a grave sin.

X. Question VIII. *From what indications can it be gathered that an erring conscience is vincible, or invincible?* Answer. You can prudently presume the ignorance to be invincible: 1. If the thing ignored be of human, or of positive, law. 2. If the matter be most difficult even among the Learned themselves. 3. If no scruple, doubt, or any confused notion whatever has preceded. 4. If the man, on perceiving that he was deceived and violated the Law from ignorance, grieves and is saddened. 5. If the man be upright, and of an entire and well-ordered conscience. 6. If he has not been prejudiced by a false system and a depraved manner of opining. From these and similar circumstances and signs the Confessor can gather that the ignorance or inadvertence was invincible. The contrary holds if the matter be of the natural law; if some doubt has preceded; if the man be accustomed to offend, and be of a conscience entangled in crimes; if he be facile in adopting opinions which favor liberty and the appetites. For the rest, this ascertainment is difficult: therefore God must be prayed to with the Prophet David: *Remember not my ignorances*.

Chapter II — On the obligation by which Confessors are bound to enlighten penitents laboring under an invincibly erroneous conscience. Lax opinions are refuted

I. All theologians teach that penitents laboring under vincible ignorance must be instructed. The dispute concerns invincible ignorance alone. The precept of fraternal correction must be distinguished from the precept of giving instruction to the penitent, who is to receive the Sacrament of penance. The former, when hope of profit is wanting, does not press; but the latter binds even when the hope of amendment has been removed, on account of the reverence due to the Sacrament. All likewise teach that those penitents must be enlightened who labor under ignorance of the Trinity, of the Incarnation, of the Eucharist, and of the supernatural sorrow necessary for sacramental confession.

II. Sanchez, Lugo, Tamburini, the Salmanticenses, and Sporer defend the position that Confessors are not bound — nay, that they ought not — to enlighten penitents laboring under invincible ignorance

of the mysteries which are not necessary with the necessity of means, and of the other truths of law, whether positive or natural.

III. This opinion seems to me false. All Christians are bound by a most grave precept to learn the truths necessary for the forming of our morals. Therefore Confessors ought to manifest truths of this kind to penitents who are ignorant of them. By what reason, I ask, can Confessors dissemble the manifestation of these truths? Perhaps because they foresee that their penitents are unprepared to receive it? Then those penitents are violators of the precept of learning and finding the truth, and are therefore unprepared to receive the Sacrament. I set the matter forth perspicuously. Just as the Confessor in the tribunal sustains the person of a judge, to absolve or to bind; of a physician, to heal wounds; of a doctor, to enlighten, instruct, and teach: so penitents approach this tribunal as guilty men to be absolved, as sick men to be healed, as ignorant men to be enlightened, instructed, and corrected. If the Confessor foresees that they are so unteachable and so given over to depraved desires that he hopes for no profit from the manifestation of the truth, by what reason can he presume them disposed and prepared for the Sacrament? He foresees them unteachable, rebels against the light, and obstinate in their ignorance — and at the same time he will judge these same men worthy to receive the Sacrament of penance?

IV. The Adversaries are pressed more closely. They all teach that the truth must be laid open when penitents labor under a vincibly erroneous conscience. But when penitents are foreseen to be unprepared, and rebels against receiving the manifestation of the truth, forthwith their ignorance, which until then was invincible, becomes vincible and crass. Therefore, even according to their own principles, the Confessor sins gravely if he does not manifest the truth; and the penitents receiving the Sacrament are sacrilegious. I prove the minor. Ignorance is vincible, according to all, when a way lies open to Christians of learning the truth of which they are ignorant; in our case this way lies open; therefore, if Christians refuse to learn this truth from the Confessor, their ignorance becomes vincible and crass. All this is most luminous.[1]

[1] See Tome 2 of the Apparatus, Dissertation I, chapter 4.

V. The writers cited teach that penitents are not to be admonished by their Confessors who in good faith possess the goods of others, who enter upon usurious contracts, who practice pollutions in good faith, whenever it is foreseen that the manifestation of the truth will harm, and not profit, the penitent. Nay, some add — among them Tamburini — that the truth is not to be manifested even if the penitents would make right use of the knowledge, when the remedy is most difficult and infamy or scandal is feared. If a dying man, they say, is ignorant that he has heaped up a great sum of money by usuries and unjust contracts, and it is foreseen that, if admonished by the Confessor, he will not make restitution, then he is to be left in his ignorance. Tamburini says that this doctrine is especially necessary, above all to the Confessors of Princes and of Merchants; but it must be spat out as false.

VI. They object, first: when the manifestation of the truth is foreseen to be harmful and not profitable, no just end of revealing the truth presents itself; nay, say the Salmanticenses, treatise 20, chapter 5, point 3, number 27, in that case *Confessors administer poison, while they seem to apply medicine*. Answer. Christ the Lord foresaw that few would receive his law, and that very many would be rebels against it: did he for that reason abstain from promulgating it? Is there no just end of revealing the truth? Is it not a just end to guard the Sacraments, lest they be profaned by the unworthy and the blinded, who refuse to open their eyes to the light that freely offers itself?

VII. They object, secondly, the authority of St. Augustine, found in the chapter *Si quis*, On penance, distinction 7, saying: *If I knew that it would not profit thee, I would not admonish thee, I would not terrify thee.* Answer. St. Augustine speaks of fraternal correction, say some. But the holy Doctor there discourses of a dying man, to whom he urges penance; and he adds that he does not know whether it will profit him. For if he knew it would not profit, he would not urge it. Ignorantly, therefore, is this authority brought against us.[2]

[2] See Tome 2 of the Apparatus, Dissertation 1, chapter 4.

VIII. They oppose, thirdly: Innocent III, in the chapter *Quia circa*, On consanguinity and affinity, says: *Thou mayest dissemble, that he may remain in the union thus contracted, since from a separation, as thou assertest, grave scandal may threaten.* Answer. Some say that the Pontiff speaks of a Bishop or a Parish priest, not of a Confessor. Leaving this response aside, the true one is presented. The entire text of the Pontiff in the place cited is this: *Further, concerning the man N., for whose dispensation — that is, the indulgence of remaining with her who touches him in the fifth degree of consanguinity — to be obtained from the apostolic See, a false cause was alleged to us, namely offspring; whereas before the dispensation was obtained, the only daughter whom he had had entered the way of all flesh, as thy consultation stated: thou mayest dissemble, that he may remain in the union thus contracted, since from a separation (as thou assertest) thou seest grave scandal to threaten.* It is evident that the Pontiff approves the dispensation — which otherwise, on account of the falsely stated cause, was null — in order to guard against the scandal which he foresaw would arise from the separation of the spouses. See what the Gloss teaches in the same place.[3] Ineptly does Navarrus cavil at this dispensation, as has been demonstrated in the place cited by the most luminous reasons. Wherefore the Casuists named wrongly oppose to us the testimonies both of Augustine and of Innocent.

[3] See Tome 2 of the Apparatus, Dissertation 1, chapter 4, number 28 and following.

IX. I sum the matter up in few words. Confessors, that they may be able to absolve their penitents, must of necessity form this judgment: namely, that they approach that tribunal with a sincere heart and a contrite soul; that they sincerely will to observe all the commandments of the Law; that they are prepared to receive instruction in all the truths which the divine law commands to be known and kept. With these dispositions Confessors must presume their penitents to be adorned. Therefore they can in no way presume them adverse and rebellious to receiving the knowledge of the divine Law and of the precepts of which they labor in ignorance. But if they presume them such, it necessarily follows that they must also judge them most unworthy of the reception of the Sacraments. See more in the place cited.

X. Bertha married in good faith. Her marriage, on account of a hidden impediment, is null. If she be admonished of the impediment, she is placed in a proximate occasion of fornicating. If she refuse to render the debt, either she is killed by her husband, or mutual enmities and infamies arise between the families.

XI. Not a few devise cases occurring either never, or most rarely, that they may extort some decision, which they afterwards apply to cases happening everywhere. The Confessor sitting before the tribunal, before he absolves Bertha, ought to admonish her. She will be placed, you say, in a proximate occasion of fornicating, because she cannot be separated without scandal. This occasion

will be a necessary one, not a free one; and by opportune remedies continence can be observed, until a dispensation be obtained.[4]

[4] See Tome 2 of the Apparatus, Dissertation 1, chapter 4, number 48.

Chapter III — Works performed from an invincibly erroneous conscience, though they lack formal malice, are nevertheless endowed with no goodness or merit

I. The Probabilists commonly all defend the contrary. La-Croix, book 1, question 5, number 14 and following, deceived by the authority of Terillus, cites St. Thomas for this opinion; but this is a most manifest falsehood. For St. Thomas most powerfully overthrows this opinion, as is evident from his following doctrine. Behold his doctrine, I-II, question 19, article 6: *Good*, he says, *is caused by an integral cause, but evil by single defects. And therefore, for that to be called evil toward which the will is borne, it suffices either that it be evil according to its nature, or that it be apprehended as evil. But for it to be good, it is required that it be good in both ways.* What could be more luminous? And what of that which is carried about in the common proverb: *Good comes from an integral cause; evil from any defect whatsoever.*

II. The doctrine of the Angelic Doctor is illustrated. The will cannot be right unless it be conformed to the eternal Law of God, which is the fountain of all goodness. This is the first rule, the first exemplar, of every created will that is good and right. But a created will directed by a reason erring invincibly, which proposes lying, theft, perjury, and other crimes as good, cannot be traced back to the divine will and to His eternal Law — unless we wish to pour the crimes back upon God.

III. Fr. Claude La-Croix answers, book 1, number 24: The will of lying is not traced back to God, nor is it approved by God *per se* — I concede; *per accidens* — I deny. Have you heard? Lying, then, is approved by God *per accidens*. God confers a reward *per accidens* upon liars. That you may perceive more clearly the horror of this doctrine, recall to mind the doctrine of invincible ignorance of the natural law, which the Probabilists defend — who consequently maintain, with better right, invincible ignorance of the positive law, divine and human, and of the true Religion. This being posited as certain fact, the wills of Infidelity, of Heathenism, of Mahometanism, the wills of the followers of Arianism, of Nestorianism, of Lutheranism, of Calvinism — these wills, I say, of so many peoples, directed by invincible ignorance, are approved by God *per accidens*. What more? Atheism itself must be traced back to God. For God himself, according to Molina, Arriaga, and Platel, the champions of philosophical sin, can be invincibly unknown. According to these authors there can be given an invincibly erroneous conscience which reputes fornication, pollution, lying, and similar crimes to be licit. Therefore these horrendous crimes will be crowned with an eternal reward.

IV. All this is confirmed. No action is meritorious of eternal life without the benefit of divine grace. If fornication, if softness, if lying, if other similar crimes, reputed honorable through invincible ignorance, were meritorious, then divine grace would flow into these crimes. Do you shudder to hear these things? Yet the Probabilists cannot escape hence. Either they must needs confess works worthy of eternal glory without divine grace — and this is manifest heresy; or they are compelled to concede that man is aided by divine grace to fornicate, to commit adultery, to lie, and to perjure himself, whenever a man with an invincibly erroneous conscience judges it good to lie, to fornicate, to perjure himself, to commit adultery, and the rest.

V. Fr. La-Croix answers, in the place cited, number 29: Every will (he says) good *per se* is from God as its author — I concede; good *per accidens* — I deny. More than excellent! A will good *per accidens* is not from God? A will good *per accidens* signifies that the will is good not absolutely, but on account of invincible ignorance: for this is the meaning of the phrase *per accidens*. But this will is truly and really good: since this goodness merits, as the adversaries confess, the reward of eternal life. Therefore there is given a moral goodness, and a reward of eternal life, which is not from God. But hear Fr. Carlo Casnedi, who in Tome I, Disputation 6, section 1, § 3, number 25, page 167, writes as follows: *Whenever to a morally invincible ignorance of the prohibition and of the malice there is joined an invincible error concerning the honesty of the object, or concerning a precept of the action, then the work elicited under that ignorance and error is honorable and meritorious*. And more openly, in the same place, page 192, he adds: *So too there is nothing absurd in Christ the Lord saying: Come, thou blessed one, receive the kingdom, because thou didst lie, invincibly thinking that in such a case I had commanded lying*. Do not these things, even barely stated, instill a certain horror?

VI. The Adversaries are pressed in another way. If error possessed this prodigious efficacy, that it could fashion the form of virtue upon vices and crimes, and set round them the laurel of merit, then works honorable, directed by the light of truth, would be of the same dignity as works flagitious, covered over with the darkness of errors. If an erroneous persuasion poured goodness into a depraved operation, in the same way as true knowledge into an honorable work, then enlightenment would be superfluous — superfluous the sermons and exhortations. Finally, no work is good which is not directed by the virtue of prudence. Now between conscience and prudence there is this difference: that conscience, since it is not a virtue, is now true, now false, now right, now criminal; whereas prudence, since by its nature it is a practical intellectual virtue, either is true, or is not prudence — but a mask and specter of prudence. This prudence can never be deceived, although the prudent are sometimes deceived: for if it were deceived, it would not itself be a virtue.

VII. They object, first: he who, erring, judges a feigned pauper to be a true pauper, and succors him, truly exercises a good and meritorious act of mercy. Therefore a work proceeding from invincible ignorance is good. Peter, reputing this man to be his father, is bound to honor him; the Faithful hearing Mass are bound to adore the host, even though it were not consecrated. These and similar examples the Probabilists bring forward to throw dust in the eyes of the unskilled, though they are trifles vainer than Sicilian tales.

VIII. That you may straightway detect the sophism, distinguish the will of succoring the pauper from the will of lying, of perjuring, and the rest. What judgment, then, do you pronounce upon each? Is it not this: the first can be good; not so the second? A man, whether he be poor or rich, carries with him by his nature nothing that impedes the goodness and merit of the alms. For both the rich man, and any man whatever, can beg alms for a good end, and can make himself poor for the sake of Christ. Just as in an indifferent object, so much less in almsgiving is there any malice which impedes the goodness and merit of the act. In lying, on the contrary, in perjury, and in any action depraved by its nature, malice resides intrinsically, which wars as an enemy against goodness and merit. Now the judgment directing the will in the aforesaid case is that dictate which prescribes that the pauper must be succored; and this judgment is true. Furthermore, an act of beneficence towards a man, whoever he be, commanded by charity, is always good and meritorious; but the judgment by which this man, who is in reality rich, is judged poor, is false. Yet this judgment does not direct the will of the alms.

Just as in the will there are often evils mixed with goods — not that the same act is both good and evil, for that is chimerical, but because there are found acts good and acts evil, mutually disparate — so also in the intellect false things are mingled with true; but never can a false judgment direct a right will, or an act of virtue. They press on with their quibbling: The matter of almsgiving is poverty; this removed, the virtue of almsgiving collapses. Answer: You are deceived. The object of almsgiving is a man to be relieved; that is, almsgiving looks to this, that it succor a man. If this man is truly poor, the almsgiving is altogether perfect. If this man feigns himself poor, then the almsgiving lacks this prerogative of relieving a pauper. Does it on that account cease to be a good act commanded by charity? He who honors a feigned father does not exercise filial honor, because the object — namely, paternity — is wanting; but he exercises a good act, for he honors a neighbor and an elder. He who adores an unconsecrated host commits an act of material idolatry, which is not imputed to fault, on account of invincible ignorance. But the intention of adoring God is good, nor is it infected by the materially depraved election; for only formal malice infects the act of intention.

IX. They object, secondly: When reason proposes to me anything as a precept, I am bound to execute it. Reason in this case proposes to me that I must lie, or perjure myself, for the salvation of my Neighbor. Therefore I am bound to fulfill this. Answer. All this is true, when the reason, or conscience, is invincibly erring. But whence is it inferred that acts of this kind are good? These acts are in very deed depraved; but they are not imputed to fault, on account of the invincible ignorance.

X. They insist. The lie in this hypothesis is not good. But neither is it evil. Therefore it is an indifferent work. Acts indifferent in the individual are not given: therefore they are either evil or good. Answer. That lie, that perjury, that theft, and the other works depraved by their nature, are always evil, even while they are represented as good; but they are not imputed to fault, as has been said so often, in the hypothesis that the ignorance is invincible. There are no works indifferent in the individual which flow from deliberate reason; but those are indifferent which proceed from necessity.

XI. I pass over many other sophisms, because they are all inept and vain. Read, if you will, Tome 2 of the Apparatus, Dissertation 1, chapter 5, § 2, etc., where you will find all the quibblings of Terillus overthrown.

XII. Sole Question. *What is a perplexed conscience?* Answer. It is a judgment by which you judge that you sin, whether you choose this part or the other. If the ignorance be vincible, you sin whichever part you choose; and, that sin may be avoided, the judgment must be laid aside, since it is erroneous. But if the ignorance be invincible, and the judgment cannot be laid aside, then that must be chosen which seems the lesser evil, and which less favors one's own liberty and appetites. But these cases are rare, and scarcely ever occur; therefore they need not be discussed at greater length.

Chapter IV — On the doubting Conscience

I. Conscience is called doubting, not because the dictate or judgment is in itself doubtful — for doubt is a suspension of judgment — but the conscience is called doubting objectively, or terminatively, inasmuch as concerning the doubtful matter itself a man has various practical judgments on either side, which suspend his sentence upon that same matter.

II. Many divide doubt into positive and negative. They call the doubt positive when equal reasons for doubting present themselves on both sides; negative, when no reason for doubting offers itself. This

division is chimerical. When no reason for doubting occurs, it is not doubt, but nescience and ignorance, and is so called. For I do not doubt whether the stars be even or odd in number; I simply do not know. Vain likewise is the division of others, by which they say that negative doubt turns upon light reasons, positive doubt upon grave ones. Light reasons induce not a doubt, but a scruple, or a suspicion; and they are to be spurned. No prudent man is moved to doubt by light indications, but despises them.

III. Positive doubt, therefore, which is true doubt, and of which we now dispute, exists when on both sides equal, or nearly equal, weights of reasons present themselves to the intellect. For then the mind, pressed by equal weights, hangs suspended and undecided, and withholds its judgment. Doubt properly so called, therefore, includes a suspension of assent toward both sides, on account of the equality of the reasons.

IV. Question I. *Of how many kinds is doubt?* Answer. Twofold: of law, and of fact. There is a doubt of law when someone doubts about a law, about a precept, about a vow, or about any obligation whatsoever — for an obligation, in respect of that thing to which it obliges, has the nature of a Law. There is a doubt of fact when it is doubted whether something has been done: for instance, whether you fasted yesterday, whether you heard Mass, whether you recited the Breviary. The same thing can be the matter of a doubt of law and of fact under a diverse aspect. Doubt is further divided into speculative and practical: the former regards the honesty of the action absolutely; the latter, the exercise of the work. You doubt whether it be licit to paint on a feast day, or whether this garment be yours. These are speculative doubts. These persisting, you doubt whether here and now it is licit for you to paint on this feast day, and to retain the garment which you possess. These are practical doubts. You doubt whether you have incurred a censure, or an irregularity. This doubt is speculative. This doubt persisting, you doubt whether it is now licit for you to celebrate. This doubt is practical.

V. Question II. *Is it a sin to act with a conscience in doubt about sin?* Answer. All affirm that you sin. You doubt whether that contract be licit; and, the doubt remaining, you celebrate the contract: it is certain that in this case you sin. For so long as you do not lay aside the doubt about the justice or injustice of the contract, the intellect remains undecided; and if the will undertakes the work, it is so disposed that it wills to execute it, whether it be, or be not, against the Law of God. For he who acts while doubting exposes himself to the proximate danger of sinning mortally, since the sin is as probable as the absence of sin.

VI. Question III. *What is to be said of the distinction which some establish between a doubt of fact and a doubt of law?* Answer. Fr. Cardenas, in his Crisis, treatise 1, disputation 6, chapter 6, article 1, teaches that in a question of fact equal weights of witnesses leave the matter undecided, so that the judge cannot pronounce sentence for either side; but he contends that the opposite happens in a question of law. The first part he proves by invincible weight of reasons, and in confirmation adduces many testimonies of both canon and civil law. But these very arguments prove that the same must be said in a question of Law, as I have proved at length in Tome II of the Apparatus, Dissertation I, chapter 6, sole paragraph.

Chapter V — The two rules are expounded: In doubts the safer part is to be chosen; In doubts the condition of the possessor is the better; and what diligence is required for laying aside a doubt

I. "Safe" is taken, first, by comparison with the opposite safe part. The religious state is safer than the lay and the matrimonial; yet each state, the lay and the matrimonial, is safe. Secondly, adversatively to the part that is not safe but doubtful: in which sense only the safer part in doubts is safe; and therefore it is commanded that the safer part be chosen. The safer part is so called by withdrawal from sin; the more probable part, by conformity to the Law and to truth. The safer part in a positive doubt is always to be chosen, as will be demonstrated below.

II. The other rule is: *In doubt the condition of the possessor is the better.* This rule the Probabilists abuse. This rule has its place in the matter of justice. In good faith you possess a field; an adversary, having brought suit, calls into controversy the title of possession and of ownership. After diligent examination the rights appear altogether equal. Then possession removes the equality, and the field is adjudged to the possessor. This second rule, therefore, is best reconciled with the first — *In doubts the safer part is to be chosen* — since that part which, over and above the equality of right, brings possession also, comes out the safer. On this ground that other rule is also true: *In doubts it is safer to favor the accused.* For while the doubt lies between the accused and the plaintiff, it is safer to absolve a doubtful defendant than to condemn him. For of two necessary evils it is safer to choose the lesser; and it is a lesser evil to absolve a guilty man than to condemn an innocent one. The aforesaid rule has no place outside the confines of justice, as we shall demonstrate below against the Probabilists, who are not ashamed to boast the possession of liberty against God himself, that is, against his eternal Law.

III. All affirm that diligence must be applied in the investigation of the truth necessary for laying aside a doubt. But what degree of diligence is necessary, it is difficult to prescribe; the following rules, however, I submit to the judgment of the prudent.

IV. Rule I. Both the gravity of the matter, and the consequences that flow from it, must be regarded. The condition of the person doubting must be kept before the eyes. If that person is distressed by scruples, if he is of a well-ordered conscience, this serves not a little for forming a judgment about the laying aside of the doubt. Not all are bound to the same degree of diligence. A learned man should consult either those more learned than himself, or his equals. He is not bound to go to all, but to those whom he would consult in a grave affair. Rule II. For an unlearned Christian it will suffice to consult his Parish priest or his Confessor, when no solid reason occurs for doubting of his probity and doctrine. Rule III. The circumstance of time must be regarded. For sometimes the affair does not suffer delay; and then, the divine aid having been implored, what prudence suggests must be decided upon. Rule IV. There is required sincerity of soul, and the desire and zeal of inquiring after and acquiring the truth. Now this sincerity, and this zeal for acquiring the truth, is presumed to be present when things are not sought for one's own advantage and utility, with a mind bent on indulging one's own appetites, but all things are ordered to the glory of God and the salvation of one's Neighbor. On the contrary, those do not sincerely inquire after the truth who hunt for opinions favoring their own liberty and advantage, and study to consult those Doctors whom they know to be smooth-spoken and indulgent. Rule V. Fervent and humble prayers must be poured out to God, who enlighteneth every man that cometh into this World. *Cry, cease not: Enlighten my darkness. Give me*

understanding, and I shall live. He who approaches the Father of lights with a sincere and humble heart will obtain the light: because, just as he does not permit us to be tempted beyond our strength, so neither does he suffer our mind to be blinded, when we fervently seek and beg his light.

Chapter VI — On the Scrupulous Conscience

I. Of the scrupulous conscience, or of a scruple, this is the notion: it is a certain light suspicion of sin, with excessive anxiety in acting. A scruple is distinguished from a doubt, in that the latter is placed in a suspension of judgment; and from an opinion, which rests upon a grave foundation. The last words — *with excessive anxiety in acting* — constitute the true character of the scrupulous man, who is pressed by continual anguish.

II. From this definition of a scruple, it is plain how erroneous is the opinion of the crowd. Worldly men, and men given over to corruptions, hold for scrupulous those Christians who are zealous and solicitous for eternal salvation; who with the utmost vigilance study to decline both sins and the dangers of sin; who detest the allurements of the raving world — namely dances, games, comedies, and spectacles of every kind — and devote sedulous labor to the most grave precepts of humility and to panting after evangelical perfection. But blind indeed are they who number such Christians among the scrupulous.

III. Several causes of scruples are commonly assigned. First, the disposition of nature. A temperament which abounds in cold and melancholic humor inclines to suspicions and terrors. Suspicion paints things with a black brush and fabricates specters; these inflame the fantasy and excite fear. Secondly, infirmity of the head, and injury of the imaginative faculty, excessive maceration of the body, and prolonged vigils. That these causes may be expelled, the art of physicians is needed.

IV. Other causes arise either from the demon, or from one's own vices. 1. The demons stir up the melancholic and black humors, whence scruples are wont to flow. 2. Society and familiarity with the scrupulous. 3. Ignorance, which impedes the distinction of good from evil. 4. Pride, by which a man trusts too much in his own judgment. 5. God also permits at times certain souls to be vexed by scruples, either in penance for their crimes, or unto greater perfection.

V. There are two kinds of scrupulous persons. One is of those who are in very deed upright and of the best morals, and who, through excessive anxiety of declining even the very shadow of sin, are tormented by scruples. The other is of those who stir up scruples for themselves in matters of no moment. They say they are tormented by scruples because they have prayed with a distracted mind, because they have passed a rash judgment upon their Neighbor, because they have not promptly resisted internal suggestions. Meanwhile they stir up no scruple in themselves for not having fulfilled the precept of almsgiving, for living sumptuously and studying to indulge their appetites, for neglecting to fulfill the duties of their profession. It is carried about in the place of a proverb, that the scrupulous are gluttonous, stiff-necked, and lovers of their comforts.

VI. Question I. *What are the remedies of scruples?* Answer. Authors assign many. Fr. Hermann Busembaum, among the rules which he sets forth for driving away scruples, assigns one in chapter 3 which lays open the sweetness of his Medulla; it is placed at number 4, and conceived in these words, as found in Fr. La-Croix, page 51: *To accustom oneself to follow the milder opinions, and even the less safe.* Fillius, at number 181, gives emphasis to this "accustoming oneself," and wanders most widely along

the broad and spacious way. There is no need of persuasion that men should accustom themselves to milder and less safe opinions. For by their very nature they are prone to the milder, the laxer, and the less safe. This rule I reject as false and pernicious.

VII. Rule 1. Let the scrupulous enter upon the strait and narrow way which Christ prescribes, and beware of the broad and spacious way which leads to perdition: for this is most useful, not for fostering scruples, but rather for driving them off. 2. Let them accustom themselves to humility, to prayers, and to works of piety. 3. Let them exercise themselves in the theological virtues of faith, hope, and charity. 4. Let them solicitously guard against both mortal and venial sins. 5. Let them imitate the life of the Saints. 6. Let them select a director who is learned and pious, and an assertor of sound doctrine. 7. Let them obey his counsels at his nod, and receive his decisions as those of God. Having once received the rules of direction, they ought not importunately to go to the Director, and vex him with most troublesome interrogations, and afflict him with the utmost tedium; but by the benefit of the rules which they have received they ought to drive away their scruples and specters.

VIII. Question II. *How should the Confessor conduct himself with the scrupulous?* Answer. 1. Let him declare to the scrupulous that he will not undertake their direction unless they altogether promise exact and blind obedience. 2. Let him persuade them that their health is placed above all in obedience. 3. Let him explore the causes of the scruples. 4. If a past life full of vices and sacrileges be the cause of the scruples, let him prescribe a general confession, and the method to be observed in making it. This done, let him severely forbid them thereafter to think back upon their past vices. At most, let him hear three or four times some sin of the past life. Then let him shut altogether the door of the life that has elapsed. 5. Let him exercise them in the duties of the virtues. The devil is cunning and crafty. When he cannot assail and subdue the soul directly by the representation of crimes, he endeavors to make the yoke of Christ harsh, and to strew the way of virtue with thorns and briers: he fills the mind with continual specters, and endeavors to depict the road to heaven as impassable and unequal to human strength, so that the soul, at last oppressed by desperation, may relapse into its old crimes. Let the Confessor therefore take care to raise up the strength of the scrupulous, to foster hope in the divine mercy, and utterly to abolish in them the recollection of the past life, which disturbs the soul.

IX. Let the Confessor be benign and merciful in animating and inflaming the spirit of the scrupulous man; but severe in admitting the repetition of the confessions of the life that has elapsed. Let him make manifest what grave evils scruples beget. 1. They render the profession of virtue odious. 2. They induce desperation. 3. They impede the consolation and joy of a well-ordered life. 4. They fill the soul with afflictions; they beget the loss of time in vain cogitations, and innumerable other evils.

X. Question III. *Is it licit to act against scruples?* Answer. It is not merely licit, but a duty, to despise scruples, and, spurning them, to act against them. When certain scrupulous persons doubt either about the attention necessary in reciting prayers, or about the omission of some psalm or hour, certain Casuists suggest demanding an oath of the scrupulous person: Would you swear that you omitted the hour, that you were not attentive, that you consented to the temptation, and so forth? This demanding of an oath I count inept and vain. Either let the scrupulous person altogether despise suspicions of this kind; or let the Confessor command that on bended knees he repeat the hours and psalms which he doubts he has omitted. Perhaps this vexation will give understanding. Yet the diversity of the scrupulous must be regarded. The common and general remedy is to despise all these things, and to urge the scrupulous person to conduct himself for the future more vigilantly and more

devoutly in the discharge of his duties. The repetition of prayers is inept; and elapsed negligence is not better blotted out than if one's proper duties be fulfilled more attentively, devoutly, and fervently.

Dissertation II — On Probabilism, and its consequences

Probabilism runs through the whole of Theology. It is a leaven which infects the whole mass of doctrine. Whether it corrupts that mass, or renders it more useful to souls, is called into dispute. To my weakness it appears so evident that Probabilism corrupts the whole doctrine of morals, and perverts all the rules of Christian doctrine, and undermines them from their deepest foundations, that words fail me to express it as its importance deserves. But lest the Probabilists be able in any way to carp at this sincere and ingenuous manner of writing of mine, I recall to their memory what the most learned Jesuit Fr. Ignacio de Camargo writes in the Preface to his Rule of Morals, § 12. *Let no one*, he says, *justly reprehend me, that in disputing against the benign opinion I have drawn from it very many consequences which he may affirm, or prove, to be by far most horrendous, or heretical, or blasphemous ... Otherwise the argument from the absurd, as they call it, or from the impossible — than which none is more frequent in Theology — will have to be done away with.* And this most celebrated Jesuit adds in the same place: *But I see that there are many Probabilists truly most delicate, who, while they themselves most audaciously say and write whatever they please, not only about our opinion, but even about its Patrons, yet cannot bear their own benign opinion to be even lightly touched.* But whether they will or not, they must needs endure and patiently bear that we, according to our small measure, despising all human respect, vindicate the evangelical doctrine of morals from vain inventions and pernicious opinions.

Chapter I — Opinions condemned by the Holy See in the controversy of Probabilism

I. In this whole work I shall first of all recall before the readers' eyes the theses condemned by the Church, that they may be able in advance to guard themselves from the danger of erring. The following, in the controversy of Probabilism, the Roman See proscribed under Alexander VII and the Venerable Innocent XI, Supreme Pontiff:

1. *If a Book be that of some more recent and modern author, its opinion ought to be considered probable, so long as it is not established that it has been rejected by the apostolic See as improbable.* — Proposition 27 of Alexander VII.
2. *It is not illicit, in conferring the Sacraments, to follow a probable opinion regarding the validity of the Sacrament, leaving aside the safer one, unless law, convention, or the danger of incurring grave harm forbid it. Hence it is only in the conferring of Baptism, of priestly or episcopal Orders, that a merely probable opinion must not be used.* — Proposition 1 of Innocent XI.
3. *I probably think that a judge can judge according to an opinion even less probable.* — Proposition 2 of the same.
4. *In general, when we do anything relying upon probability, whether intrinsic or extrinsic, however slight, provided one does not depart from the bounds of probability, we always act prudently.* — Proposition 3 of the same.
5. *An infidel who does not believe, led by a less probable opinion, will be excused of infidelity.* — Proposition 4 of the same.

6. *It is probable that the precept of charity towards God does not, of itself, rigorously oblige even once in every five years.* — Proposition 6 of the same.

Chapter II — What, and of how many kinds, is the probable, the more probable, the safe, and the safer opinion. The genuine sense of the question is proposed

I. The true definition of a probable opinion is this: *An assent of the intellect to one part, with fear of the opposite part, on account of a probable motive,* as St. Thomas with the other Theologians teaches, I, q. 79, art. 9, ad 4. "Probable" is taken by relation to truth. If this truth lies open to the mind by evident and certain reasons, then the mind elicits a certain and evident assent, and has concerning such truth a certitude free of all fear of the opposite part. If this truth offers itself to the mind by probable reasons only, then the mind forms an opinative assent, that is, a probable opinion. Wherefore probability is the same as verisimilitude.

II. One opinion is called more verisimilar, or more probable, than another, when more solid weights of reason occur for the former than for the latter. Wherefore that is more probable which approaches nearer to the truth. That opinion is named less probable which approaches the truth less, and stands farther from it than the more probable. Before the rise of Probabilism, the more probable opinion alone was held for a probable opinion. For the less probable opinion, in view of the more probable, was not probable to all the ancients — and in very deed is not, as will become plain below. However the matter may stand, our position does not depend upon this distinction.

III. The probable opinion is divided into speculative and practical. This division, taken absolutely, is true. For some sciences are speculative, which halt in speculation and meditation alone; others extend themselves to the work, and are called practical. This distinction many abuse, who call that opinion speculatively probable which regards the action prescinded from its peculiar circumstances, and practically probable that which considers the object, or the action, clothed with its circumstances. Hence they gather that an opinion which was speculatively probable becomes practically improbable on account of the variation of the circumstances. This division, explained in this fashion, Fr. Vasquez rightly impugns, tome I on the I-II, disputation 62, chapter 4, and disputation 65, chapter 1. For when the circumstances are varied in the genus of morals, the opinion does not remain the same, but becomes another. For the same opinion is called speculative inasmuch as it meditates the object with all its circumstances, and halts in speculation alone; but it becomes practical insofar as it directs and commands the execution of the work. For from speculative probability the practical arises; that is, speculative probability itself, by extension, becomes practical, without the variation or diversity of any circumstance.

IV. Again, that opinion is probable from within [ab intrinseco] which rests upon a solid and grave foundation of reason; and it is probable from without [ab extrinseco] when it rests upon the authority of Theologians. This authority must be measured not so much by their number as by their merit, doctrine, and sanctity. Furthermore, one opinion is objectively probable, which is such in itself, inasmuch as it has for itself grave weights of reasons, whether drawn from reason or from authority; and another is called subjectively probable, which so appears to a serious man maturely considering its reasons and foundations. If these reasons be in very truth solid and grave, then the opinion is probable both objectively and subjectively.

V. Finally, one opinion is safe, another safer. The lay and the matrimonial state is safe; the religious state is safer; yet each state is safe. And because Fr. Medina uses this example, on the I-II, question 19, article 6, in explaining the probable and the more probable, he is therefore commonly excused by many from the Probabilism of the Moderns. The use of this distinction, then, has place only when both opinions are certain, but one is more removed from the danger of sinning even materially. Contrition formed by imperfect charity suffices, in the opinion of all, for the Sacrament of penance. This opinion is safe. But if the charity be perfect, the opinion becomes surely safer.

VI. Very many of the unskilled confound the safer opinion with the more probable, and the safe with the less probable. Hence the Probabiliorists are called by the unskilled crowd Tutiorists and Rigorists. But this is a putrid calumny, born of ignorance — and that a supine ignorance. An opinion standing for the law is safer, but not on that account more probable. For that opinion is called safer which more removes a man from the danger of sinning. If, however, it be sometimes asserted that such an opinion binds a man to its execution, it will be false and improbable. More safely, surely, will a man keep chastity if he never look upon or address women; and more safely will he abstain from usury if he enter into no contracts. But if you would absolutely bind men to abstain from converse with all women, and from every contract, the opinion is utterly improbable and false. For the safer opinion and the more probable opinion flow from diverse principles: the latter from a greater approach to the truth, and from graver weights of reasons; the former from a greater withdrawal from the danger of sinning.

VII. Lastly, probability is divided into the probability of conscience and the probability of impunity. The probability of conscience is that of which we have spoken hitherto. The probability of impunity is that which books enjoy that are published with the approbation of the Revisers or Censors — which probability by no means suffices for forming a probable conscience. Wherefore the following opinion was proscribed by Alexander VII: *If a Book be that of some more recent and modern author, its opinion ought to be considered probable, so long as it is not established that it has been rejected by the apostolic See as improbable.* Hence it is plain under how great an ignorance they labor who blurt out: The Book is approved; therefore its opinion enjoys probability. This mere probability of impunity is enjoyed by many constitutions of the Regular Orders, which have been approved in common form, but not in specific form. By this latter approbation, with solemn rite, all the opinions and laws contained in the book are discussed and approved one by one. Whether by this approbation in specific form, as they say, any constitutions of Orders have been approved, I do not know. Commonly they have been approved in common form; and then they enjoy only the probability of impunity. Wherefore, just as in other books approved in common form, so also in these constitutions improbable opinions can occur. And then the pontifical approbations are ineptly alleged, that such improbable opinions may be maintained as probable with the probability of conscience, when they are only probable with the probability of impunity.

The state of the question is set forth

VIII. The argument about which the disputation is instituted, and which runs through the whole of Theology, is of this kind. Someone doubts whether some action be morally evil, that is, prohibited by the divine law. He recognizes that grave and pious Theologians fight with one another on both sides, and contradict each other. All things having been maturely weighed, by proofs drawn both from reason and from authority, he finds and judges it more verisimilar that such an action is vicious: he

sees that the foundations which prove the malice and prohibition of the action are the graver, and outweigh the foundations of the opposite opinion, which stands for the honesty of that same action. It is asked whether he can, rejecting the more probable, embrace the less probable opinion, and freely execute the aforesaid action.

IX. The Antiprobabilists deny it. The Probabilists on the contrary affirm it, and defend the position that the use of either opinion is licit, so that the Christian can choose whichever he prefers: the more probable, indeed, by the counsel of greater perfection; but the less probable by the liberty of election, since no precept urges to the former.

Chapter III — By an evident and ineluctable argument it is proved that the doctrine of the licit use of the less probable opinion in view of the more probable is false and antievangelical

First Proposition

I. It is an article of faith that the Gospel of Christ contains the sole and pure truth, with the exclusion of any falsity whatsoever; and that this Gospel is the certain and safe rule which God has assigned to us for the directing of our conscience.

This first proposition is an article of faith, and is placed beyond the hazard of any disputation or cavil whatsoever.

Second Proposition

II. The Probabilists teach the licit use of both of two contradictory propositions, of which, if one is true, the other must of necessity be false. For both cannot be true, as all confess.

This second proposition is the very state of the question. It is a most luminous truth of fact, which can be called into controversy by no one, unless the state of the question be destroyed.

Third Proposition

III. Therefore the doctrine of Probabilism is antievangelical, since it teaches the licit use of the falsity which is contained in one or the other of the opinions, and which wars as an enemy against the Gospel. This consequence is legitimate, and flows necessarily from the two first propositions.

§ I. Brief explanation of the first proposition

IV. Assuredly the evangelical law is the extrinsic and remote rule of moral operations; and the intimate and proximate rule is the reason of the mind, by which the evangelical law itself is proposed. But since that law is a law of truth, as is of faith, those who lay down that the rule of conscience is a falsity, and a falsity known as such, teach an antievangelical error. Who will deny this? This the Probabilists teach by the force of their system; which I prove by explaining the second proposition.

§ II. Brief explanation of the second proposition

V. I confess that it is not certainly established for us which of the two opinions is true. For it can happen, though very rarely, that the opinion which seems to us more probable is false, and the less

probable true. What follows from this? This surely: that if, after mature diligence, the Antiprobabilist errs in choosing falsity in the place of truth, the error is worthy of excuse. For the Antiprobabilist venerates and champions truth as the certain and evangelical rule — that truth alone is the norm of our conscience. And he does not contradict this principle if, through his own weakness, he is deceived in selecting the opinion which he certainly judges nearer to the truth.

VI. The Probabilist, on the contrary, knowingly and willingly lays down, in the place of a system and principle, that the use of contradictory opinions is licit — of which, if one is true, the other must be false. The Probabilist knows certainly and evidently, as all know, that one or the other of the contradictories is false. Therefore, when the Probabilist lays down as a principle the licit use of contradictory opinions, he errs dogmatically; because he establishes as the rule of conscience a known falsity — one, that is, which he certainly knows to be contained in one or the other of the contradictory opinions. For although he does not know which of the two is true, he nevertheless evidently knows that in one or the other falsity is contained. Therefore, in the place of a system, by establishing the licit use of both contradictory opinions, he systematically teaches the licit use of falsity, even of known falsity. But nothing wars more hostilely against evangelical truth than falsity. The Probabilist therefore errs in two ways. First, dogmatically, as has been shown, because he lays down as his system the licit use of a known falsity contained in one or the other of contradictory propositions; secondly, morally, against prudence and against the duty of finding the truth, when he selects the less probable opinion — that is, the one less near to truth and more neighboring to falsity — in view of the more verisimilar, as the rule of his conscience. But of this second point below. For now the discourse is of the error alone, which can be called dogmatic.

§ III. The Probabilists cannot furnish a simple and perspicuous answer to this demonstration

VII. The Probabilists can twist their wits and stuff in patchworks of distinctions; but they will never give a simple and perspicuous answer to the aforesaid demonstration. The first proposition is an article of faith, repeated a thousand times in the Scriptures. *Thy law is truth. The law of truth was in his mouth.* Psalm 118: *All thy commandments are truth. Thou hast commanded justice thy testimonies, and thy truth exceedingly.* Zacharias adds, chapter 8: *Love ye only truth and peace.* God delivered the truth to his people to be guarded. *A just nation, keeping the truth,* says Isaias, chapter 26. The people of God manifests this truth; Isaias repeats it in chapter 38: *He shall make thy truth known.* And along this path of truth the sons of God walk. 3 Kings 3: *Walking in truth.* This David chose, Psalm 118: *I have chosen the way of truth* — by no means the way of probability. By this truth we become holy: *Sanctified in truth.* These men are prepared to champion the truth, says Paul, 2 Corinthians 13: *For we can do nothing against the truth, but for the truth.* This is the rule of sanctity: *In the sanctity of truth,* adds the same Paul to the Ephesians, chapter 4. Christ came into the world that he might teach us this truth, Paul continues, 1 Timothy 2: *Who will have all men to be saved, and to come to the knowledge of the truth.* His elect he calls sons of truth, James chapter 1: *He hath begotten us by the word of truth.* For God is truth. It is truth which frees us from sin, as is added in John chapter 8: *You shall know the truth, and the truth shall make you free.*

VIII. The privation of truth is the mark of the reprobate, as is found in the first book of Machabees: *There is no truth in them.* These are they, says Paul, 1 Timothy 6, *who are destitute of the truth*; and he adds, 2 Thessalonians chapter 2: *They believed not the truth*; nay, *they will turn away their hearing from the truth*: 2 Timothy 4, *turning themselves away from the truth*; Titus 1; *they resist the truth*: 2 Timothy 2. They are

destitute of the love of this truth: *They received not the love of the truth*: 2 Thessalonians 2. *They do not acquiesce in the truth*: Romans chapter 2. *They speak not the truth*: Jeremias chapter 9. *Who detain the truth in injustice* [Romans 1]; and by the depravity of their opinions they transform it into a lie: *They changed the truth of God into a lie*: Romans chapter 1. Forgetfulness of the truth has filled the earth, says Isaias: *Truth hath been made into forgetfulness.* So it is, cries Osee, chapter 4: *There is no truth upon the earth.* This truth men attempt to obscure and to whittle down: *Truths are decayed from among the children of men*: Psalm 11.

II [IX]. And what greater diminution of the truth can there be, than if that be rejected which more approaches the truth, and that be chosen which stands farther from the truth — that is, which is judged less true — while God commands the contrary? *Thou hast commanded thy commandments to be kept most diligently*: Psalm 118. Finally God, in Ecclesiasticus 37, gives this precept: *Before all thy works let the true word go before thee, and before every action a steady counsel* — no less true, and no less steady.

IX. Hence, then, the argument is constructed. It is an article of faith that the evangelical law, which Christ Jesus gave us as the certain, safe, and indefectible rule of our conscience, contains pure and sole truth, and rejects and detests all falsity. This, as I have said, is a truth of faith. The Probabilists defend, and that most pugnaciously, the licit use of contradictory opinions, in one or the other of which they know certainly and evidently that an antievangelical falsity is contained. Therefore the Probabilists certainly and evidently teach that a known falsity, by the force of their system, is the rule of a right conscience. Therefore the Probabilists champion an antievangelical doctrine.

X. The second proposition is most evident, since it is the very argument subjected to the disputation. Do the Probabilists deny the licit use of the more probable opinion? Do they deny the licit use of the contrary less probable opinion, concerning the very same action, and in respect of the same person? Would that they denied it — for then they would repudiate Probabilism, and devote it to the Furies. Not only do they by no means deny it; rather they most expressly affirm it; and in the name of them all, Fr. Antonio Casnedi thus addresses Christ, in tome 2, in the very dedication of his work: *Since thou art the Master of truth, thou condescendest so far to human ignorance, that in thy tribunal of truth inculpable error equals truth itself. For thou dost not accuse it, but excusest it; thou dost not punish it, but rewardest it — holding thy very law for no law, and thy no-law for law, if the law be invincibly unknown as no law, and the no-law as law.*

XI. This doctrine, as we have seen above in chapter 3, all the Probabilists commonly admit and defend. Therefore the second proposition of our demonstration is most evident: namely, that the Probabilists teach that the use of falsity, clothed in the cloak of Probabilism, is licit; and that this falsity, and error itself covered with the cloud of ignorance, enters the gate of Paradise, and is crowned by the Father of truth with the eternal reward of glory. But this doctrine, to my weakness, and saving better judgment, appears evidently false, antievangelical, and full of scandal.

XII. It is my pleasure to confirm what I have said by a sensible example. There are two cups of wine, in one of which poison lies hidden; but I do not know in which one determinately it resides. If I were to hand both cups to two men to drink, I should surely be guilty of homicide: since I know for certain that in one or the other a mortal poison is contained. There are two contradictory opinions, in one of which is contained the transgression of the divine Law, and therefore the guilt of eternal damnation. You do not know, indeed, which is determinately true; but you know most certainly that in one or the other falsity is contained. You propose that both be followed — the one by Peter, the other by Paul.

This proposition contains the state of the question which all the Probabilists defend. Let us hear one above all, Fr. Paul Laymann, the most moderate of all the Probabilists, who in book I, treatise I, chapter 5, writes as follows: *I judge that it will be nothing alien to reason, if a Doctor who is consulted signify to the one consulting him that an opinion is defended as probable by certain learned men, and that he may accordingly follow it — although the same Doctor certainly persuades himself that such an opinion is speculatively false, so that he himself cannot follow it in practice. For since the one consulting, in a doubtful matter, has the right of conforming himself to an opinion which is defended by certain learned men, notwithstanding that some others contradict it and judge the opinion speculatively improbable, the Doctor is not forbidden to indicate this very right to the one consulting him; and hence it comes about that a learned man can give opposite counsels to diverse persons according to opposite opinions, discretion and prudence however being preserved.* Here you have, in few words, the whole secret of Probabilism laid open. You judge a proposition which treats of mortal sin to be certainly false speculatively, that is, absolutely, in itself. If you certainly judge it false, you also certainly judge it to be antievangelical, and therefore proscribed by God; since all falsity is disapproved by God. It is not lawful for you to follow it, says Fr. Laymann; yet it is lawful for you to urge it upon others. What? You can urge upon others what is not lawful for you? Where then is the oracle of Christ: *What thou wilt not have done to thyself, do not to another*? Where is the love of the truth, which you are commanded to follow, and to teach to others?

XIII. I come now to the last proposition set forth by me. *A learned man can give opposite counsels to diverse persons according to opposite opinions.* The learned man evidently knows, as we have said, and absolutely recognizes, that in one or the other of the opinions the poison of falsity is contained; yet he offers and urges both, to diverse men, to be followed. Therefore, knowingly and willingly, he kills one of those consulting him with the poison of falsity. You are deceived, they say. The poison of falsity, smeared over with the varnish of Probabilism, loses its power of killing. Is it so indeed? That falsity covered by invincible ignorance becomes harmless, I myself confess. But that falsity evidently known is vicious, no one can deny. Fr. Laymann, and with him all the Probabilists to a man, teach these two paradoxes — monstrous enough, in truth. The first: that you can urge upon another an opinion which you know to be certainly false in itself. The second: that you can offer opposite counsels to diverse men according to opposite opinions, while you know most certainly that in one or the other opinion the poison of falsity lies hidden. For to one of those men you urge a doctrine antievangelical in itself — as is every false doctrine. But an antievangelical doctrine does not raise to heaven; it thrusts down to hell. Who does not most evidently gather from this, that this Probabilism reduces the Gospel of Christ to pure and unmixed Scepticism, Pyrrhonism, and Academicism?

Chapter IV — By the authority of the Supreme Pontiff Alexander VII it is proved that the probabilistic system wars against the evangelical Law

I. What has been said hitherto would suffice, and more than suffice, for overthrowing and exterminating Probabilism. But the more luminous the truth is, the more cavils, evasions, hiding-places, and sophistical distinctions do they need who strive to obscure and assail it. Wherefore we too are compelled to prolong the discourse, and to confirm what we have said by the authority of the Supreme Pontiffs.

II. Alexander VII, in the year 1665, on the 24th day of September, published this decree: "Our most holy Lord has heard, not without great grief of his soul, that several opinions, relaxative of Christian discipline and bringing destruction upon souls, are partly being revived after having grown obsolete, and partly newly brought forth; and that that extreme license of luxuriant wits grows greater day by day, through which, in matters pertaining to conscience, a manner of opining has crept in which is wholly alien to evangelical simplicity and to the doctrine of the holy Fathers — and which, if the faithful were to follow it in practice as their right rule, an immense corruption of Christian life would burst forth. Wherefore, lest at any time the way of salvation, which the supreme truth, God, whose words endure for ever, has defined to be narrow, should be widened — or rather perverted — unto the destruction of souls: the same most holy Lord, that in his pastoral solicitude he might call back the sheep entrusted to him from such a spacious and broad way, along which men go to perdition, into the right path, committed the examination of these same opinions to several ..." and so forth.

III. Let this decree be compared with the preceding demonstration, and it will forthwith appear that Probabilism wars against evangelical doctrine no less than darkness against light. Three things are to be weighed in the Alexandrine decree. First, the condemned propositions, of which there is now no dispute. Second: *a manner of opining has crept in* into the Theology of morals, that is, *in matters pertaining to conscience*. This manner was intruded by *the extreme license of luxuriant wits*. This manner of opining, or of probabilizing, is *wholly alien to evangelical simplicity* — that is, to the spirit and sincerity of the evangelical law — *and to the doctrine of the holy Fathers*. What follows from this? If the Faithful, if the Pastors and Directors of souls were to follow this manner, *an immense corruption would burst forth upon Christian life*. The third point is that this manner of opining probabilistically thrusts Christian souls into the broad and spacious way which leads to perdition. Wherefore the most holy Pontiff, that he might call them back into the path of salvation, which God has defined to be narrow, condemned several opinions. He declared the probabilistic plant poisonous — that is, alien to the evangelical law and the doctrine of the Fathers; and he reprobated many of the fruits proceeding from it.

IV. Hence it is plain, clearer than the noonday light, that in this decree the Pontiff discourses, not of particular opinions only (for these opinions he condemns one by one), but of the probabilistic system itself. *A manner of opining has crept in*, which, if the Faithful followed it as their rule, they would slide down into the way of perdition. Now the rule of forming conscience is Probabilism, as Terillus proves at length in his treatise on the rule of morals. The rule is, as the Probabilists themselves confess, a *benign* one. But the Pontiff declares that this rule wars against the Gospel and the doctrine of the Fathers. Let the Probabilists explain to us: what other manner, what other rule alien to the Gospel and to the doctrine of the Fathers, has crept into the Theology of morals, besides Probabilism? Let them point out to us another manner, another system, another rule.

V. All this is evident in the obvious sense of the decree. Add to this that, as all the Historians confess, Probabilism had been denounced to the Supreme Pontiff. Moreover Stefano Gradi, Prefect of the Vatican Library, and a near contemporary of Alexander VII, testifies — both in a *votum* published by order of the sacred Congregation, and in a disputation published at Rome in the year 1670 against Fr. Honoré Fabri — that the Pontiff, by those words *a manner of opining*, etc., branded Probabilism. For the Pontiff, having received so many letters against Probabilism from the Bishops of France and of Belgium, *had conceived* (says Gradi), *as an excellent reporter of the things of God, an impulse toward measures altogether grave and severe in this whole matter* (of Probabilism), *and toward cutting off the evil, as he said,*

utterly at its fountain and root, by publishing an express constitution ... Nor was anything nearer than that he should do it; and he would without doubt have done it, had not Cardinal Pallavicino intervened in his counsel, to whom that matter seemed to demand a more careful deliberation than could be dispatched quickly, as it appeared it would be; and that it would be much wiser if, the fuller censure being deferred for a while, the opinions themselves should in the meantime be struck down by name, as was done ... and a preface was added, which, though under a veil of words, makes truly manifest the mind of the one decreeing, as alien from this way of philosophizing about morals — which for that reason, as you see, he called a manner of opining contrary to evangelical simplicity and to the doctrine of the holy Fathers.

VI. That Alexander VII by these words (*a manner of opining*, etc.) branded Probabilism, is attested also by the whole Gallican Church congregated in general Assembly in the year 1700, in these words: "Now, that we may come to another head of the faith — namely, to moral Theology, corrupted in these latest times by the depraved license and subtlety of wits — we think the words of Alexander VII of happy memory should be set first ... *a manner of opining has crept in*, etc.; in which sentence he not only complains that errors have increased, but also — and this is the chief point — he willed it to be noted that the very method of treating the matter had been introduced, whence we might see that a corruption of morals would not only follow, but would even, as it were with a charge made, burst in upon us — one which we could scarcely restrain. Nor was it enough for the most holy Pontiff (let the Probabilists weigh these words) to have uncovered this new method of making sport of conscience and of wrapping up the truth — that is, the very fountain of the evil — but he pursued also the rivulets of the deadly doctrine," and so forth.

VII. Finally, after many things, that Assembly published this solemn edict against Probabilism, the fountain of all laxities:

On the Use of Probable Opinions

"Far be it from us to approve the error of those who deny that it is lawful to follow, even among probable opinions, the most probable. But for the right use of probable opinions we recognize these rules prescribed by the Law.

"The first is that in doubts concerning the business of salvation, where equal weights of reasons offer themselves to the mind on both sides, we should follow that which is safer — or that which is in that case (mark it well) *solely* safe; and that we should hold this not in the place of a counsel (as the Probabilists say), but of a precept, Scripture saying: *He that loveth danger shall perish in it.* This is the first rule.

"The second: that concerning probable opinions about Christian doctrine we should follow what the ecumenical Council of Vienne decreed concerning the virtues infused in baptism both in infants and in adults, in these words: *We have judged that this opinion, as more probable, and more consonant and concordant with the sayings of the Saints and of the modern Doctors of Theology, is to be chosen.* And it is evident that this judgment of the Council pertains the more to the direction of morals, the more the sanctity and salvation of the Faithful depend upon these very things, etc.

"That therefore in practice it should be lawful for us to follow an opinion which not even they themselves would judge should be chosen as the more probable — this is new, unheard of; this was brought forth by certain known authors only in this last (mark it well) century, and set up by them as the rule of morals; it is repugnant to that saying of Vincent of Lérins, etc. This is the beginning of the

evils, and the head of all the aforesaid corruptions. This was censoriously branded, in the censures of the Apology of the Casuists, by our predecessors, men strong and religious." See Tome 2 of the Apparatus, book 3, dissertation 2.

Chapter V — By the authority of the Venerable Innocent XI, Supreme Pontiff, Probabilism is proved to stand condemned

I. Two decrees this supreme Pontiff published, by which Probabilism is overthrown: the one in 1679, directed to the universal Church; the other in 1680, given to the General of the Society of Jesus, in which he perspicuously declares that he detests Probabilism. See Tome 2 of the Apparatus, book 3, dissertation 3, chapter 2.

II. In the former decree four propositions are condemned, which are as it were the four hinges of Probabilism. I shall weigh them in few words. The third is this: *In general, when we do anything relying upon probability, whether intrinsic or extrinsic, however slight, provided one does not depart from the bounds of probability, we always act prudently.*

III. The Probabilists answer that the thesis was condemned on account of those two words, *in general* and *always*: because, they say, Judges and Confessors cannot use a less probable opinion. A futile response. For the Pontiff condemned separately the use of the less probable opinion in Judges and in the administration of the Sacraments. Others cavil that a slight probability is not true probability. A vain evasion. For in the proscribed thesis it is said: *provided one does not depart from the bounds of probability*. Therefore the use of true probability stands condemned.

IV. The other condemned proposition is this: *I probably think that a judge can judge according to an opinion even less probable.* Before the birth of Probabilism no theologian, so far as I know, taught this thesis. It is a legitimate offspring of Probabilism. Before the Pontiff's decree the Probabilists commonly defended it, as the Salmanticenses testify, treatise 29, chapter 1, point 4; and Fr. Camargo attests that about seventy Probabilists maintained, before the decree, both that a judge can use the less probable opinion, and all the rest. Therefore, by the testimony of seventy Probabilists, the use of the less probable opinion is condemned absolutely no less in respect of all men than in respect of judges. And with good reason did they assert it. For this is the single foundation of Probabilism: *He who acts probably, acts prudently; therefore he acts licitly.* Hence this principle either stands everywhere, or nowhere. They rejoin that he acts prudently who follows an opinion *practically* probable, not he who follows an opinion *speculatively* probable; and that the less probable opinion in the tribunal is only speculatively, not practically, probable. Why? Because practical probability regards the licit or the illicit; speculative probability meditates rights and laws. An opinion which decides to whom estates, fiefs, and fields are owed is not practical. A most amusing fiction! The judge, then, adjudging the estate to Peter according to the more probable opinion, judges according to an opinion speculatively, not practically, probable?

V. Terillus — easily the prince of reflex Probabilism — answers that the judge is bound to pronounce sentence according to what appears to him truer, every human affection being excluded. But why are not the judges of souls also bound to do the same? By no means, replies Fr. Terillus, On conscience, question 24, number 26, page 476, in these words: *I answer that there is a disparity, because the Confessor forms the dictate of his own conscience dependently upon the dictate of the conscience of the penitent. For the*

penitent does not sin, nor is he excused from sin, through the judgments of the Confessor, but only through his own judgments. Therefore the Confessor, who must judge concerning the sin of the penitent, must look to the opinion which the penitent has followed in good faith; which opinion, even if directly less probable, excuses the penitent from sin, and therefore determines the Confessor to say that that opinion, though directly less probable, frees from sin the man who follows it in good faith. But the judge does not regulate his own judgment by the judgment of the litigants: otherwise he would have to pronounce sentence in favor of both. And so the judge regulates his own judgment and his own sentence by those things which seem more probable to himself, not to others; and therefore he must follow those things which he himself, all things weighed, judges to be more probable.

VI. Many of the Probabilists complain when we cry out with raised voice that these are unheard-of and portentous paradoxes. But I most humbly beseech them, and earnestly beg, that, prejudices laid aside, they be willing seriously to weigh whether this doctrine can be joined — I do not say with the Gospel, but with common sense. The Confessor forms the dictate of his conscience dependently upon the dictate of the penitent? Who can bear to hear this? The Confessor sitting in the tribunal either is, or is not, a judge. Who will deny that he acts the person of a judge? Therefore, as judge, he cannot depend upon the judgment of the penitent. If Confessors depended upon the judgment of their penitents, and not upon the laws of the Church and the divine law, penitents would always have to be absolved, and never bound. For no Catholic approaches the tribunal who does not have a dictate by which he judges that he ought to be absolved. For if they judged themselves unworthy of absolution, they would assuredly not approach it.

VII. Another disparity between the Judge and the Confessor the Probabilists commonly assign. The judge, they say, cannot follow the less probable opinion, because, if it be false, the evil is not avoided which thence befalls Caius, who loses his cause. On the contrary, if the less probable opinion which the Theologian follows be false, no evil follows: for the violation of the law is then material; and, on the other hand, God suffers no harm. So teaches Terillus, On conscience, question 24, number 53: *God is incapable of all harm; he can only be dishonored through offense. But every offense is manifestly avoided through the good faith of the agent, reasonably established. And a man, in the case of the objection, is not bound to judge in favor of God; though the judge is bound to pronounce sentence for the more probable part*. Terillus is followed by La-Croix, Viva, Segneri in his epistles, and the other Probabilists.

VIII. I am compelled, against the end of brevity that I set before myself, to transcribe the principal words of the Probabilists themselves: because readers would in no way believe that these paradoxes could have been devised by Theologians. *God is incapable of all harm.* True enough. Therefore so much diligence is not to be applied that his offense may be avoided, as must be applied that the temporal losses of a single man may be averted? What, I ask, is more unworthy of Christian ears? This response, the more common it is among the Probabilists, the more inept it is, and the fuller of scandal. For, this being granted, iniquity might be drunk like water, since God suffers no harm from it. How horrendous this is, everyone sees. That response is refuted on two heads. 1. The violation of the law, however material, is a grave evil in itself. That it is not imputed to you as fault, as the Probabilists contend, is *per accidens*, on account of invincible ignorance — if indeed it be present; but in reality it is a real transgression of the divine law. And this is a far graver harm than the evil inflicted upon Caius by the loss of his estate. Therefore, if the Judge sins, more gravely sins the Theologian using the lesser probability. 2. The Probabilists are evidently deceived when they say that this transgression is material in the Theologian, but not in the Judge. Tell me: why is the

transgression of the law formal in the Judge? Because the Judge does not apply all diligence and industry to avoid the transgression of the law. Well and rightly said. But is not all diligence and industry morally possible perhaps necessary, absolutely and apart from any circumstance whatever, that the offense of God may be avoided? If you use the lesser probability, you do not apply the aforesaid diligence: because you not only neglect, but positively repudiate, all the probability that lies before you. Therefore you sin, just as, by the definition of the apostolic See, the judge sins. Therefore the use of the less probable opinion makes criminal in equal measure every Theologian who neglects to avoid the danger of the divine offense, as it makes criminal the judge who neglects to decline the danger of injuring the right of Caius. What do you mutter? Is greater diligence in finding the truth required in the judge of temporal things than in the judge of eternal salvation? Is this the prudence of Probabilism — to make more of temporal detriment than of the loss of eternal salvation? Is it not a monstrous prudence which in the least things, such as earthly things are, demands the utmost diligence, and in the greatest things, such as eternal things are, a lesser solicitude? Would God be too severe if, in the settling of controversies over his law, he commanded his judges the use of the greater probability — while those Princes are not severe, nor Rigorists, but benign, who command their judges that in controversies about eaves-drippings, about a beam, about an estate, they embrace the more probable doctrine? The whole of holy Scripture commands that we search the divine law, and love it above gold and topaz. The Probabilists, on the contrary, will have us love the civil law, which declares the rights of contracts, of estates, of sales, more than the law of God, and embrace the greater probability in these causes. This is the benign probabilistic Theology. Although it be more verisimilar to you that your action violates the law of God and offends God himself, provided it be probable that you will not violate the law, you act prudently and holily in performing the action which you more probably judge to violate the Law and to contemn God. On the contrary, a civil judge would be unjust and criminal if he applied this rule.

IX. The last disparity, finally, devised by the Probabilists is this. A pact intervenes between judges and the Commonwealth, that judgments be pronounced according to the more probable opinion. But by this pact Theologians and Confessors are not bound. But whence do the Probabilists prove this pact? Their prince answers, question 24 On conscience, number 15, Terillus: *For this presumed will, from the very constitution of nature, is equivalent to a pact, and has the force of a pact*. This pact the other Probabilists obtrude, especially Fr. Paolo Segneri: they obtrude this pact, I say, as the last anchor to which they tie their shipwrecked Probabilism.

X. This anchor is of straw, and chimerical. That pact, limited to civil judges alone, is fictitious. Nay, I say that this pact has been implanted by the author of nature in all men. This pact is a fruit of the divine light signed upon the countenance of all souls. The civil Commonwealth elects its judges. The ecclesiastical Commonwealth elects its judges — Bishops, Parish priests, Confessors, Theologians. Whence, I ask, do the Probabilists have it that the civil Commonwealth, but not the sacred, enters into a pact that judgments be pronounced according to the more probable opinion? Whence does the knowledge of so great a secret shine upon them? What foundation urges that this pact be instituted in the lay Commonwealth, but not in the sacred? Does the Commonwealth, insofar as it is sacred and ecclesiastical, make less of truth and justice than the lay and civil Commonwealth? In the first centuries of the Church, Bishops and Parish priests were chosen as judges of civil causes among Christians. The same often happens even today. Do those judges, outside of confession, judge according to the more probable opinions, but in the sacred tribunal according to the less probable?

Will they free, in the sacred forum of penance, from restitution, from usury, from simony, the litigant whom in the lay tribunal they judged liable to restitution, or guilty of usury, according to the more probable opinion? If civil Principalities and Commonwealths impose on their chosen judges the burden of embracing, in controversies of temporal things, the greater probability, does the Catholic Church absolve her judges of eternal things from that burden? If the civil Commonwealth chooses judges more learned and more skilled, does the Church choose men less learned, less skilled, less upright? Holy Scripture, Exodus chapter 18, cries out: *Provide out of all the people able men, such as fear God, in whom is truth* — it does not say, probability. Likewise Ecclesiasticus [recte Osee] chapter 7 [recte 4]: *Woe to you for ever and beyond, because there is no truth in you.*

Chapter VI — By other weights of reasons Probabilism is overthrown

I. The first and universal extrinsic rule of morals is the eternal law of God. The second rule, proximate and formal, intrinsic, is the reason, or practical dictate, of our conscience, as has been shown above. About this first proposition there is no dispute. That an action may be honorable, it must be consonant with both laws, as St. Thomas perspicuously teaches, I-II, q. 21, art. 1: *In those things which are done through the will, the proximate rule is human reason, but the supreme rule is the eternal law. Whenever, therefore, a human act proceeds to its end according to the order of reason and of the eternal law, then the act is right; but when it is bent aside from this rectitude, then it is called sin. Now it is manifest from the premisses that every voluntary act is evil by this, that it recedes from the order of reason and of the eternal law; and every good act accords with reason and the eternal law.*

II. The eternal law of God is a law of truth: *Thy law is truth; all thy commandments are truth.* Truth alone is the single rule of an honorable conscience — truth alone, I say, known either evidently and certainly, or probably and obscurely. When falsity appears to us under the aspect of truth, the rule is false, and the operation is not honorable, but vicious. If the falsity be invincible, the vicious action is not imputed to fault; but it never becomes good and meritorious, as has been shown above.

III. The third ineluctable principle is expressed in the holy Scriptures themselves — namely, the most grave commandment of inquiring after and investigating the truth. Nothing is more frequent in Scripture than this most grave precept, by which all are bound to learn and to meditate the law. It is said in Deuteronomy 6: *And these words which I command thee this day shall be in thy heart; and thou shalt tell them to thy children, and thou shalt meditate upon them sitting in thy house, and walking on thy journey.* David continually prays, and promises that he will investigate the law: *Set before me for a law, O Lord, the way of thy justifications, and I will always seek after it. Give me understanding, and I will search thy law.* Matthew 28: *Teaching them to observe all things whatsoever I have commanded you.* St. Paul, Ephesians 4 [recte 5]: *Become not unwise, but understanding what is the will of God.* Not to be long: a thousand times this most grave precept of learning, meditating, searching, and not forgetting the law of truth is repeated to us. These things being laid down as certain, I press the Probabilists thus.

IV. If you hold the truth of the Law evidently, are you not bound to fulfill it? They say yes. Then you must say the same when you judge it more probable that the law exists. A clear knowledge of the law imposes the duty of fulfilling the law, as all confess. Therefore, according to the degree of knowledge, such will be the degree of obligation. Therefore, when the law more probably obliges, the burden of keeping the Law presses.

V. He who acts according to the lesser probability, the greater being repulsed, evidently violates the most grave precept of investigating, learning, and meditating the law. For he who acts according to the less probable opinion knows and reckons that his operation is more contrary than conformed to the law; he knows that he is receding from the law more than approaching it. Therefore he does not inquire after the law with sincerity of soul. Would you sincerely and with deliberate mind search for a treasure, if you abandoned the way which would more probably lead you to the finding of it, and selected the opposite way, which would less lead you to, and more lead you away from, the finding?

VI. If a sick man chose a medicine which he knows to be more probably poisonous than wholesome, would he be free from sin? They answer that these examples are inept: since, if the medicine be poisonous, it brings death, no good intention of the mind availing; but an opinion about the honesty of an action, even if false, excuses from mortal sin, by the benefit of invincible ignorance. Below I shall show that this probabilistic invincible ignorance is a portent monstrous in the extreme. Dismissing, then, the chimerical disparity which the Casuists are wont to assign between the recounted examples and the less probable opinion, I press the Probabilists thus.

VII. Let the Probabilists explain to us. Do they dare themselves to affirm that this sick man desires and loves his health with a sincere and efficacious mind? They would show themselves fools if they affirmed it. But why does that sick man not love or desire health with a sincere mind? Because he repudiates the medicine which he more probably judges to be more suited to the acquiring of health. Therefore, by the same reasoning, the Probabilists do not seek with a sincere mind the observance of the law of God, if, the greater probability being repudiated, they select the lesser. Whatever, then, be the case with the distinction between a medicine and an opinion, we now press the Probabilists to answer whether he studies to fulfill, with a sincere and efficacious mind, the most grave precept of finding and learning the truth, who in obscure matters rejects what is more verisimilar and embraces what is less verisimilar. From another side I press them.

VIII. He who conforms his operation to a rule which he judges more distorted, and opposed to the first rule, sins. So do the Probabilists conduct themselves. By their direct judgment they judge the less probable opinion to be more opposed than conformed to the first rule. Therefore they judge it more distorted than right. What they add about the reflex judgment is a childish cavil. For the direct judgment is the object of the reflex judgment; if that be distorted, so also is this. Again: he who contemns the eternal law, sins. The Probabilists, by the use of the less probable opinion, contemn the eternal law. Therefore, etc. I prove it. He who does not investigate the eternal law according to his powers, neglects it, and in very deed contemns it. The Probabilists, following the lesser probability, do not inquire after the eternal law according to their powers, since they repudiate the greater probability, that is, the greater nearness to the law. Therefore they neglect and contemn it. With what boldness can the Probabilists affirm that they apply sufficient diligence in inquiring after the law of truth, if they reject what they judge nearer to the truth of the Law, and of set purpose select what they think approaches the truth less — nay, what they know to recede from the truth more? Finally, the object of the intellect is the true. But the intellect cannot apprehend an object as true, when probable reasons prove that it is rather false.

Chapter VII — The paradoxes of the Probabilists are weighed

§ I. The first paradox: The condition of the possessor is the better

I. In a doubt about the honesty of an action, the condition of the possessor is the better. The law takes away the right of liberty, say the Probabilists. When Theologians dispute about the obligation of a law, the law becomes doubtful; therefore it cannot take away the right of liberty. For *in doubt, the condition of the possessor is the better.*

II. It has been shown above that this rule holds only in the matter of justice, for the exterior forum. But now I admit it in any matter whatsoever, that I may prove that this very rule utterly overthrows Probabilism. Before the probabilistic tribunal, then, there present themselves the eternal will of God, and the human will. Each sets forth its rights, which appear equal, or controverted. The probabilistic tribunal decides the cause in man's favor against God, because *in an equal cause the condition of the possessor is the better*. Be not affrighted, says the prince of the Probabilists, Fr. Terillus, at hearing that man brings suit against God — for God too brings suit against man. Hear what Terillus writes in his treatise On conscience, question 23, number 48, page 426: *I answer that the same rule equally favors God against us, and us against God. It favors us, so long as we are in possession of liberty; it favors God, so long as the law is in possession. Whence, if the law certainly exists, and it be doubtful whether I have paid the debt, I am as much bound in that doubt to pay, as if I had certainly not paid the debt. Since, therefore, this rule favors God when possession stands for the law, so it favors us when possession stands for liberty, and the doubt is about the law.*

III. There exists, then, a title which equally favors man against God, and God against man? Why not? replies Terillus. The same rule equally favors God against us, and us against God. The Probabilists speak of liberty not physical, but moral. When it is disputed whether a contract be usurious, it is disputed whether I am free to celebrate the contract. When therefore it is disputed whether the contract be licit or illicit, it is disputed whether I am free, or not, to complete the contract. Therefore, when the Probabilists allege in controverted matters the said rule, *The condition of the possessor is the better*, they commit a most ridiculous begging of the question. That you may be able to allege this rule in the tribunal, the possession of the estate must be certain; otherwise it would be opposed in vain. Now what Christian can display a certain possession of liberty against God, by which he may celebrate that contract about which Theologians dispute on both sides? None, surely. For while it is disputed whether the contract be usurious, it is disputed whether the man is free to enter into it. Therefore the possession of liberty is controverted, not certain, in respect of such a contract.

IV. Is not the free dominion of man over his own actions subject to the supreme dominion of God? You grant it. Therefore, whenever it is doubted whether God has granted such dominion over this or that contract or work, the rule cited — *The condition of the possessor is the better* — favors God, not man. For the possession of God is most certain; that of man, doubtful. Therefore, if the rule holds, it favors God, the certain, supreme, and absolute possessor — not man, subject to God, and a doubtful possessor. Therefore the right of possession which in controverted matters the Probabilists ascribe to human liberty is false and altogether chimerical; it wounds the supreme divine dominion, inflicts injury upon the tremendous majesty, disturbs the subjection of men to God, and equals man to God.

§ II. The second paradox: A doubtful law is not a law

V. [The Probabilists apply this paradox to] natural, divine, and human laws, about which Theologians dispute on both sides. This paradox also appears incredible; therefore their words must be transcribed. Fr. Terillus, On the rule of morals, part I, question 2, number 45, page 19, writes as follows: *No law obliges unless it be sufficiently promulgated. But whenever reasons are present probably establishing that the less safe part is licit, the law commanding the safer part is not sufficiently promulgated. Therefore that law obliges no one, so long as it is certainly probable that the less safe part is not prohibited.* Terillus is followed by La-Croix, Viva, Paolo Segneri, and commonly all the Probabilists.

VI. No law without promulgation. No sin, not even a material one, without a law. These two things are certain among all. When you embrace an opinion, whether less or more probable, you sin at least materially, supposing the opinion to be false; which fault is not imputed to you on account of invincible ignorance, as all the Probabilists teach. But if the law, on account of greater and lesser probability on both sides, were not a law, because not promulgated, there would be no sin, not even a material one: because, as I have said, there is no sin without a law.

VII. Upon the same law there are given two contrary probable opinions, of which the one affirms, the other denies, that the action is licit — as all the Probabilists attest. But if it were true that a controverted law is not sufficiently promulgated, and therefore is not a law, the first proposition would be false. Nay, this principle being admitted — that a law probably controverted on both sides is not a law — no probable opinion would be given at all. For the opinion, whether affirming or denying that the action is licit, no law existing, would be not probable, but false and chimerical, as being about a non-supposing subject, as they say. Therefore, etc.

VIII. God commands in Deuteronomy 17: *If thou perceive that there be among you a hard and doubtful matter in judgment ... arise ... and thou shalt come to the priests of the Levitical race ... and thou shalt do whatsoever they shall say.* If a law controverted among the Doctors were not a law, the divine command would be both empty and about an impossible thing. And yet this is the principle which the Probabilists most loudly exaggerate. *Perchè legge dubbia non fu mai legge* — "because a doubtful law was never a law" — says Fr. Paolo Segneri in his third epistle. Against them cry out all the grave Theologians with St. Thomas, who, I-II, q. 106 [recte 96], article 6, ad 2, defines: *for if the matter be doubtful, one must either act according to the words of the law, or consult one's Superior.*

IX. There is given a less probable opinion against a civil or canonical law which forbids a usurious contract, in view of the more probable. In this position the law is controverted. Therefore doubtful. Therefore null. The litigants bring their suit to the tribunal. What is the judge to do? If he pronounces sentence in favor of the Party defending the more probable opinion, he sins, because he adjudges the contract usurious by force of a law which, according to the Probabilists, does not exist in the nature of things. If he judges according to the less probable, he sins, because by the precept of the Church he must judge according to the more probable opinion.

X. Either the Probabilists say that natural, divine, and human laws are true laws, and have the complete force of laws, before the disputations and controversies of subjects — or they deny it. If the second, they err most shamefully, and offer themselves up to be laughed at by all Theologians and Jurisconsults. If the first, their Probabilism goes up in smoke.

XI. Scarcely is there a commandment in the Decalogue immune from disputations. The probabilistic principle being admitted, that a controverted law is not a law, nearly the whole Decalogue collapses. Nor is there any force in the objection that the probabilistic controversies regard not the existence of the laws, but the extension of the laws. For they stray no less shamefully in denying the extension of the laws, as is evident from holy Scripture, Deuteronomy 17, where God commands that the judges be consulted, whether or not a work be forbidden by the law. But, that you may grasp more fully the horror of the probabilistic doctrine, hear Terillus, On conscience, question 23, number 19, page 413, speaking thus: "A human legislator, if he be prudent, knows well that the sense of his laws is in many things doubtful, and that many men more learned than himself prudently reckon that such an expression does not extend to such objects. Whence there is a manifest presumption that he does not will to comprehend such things under his law with obligation. For if he had willed to comprehend them, he would have expressed it: therefore they are to be counted as not included in the law. And this holds above all because favors are to be enlarged, and burdens restricted. The same holds of the *eternal law*, by which God corroborates human laws ... nay, the same holds of the *divine law*, which God himself promulgates by such signs as men do not perfectly understand. For hence arises an evident presumption that God does not will to oblige us to those things about which we have prudent motives for reckoning that they were not intended by him through the law. For God, who comprehends all things, if he had willed otherwise, would have expressed that very thing, since this would have been as easy for him as the opposite. But God has not expressed it. Therefore he has not willed it to fall under obligation. This is the whole of what we intend; and it follows most manifestly from the defect of sufficient promulgation." Then he adds, number 25, page 416: *In these matters, therefore, let the Legislators blame themselves, if they sometimes see their commands violated, since they have not sufficiently explained their will.*

XII. The Legislators have sufficiently explained their wills, and the laws are perspicuous; but cavils often obscure and disturb them — nay, do away with them. If laws probably controverted on both sides are not laws, let all tribunals go into exile from the Catholic world. This probabilistic doctrine being admitted, Christians can straightway abolish the greatest part of the natural, divine, and civil laws. Let them take up the books of Diana, of Zanardi, of Candidus, of Tamburini, of Escobar, of Gobat, of La-Croix, of Viva. Let them gather a most numerous catalogue of the opinions which are probably disputed on both sides concerning natural, divine, and human law. Thence let them draw out this conclusion: Controverted rights are not rights; a doubtful law is not a law. Therefore we are free from all the laws about which Theologians probably dispute on both sides. These are the paradoxes by which Probabilism is sustained. See more in Tome 2 of the Apparatus, book 3, dissertation 8, chapter 3.

Chapter VIII — Most grave absurdities which necessarily follow upon Probabilism

I. I have most briefly touched upon the reasons which prove the manifest falsity of Probabilism. I have indicated their cavils, and the unheard-of paradoxes which they have devised, that they might oppose darkness to the most splendid truth. Now I shall lay open certain absurdities which follow upon the new manner of opining. Some things are premised.

§ I. On Ignorance, and its division

II. It is of faith that there are sins of ignorance, as is found in Leviticus 5 [recte 4-5]: *if he shall sin through ignorance ... he shall offer a ram without blemish.* Again, John chapter 16: *The hour cometh, that whosoever killeth you will think that he doth a service to God.* St. Paul: *I was a blasphemer, and a persecutor, and contumelious; but I obtained the mercy of God, because I did it ignorantly*: 1 Timothy 1. I pass over innumerable other testimonies of holy Scripture. The heresiarch Pelagius, first of all, sustained the opposite error, which the Synod of Palestine condemned.

III. Ignorance is the privation of knowledge. Error is the approbation of falsity. One ignorance is of law, which is ignorant of a law or precept; another of fact, which admits knowledge of the law, but is ignorant of the fact. One is vincible, or voluntary, consequent, and culpable — this can be conquered by diligence and study, and through negligence is not conquered. Another is invincible, which can be overcome by no study — this is without all fault. Of vincible ignorance, one kind is affected, which repels knowledge: *He would not understand, that he might do well.* Another is crass and supine, which applies no diligence at all to know those things which one can and ought to know.

IV. The error of Jansenius is the opposite of the error of Pelagius: Jansenius contended that invincible antecedent ignorance itself is a sin — which error the Church proscribed.

§ II. Is there given an invincible ignorance of any part of the natural law whatsoever?

V. This most difficult question I have treated with full pen in Tome 2 of the Apparatus, book 2, dissertation 2, chapter 3. The brevity prescribed for a compendium does not permit me to bring the same again to the anvil; I shall only subjoin a few animadversions.

VI. Animadversion I. There are many oracles of Scripture which upbraid men with sins of ignorance. *There is a way which seemeth just to a man; but the ends thereof lead to death*: Proverbs 16. St. James, chapter 1, says: *But if any of you want wisdom, let him ask of God, who giveth to all men abundantly, and upbraideth not; and it shall be given him. But let him ask in faith, nothing wavering. For he that wavereth is like a wave of the sea, which is moved and carried about by the wind.*

VII. Animadversion II. The ancient Fathers, making no distinction of the natural law into universal principles, proximate conclusions, and remote conclusions, deny invincible ignorance of the natural law.

VIII. Animadversion III. The precept of inquiring after the truth is most luminous. The oracles of the Scriptures which promise the grace of finding the truth to sedulous investigations are well attested, and frequent. We have been left in this valley of darkness, that with continual prayers we may implore the light of truth. God does not deny his grace, unless fault on our part precede.

IX. Animadversion IV. Vincible ignorance is most frequent; invincible, rare. Whether in some rare case there can be given an invincible ignorance of some remote conclusion of the natural law, I dare not define. Things which occur rarely ought not to hold us anxious. Against those things which happen frequently — such as the sins of vincible ignorance — we must watch incessantly.

X. Animadversion V. Let Theologians and Confessors meditate with what vigilance, with what study, they endeavor to attain the understanding of the divine law. Let them consider whether they can say with David, Psalm 1: *Blessed is the man who hath not walked in the counsel of the ungodly ... But his will is in*

the law of the Lord, and on his law he shall meditate day and night. First of all, then, let the Priests of the Lord occupy themselves in coming to know the divine law, and in comprehending and tasting its spirit, that they may be able to discern what doctrine is conformed to this divine law.

XI. Animadversion VI. Dismissing, therefore, the controversy whether in some very rare case there can be given an invincible ignorance of the natural law, what St. Augustine writes in book 22 of the City of God, chapter 23 [recte 19, ch. 4 of book 19], must above all be weighed and executed: *With continual vigils we keep watch, lest a verisimilar opinion deceive us, lest cunning speech beguile us, lest the darkness of some error pour itself over us, lest what is good be believed evil, or what is evil be believed good.* Let us fear and tremble with Paul: *For I am not conscious to myself of any thing; yet am I not hereby justified.*

XII. Animadversion VII. Fr. La-Croix errs shamefully, and imposes a falsehood upon his readers, when in his book on laws, number 726, he narrates that in the year 1685 there was condemned the opinion of all the ancients, and of many, and indeed the gravest, of the more recent Theologians, denying invincible ignorance of any part whatsoever of the natural law. In that year, indeed, a book was forbidden in which errors were contained; but not everything taught in it was proscribed — just as not everything contained in the books of Luther and Calvin is proscribed.

§ III. The first paradox of probabilistic ignorance: namely, that no sin is given without actual advertence

XIII. The Probabilists rather commonly teach that sin is never committed without actual consideration, clear or obscure, of the malice of the action. This opinion, as it seems to my weakness, is the same as the error of the Pelagians denying the sins of ignorance, as Jerome and Augustine and the other Fathers testify. No crime, said the Pelagians, without liberty; no liberty without knowledge; therefore no sin without knowledge. The Probabilists deny that sin can be committed without some actual knowledge of the malice of the action: therefore the doctrine of the Pelagians and of the Probabilists is the same, so far as appears from the force of the reasoning. Which I prove thus.

XIV. It is a Catholic truth that men commit sins of ignorance. Actual advertence being admitted, the darkness of ignorance vanishes. The Probabilists teach that actual knowledge, or advertence, is necessary that the ignorance be vincible and criminal. Therefore the doctrine of both parties is the same. Tell me: what is opposed to ignorance? Knowledge. Therefore it cannot be that he sins ignorantly who knows, and considers — and that actually — that he is sinning.

XV. Actual consideration being removed, there is no sin. When therefore men inconsiderately vomit forth perjuries, blasphemies, revilings, and maledictions against God and against men, they in no way sin, because they do not actually advert that they are sinning. Those who, stirred by wrath and fury, shed human blood; those who, blinded by the enticements of concupiscence, violate the marriage-beds of others; those who defile the chastity of virgins — are guilty of no crime, because, carried away by passion, they do not in fact advert that they are offending God. What shall I say of the crimes of heresies and of infidelity? So far were very many infidels from reckoning that they were contemning the true Religion, that they rather judged that they were worshipping God with their sacrifices. Did the Circumcellions believe they were sinning, when they hurled themselves headlong from the cliffs? Did Nestorius consider that he was sinning, when he chose rather to abdicate the Patriarchate of Constantinople than to abjure his error?

XVI. In the name of the Probabilists, Fr. La-Croix answers, book 5, numbers 16 and 21, in these words: *Although the ignorance or unthinkingness be culpable, the work following from it has no special malice, except precisely that of the negligence, or neglect, in knowing or adverting to that malice.* Behold the most sweet yoke of flattering benignity! The Infidels, the Arians, the Iconoclasts, the Wycliffites, the Hussites, the Lutherans, the Calvinists, the Socinians, blinded by the perversity of their opinions, sinned indeed a sin of negligence in learning Catholic doctrine; but when, carried away by fury, they blurted out that the Son of God is a creature, tore sacred images to pieces, trampled the body of Christ underfoot, leveled the monasteries of Monks to the ground, defiled Virgins consecrated to God — these and other crimes *have no special malice, except precisely that of the negligence, or neglect, in learning or adverting to the malice*. I do not doubt that readers shudder as they hear these things.

XVII. The sophism of the Pelagians, which they obtrude today, drawn from liberty, is futile and empty. For nothing is more frequent among the Fathers and Theologians than the twofold voluntary and free: the one direct, the other indirect. The direct free act requires actual and formal knowledge and advertence. The indirect free act demands implicit, virtual, indirect knowledge and advertence — that is, knowledge in its cause. These things are obvious even to beginners.

§ IV. Another paradox of probabilistic ignorance: philosophical sin

XVIII. The philosophical sin condemned by the Church is of this kind: *A philosophical, or moral, sin is a human act disagreeing with rational nature and with right reason. A theological and mortal sin is a free transgression of the divine law. The philosophical sin, however grave, in him who either is ignorant of God or does not actually think of God, is a grave sin, but is not an offense against God, nor a mortal sin dissolving the friendship of God, nor worthy of eternal punishment*.

XIX. By what reasoning this condemned error can be separated from the ignorance just described, I truly do not perceive; nor will anyone perceive it who is not prejudiced. For, this hypothesis being admitted — that, actual advertence being removed, sin is never committed, nor God offended — philosophical sin necessarily follows. For in this hypothesis those who fornicate, commit adultery, lie, and perjure themselves, without actually adverting that they sin, will commit philosophical, not theological, sins. And it is my pleasure to confirm this by the authority of a Theologian of the illustrious Society of Jesus, Fr. Ignacio de Camargo, book 2, controversy 4, article 6, number 530, saying: *This is Ignorantism — that is, the doctrine of the sins of ignorance among the recent Probabilists — of which you know not whether it be the parent of Probabilism, or its nursling, or its son, or its companion, or its full brother.* Ignorantism, Probabilism, and Philosophism are so mutually connected, that you can scarcely define which is the parent and which the children. See Tome II of the Apparatus, book 2, dissertation 2, chapter 4.

§ V. The third paradox of probabilistic ignorance, marvelous in the extreme, and unheard of by all Antiquity

XX. This paradox surpasses the rest. The Probabilists teach that the ignorance is invincible whenever the less probable opinion, in view of the more probable, is false: than which nothing more monstrous, it seems, can be devised or brought forth in the whole of Theology and Philosophy.

XXI. Invincible ignorance is that — as the very word bears on its face — which cannot be conquered and overcome. The mere doubting of the thing which is unknown makes the ignorance vincible and criminal. When you doubt whether such an action be depraved, by the confession of all you sin,

because you expose yourself to the danger of sinning. And when you judge it more probable that the action is befouled with malice, and you repudiate this more probable opinion, and select the opposite, less probable one — if this be false, will your ignorance be invincible? You flee from the more splendid light, you close your eyes to it, that you may select the less probable opinion, which favors your liberty and is opposed to the Law: and in this case your error will be insuperable? Who, I pray you, endowed with common sense, can defend so great a paradox? Yet this is the paradox which all the Probabilists champion. But it is repugnant to common sense. For that is called invincible which cannot be conquered and overcome. With what face, then, do the Probabilists assert that this error cannot be overcome and conquered, at that very time at which they turn their eyes away from the greater light shining forth — at which they will not understand, that they may do well, and may at least approach nearer to the truth?

Chapter IX — By the authority of the Theologians Probabilism is condemned

I. [The Probabilists allege a great crowd of authors] for themselves; but, a very few excepted, they are of no authority. I do not wish you to put faith in my words; hear rather him who is easily the prince of the Probabilists, Fr. Antonio Terillus, who in the Prologue to his treatise On conscience writes as follows: "Innumerable are they who, for thirty years, have filled the libraries with Summas of cases and treatises of moral matters. And what were they to do, that they might arrive at the fame which they were hunting? ... Made bolder for bringing forth novelties, they cast their eyes and their minds upon the laxer opinions, knowing well that these, above all others, would wonderfully please the ruder crowd of readers. But lest, on account of their open defection from the unanimous opinion of the ancients, they should be accused of temerity, they began to devise certain reasons by which they might both give an honorable appearance to their departure from the elders, and obtain among the unskilled crowd some applause for the truth of their opinion. I myself have seen some of these more recent men — in other respects excellent — who, when in matters of the highest moment, pertaining to the law of God and the obligation of conscience, they had declined from the unanimous opinion of all to an intolerable laxity of opining, yet had nothing by which they were moved except an argument drawn from a similar case. I saw it, and I shuddered. For who would not shudder that a precept of God, previously acknowledged by all and confirmed by solid arguments, should by so frivolous an argument be erased from the tables of the divine and ecclesiastical law, no less impudently than imprudently? Nor did the audacity of certain men stop here. For very many, although far inferior in doctrine, reckoning a similar manner of acting lawful for themselves too, opened for themselves — I should say more rightly, both for themselves and for others — a road from lax resolutions to other laxer ones — a precipice ... Whence it came about that whatever opinions, not expressly condemned by the Church, they found in any author whatsoever, these they both held themselves as truly probable, and delivered to others as a rule fit for the tranquillity of conscience. Nay, it is not incredible that, deceived by the subtle insinuation of Satan, under the enticement of a certain humanity and the appearance of mutual honor, they attributed probability to any sayings whatsoever of others, precisely so that the prerogative which they had freely given to their predecessors, later men might not begrudge to them. By this art the deceitful enemy, after he had bewitched the more learned — who ought both to have watched over themselves and to have provided for others — with the foretasted applause of an ampler fame, surely to be acquired by the publication of lax opinions,

oversowed, through these too incautious men, in the field of moral Theology, abundantly sown with the excellent wheat of severe opinions, the detestable cockle of laxity — and went his way," etc.

II. One or two things I weigh. Innumerable Doctors and Casuists have filled their books with lax opinions. Nay, there were not wanting those who, deceived by the insinuation of Satan, with the foretasted applause of an ampler fame, oversowed the detestable cockle of laxity in the field of moral Theology. All these, by the testimony of Terillus himself, are Probabilists, as I have shown in Tome 2 of the Apparatus, book 3, disputation 4, chapter 7. If I were to carp at the Casuists in this Terillian style, they would fill heaven with their clamors. Far be it from me, however, this manner of writing, employed by Fr. Terillus, that most benign Probabilist. Whether they wrote with a pious intention, or inflamed by the insinuation of the demon and the foretasted applause of an ampler fame (as Terillus says), God alone is judge. I sharpen my pen against the lax doctrines alone, my duty toward the authors being preserved. The second thing which presents itself to be weighed is that those innumerable authors of laxities — all those who, at the suggestion of the demon and of their own ambition, disfigured the evangelical doctrine, by the testimony of Fr. Terillus — are Probabilists. For all of them Fr. Terillus praises in patronage of Probabilism, as I have demonstrated at length in Tome 2 of the Apparatus, book 3, disputation 4, chapter 7; and therefore their authority is to be weighed either at nothing, or at little. These things touched upon, I recount, out of very many, a few of the authors who detest Probabilism.

DOMINICAN ANTIPROBABILIST THEOLOGIANS, AFTER THE BIRTH OF PROBABILISM

III. The Venerable Seraphinus a Porrecta, Giulio Mercori, Pietro Passarino, Pierre Labat, Vincent Contenson, Jean-Baptiste Gonet, Vincent Baron, Louis Bancel, Serafino Piccinardi, Jacobus a S. Dominico, Majolus, Natalis Alexander, Francisco Sanchez, Francisco Texeda, Martin Wigandt, Juan Martinez de Prado, Tommaso Lucioni, Mario Diana, Johannes Conradus, Ludovico Minutolo, Pietro Martire Petrucci, Domenico de Marinis, Cardinal Capisucchi, Cardinal Gotti, Antonio Irribaren, Olivier Richeceur, Marcello Marona, Giuseppe Bono, Hyacinthe Amat de Graveson, Antonio Bordoni, Ildefonsus a S. Thoma, Norbert del Becque, Franciscus Vanrat, Vincentius Ferrerius, Hyacinthe Serry, Vincenzo Bosio, Tommaso Milante, Giuseppe Agostino Orsi, Cardinal of the Holy Roman Church, Giovanni Battista Molinari. Not to be long: all the Theologians of the Order of Preachers, to a man, declare implacable war upon Probabilism.

Benedictine Antiprobabilist Theologians

IV. Cardinal de Aguirre, Cardinal Sfondrati, Gabriel Gerberon, Jean Mabillon, Abbot Gardius, Facundo Torres, Anselmo Gomez, Battista Larditus, Petit-Didier. In a word, all the illustrious Theologians of the Benedictine Order are opposed to Probabilism no less than to Molinism.

Franciscan Antiprobabilist Theologians

V. Antonio of Cordova, Giovanni Trovamala, Cardinal Laurea, Filippo Fabri, Antonio Matteucci, Barthélemy Durant, François Henno, Cirillo Rossi, Bernardino Ciaffoni, Bonaventura of Recanati, Paul of Lyons, Gaetano of Bergamo, Palbuncius Donadoni, Cardinal Casini.

Augustinian Antiprobabilist Theologians

VI. Lambert Le Drou, Ignacio Lacerda, Christian Lupus, Johann Schervietzer, Bartolomeo Ricci, Federico Gavardi, Leonard Vanroy, Enrico Noris the Cardinal, François Farvacques, Nicolaus Girchen, Aurelius Piette, Johannes Libente, Fulgenzio Bellelli, Antonio Guerrero, Giovanni Lorenzo Berti.

Carmelite, Trinitarian, and Minim Antiprobabilist Theologians

VII. Of the Carmelites: Carolus ab Assumptione, Henricus a S. Ignatio, Marinarius Brocardus, Christophorus a S. Joseph, who against Probabilism cites the holy Mother Teresa and St. John of the Cross.

VIII. Of the Trinitarians: Miguel a S. José published a book entitled *Estudio de la Verdad* in the year 1715.

IX. Of the Minims: Maignan, and the most wise Palanco, who in an entire tome in folio overthrew Probabilism.

Jesuit Antiprobabilist Theologians

X. Fr. Claude La-Croix, book I, number 169, writes that nearly all the authors of the Society of Jesus defend Probabilism. The like teach Terillus, Casnedi, Fibus, and others: these are the men who pour darkness over the splendor of the illustrious Society, and bring upon it great detriment. Other Jesuit Theologians hold for calumniators those who fasten Probabilism upon that most excellent Society. Fr. Étienne de Camps published a book entitled *Quaestio Facti*, in which he frees the Society from the note of defending Probabilism as its own. The same was done by Fabri, Daniel, Moya, Gonzalez, Camargo. If Probabilism were a benign doctrine, suited to the loosing of souls, why would these Theologians hold for calumniators those who ascribe Probabilism to the Society?

XI. The wiser Jesuit Theologians have overthrown Probabilism; and first of all three Cardinals — Bellarmine, Toledo, Pallavicino. Fr. Christoph Rassler the Jesuit, disputation 3, question 9, article 2, number 499, writes of Bellarmine: *For he is contrary to the more benign opinion in this question, and stands for the more rigid. Yet it may with good reason be doubted whether he did not himself bend aside into excessive rigor.* It may be doubted, then, whether Bellarmine was a Rigorist? Fr. Giacomo Sanvitale absolutely asserts that Bellarmine was a Tutiorist.

XII. Other more celebrated Jesuit Theologians who overthrew Probabilism are Fernão Rebello, Paolo Comitoli, Muzio Vitelleschi, Andreas Blanchus, Ludovicus Scildere, Miguel de Elizalde, Tirso González, Tomás Muniesa, Gilles Estrix, Edmond Simonet, Adam Ehrentreuch, Gilbert, Gabriel Antoine.

XIII. Fr. La-Croix, book 1, number 327, writes as follows: *Comitoli did not teach Theology, whence he is also of lesser authority; nor did Philaletus teach, forbidden by his superiors to prefix his own name, or that of the Society, to his book*. Comitoli alone — whether you regard elegance of writing, or doctrine and erudition — prevails over six hundred Probabilists. Neither Ambrose, nor Chrysostom, nor Augustine taught Theology, whether scholastic or casuistic. What follows from that?

XIV. The Constitutions of the Society of Jesus condemn Probabilism, part 4, chapter 5, number 4, in these words: *Let them follow, in every faculty, the more secure and more approved doctrine, and those authors who teach it*. Therefore those who teach less probable opinions are opposed to this constitution.

XV. The Order of Carmelites, part 2, chapter 15, § 7 of the constitutions, decreed this: *Let the Lecturer in cases of conscience resolve doubts, and, leaning to the safer part, let him always follow all the opinions accordingly.*

XVI. Cardinal Laurea, on the third part, disputation 12, narrates that the Seraphic Religion embraces the more probable opinions. In the Directory of the three Franciscan Orders published at Rome in the year 1688 these words are found: *To all persons of our Order, and to others living under our direction or obedience, we urge in the Lord, and command, that they always teach and embrace the safer and more probable doctrines.*

XVII. The Order of Preachers, in its general Chapter of the year 1656, exterminated Probabilism; and Alexander VII animated the Theologians of this Order to sharpen their pens against this doctrine — as Historians both domestic and foreign attest, especially Elizalde, and Cardinal Aguirre, who says: *But greatly to be praised among the Regulars is the most illustrious Order of St. Dominic, which, at the exhortation of the aforesaid Alexander VII, raised its standard against the lax Moral through its most learned sons — Juan Martinez de Prado, Giulio Mercori, Vincent Baron, Vincent Contenson, Piccinardi, Gonet, and others of the like — with the amplest fruit.* Not to be long: it is not possible to find even one Theologian writer in the whole Order of Preachers who does not at present detest Probabilism.

Other Non-Regular Antiprobabilist Theologians

XVIII. Fagnani, Johannes Andreas, Fortunato Garzia, Antonio de Butrio, the Abbot Alexander, Baldus, Merenda, the Bishop of Périgueux, Genet, Armand, Bordoni, La Verdure, Bondort, Cabassut, Merbes, Steyaert, Huygens, Florentius, Coque, Habert, Chartas, Pontas, Sinnich, Le Hermenier, Van Vianen, Neeffen, Ballerini, and very many others.

XIX. The whole Gallican Church condemned Probabilism. Entire Orders have eliminated it. The Lutherans and Calvinists reproach Catholics — though with the greatest injustice, as I have made plain elsewhere — with Probabilism as a most corrupt doctrine. Let Heineccius, Pfaff, Buddeus, Jurieu, Le Placette, and the others commonly be read. But the most erudite and most learned Catholics of all Europe, men most deeply versed in the discipline of the ancient Church and in the doctrine of the Fathers and of the Gospels, condemn and overthrow the probabilistic invention. Wherefore, by the weights both of reasons and of authorities, Probabilism lies pierced through.

Chapter X — It is licit to embrace an opinion evidently more probable for liberty, the less probable and safer opinion for the law being left aside

I. This word "safer" can signify a greater security from the danger of sinning even materially; and in this sense we are not always bound to the safer courses. Again, this term "safer" can signify security from falsity; and in this sense the more probable opinion is also the safer. Truth alone is the legitimate rule of an honorable conscience; and therefore the opinion which approaches the truth more is the more probable, and the safer. The opinion which more removes one from the danger of sinning is assuredly safer; but if you should say that the precept of embracing such an opinion always presses, then this position is false. The religious state is safer than the lay, because it more removes a man from the occasion of sinning; but if you should say that Christians are bound to take up this state, this "safer" opinion is false.

II. Further, that it may be licit to embrace the more probable opinion, the less probable and safer being left aside, it is required that this greater probability be notable, and that it rest upon weights of reasons which greatly excel the reasons of the less probable, safer opinion. These things touched upon, the proposed thesis is proved.

III. It is licit to execute that which, all things seriously weighed, appears prudently true and honorable. But when the opinion affirming that such an action is honorable appears to me, after all necessary diligence has been applied, more verisimilar than its opposite, by reasons gravely preponderating, I prudently judge that such an action is honorable, and that such an opinion is true. For although, through the weakness of the human mind, false things sometimes appear more verisimilar, yet commonly and for the most part what is more probable is true. In our case the opposite opinion is less probable, and that greatly: therefore I cannot prudently judge it to be true. And truth, as I have said, is the rule of a right conscience.

IV. It is confirmed by the authority of Alexander VIII, condemning this thesis: *It is not lawful to follow an opinion even the most probable among the probable.* The obvious sense of the condemned thesis is that it is not lawful to follow the less safe opinion, even though it be most probable [i.e., this is what stands condemned]. Therefore it is licit to follow the less safe opinion, provided it be much more probable than the opposite, safer, less probable one. Read Tome 2 of the Apparatus, book 3, disputation 10, chapter 1.

Chapter XI — An exhortation to Confessors

I. There is no need of many words, O Ministers of Christ, to persuade you to withdraw from the kingdom of Probabilism — in which, as Bishop Palanco, a man most celebrated not for doctrine only but also for sanctity of morals, says, it is not God who reigns, but the inventions of men and their vain cogitations. But Christ your Master, Matthew 15, cries out: *In vain do they worship me, teaching doctrines and commandments of men.* And they are doctrines of men, not of God, which I have hitherto studied to refute.

II. Seriously, I pray you, weigh the security and tranquillity which the Probabilists promise you at that very time at which you repel the more splendid light — by the force of a human reflection which men have devised. Against them cry the divine Scriptures. Hear Paul, 1 Corinthians 4: *For I am not conscious to myself of any thing; yet am I not hereby justified.* Would the Probabilists have replied to the Apostle that he should form for himself a reflex syllogism, by which to shake off his fear? But Paul straightway adds: *But he that judgeth me is the Lord.* And he judges, not according to the reflex doctrines which men have devised, but according to his own law — eternal, immutable, and true. Wherefore Paul exhorts, Philippians chapter 2, that *with fear and trembling you work out your salvation.* This holy fear and dread the divine Scriptures continually urge and command. *Serve ye the Lord with fear, and rejoice unto him with trembling*: Psalm 2. *Who can understand sins? From my secret ones cleanse me*: Psalm 18.

III. To whom, then, must we hearken? To the divine Scriptures, or to the Probabilists? The Scriptures cry: *There is a way which seemeth just to a man; but the ends thereof lead to death.* Probabilism, on the contrary, contends that that becomes right which appears distorted and erroneous, by the help of a single reflex proposition. But why do I prolong further the most manifest opposition between the holy Scriptures and the probabilistic axioms? You yourselves, O Ministers of Christ, already perceive

that nothing is so hostile to the accomplishing of the business of eternal salvation as the security introduced by this new manner of opining, which equals error itself — covered over by the artifice of subtle reflections and by the darkness of ignorance — to truth. But Ecclesiasticus, chapter 2 [recte 11], says: *Error and darkness are created with sinners*; and David adds: *The Lord knoweth the thoughts of men, that they are vain*: Psalm 93.

IV. But let this remain fixed more deeply in your souls, O Ministers of God, which St. Paul commends to you: *Preach the word: be instant in season, out of season: reprove, entreat, rebuke in all patience and doctrine*: 2 Timothy 4. The word, not of men, but of God, is to be preached by you — not from the pulpit only, but above all from the very tribunal of penance. A double doctrine — one for the chair, another for the tribunal of loosing and binding — the Scribes and Pharisees devised. One, and that a simple one, is the doctrine of Christ, which, adds St. Paul, men refuse to endure, because it is an enemy to the flesh and to the appetites; and therefore they busy themselves to corrupt it with cavils, paradoxes, and unheard-of inventions. *For there shall be a time, when they will not endure sound doctrine; but, according to their own desires, they will heap to themselves teachers, having itching ears; and will indeed turn away their hearing from the truth, but will be turned unto fables.*

V. That doctrine is corrupt, says St. Thomas with all the Fathers on this place, which has falsity mingled with it. Probabilism has falsity mingled with it, since it defends the licit use of contrary opinions about the same action. Whether the things which we have hitherto refuted be fables, judge you yourselves. The doctrines which I have confuted itch in the ears, indulge the desires of men, favor human liberty against the law of God. What clearer sign do you await? What excuse can you offer, if you allow yourselves to be deceived? Nay, that the Apostle might shut every crack of escape, he foretold that this corruption of doctrine, these fables, these masters with itching ears, would come in the last days. *Know also this, that, in the last days, shall come dangerous times.* He describes the endowments of these men, that we may be able to be on our guard: *Men shall be lovers of themselves, covetous, haughty, proud ... having an appearance indeed of godliness, but denying the power thereof ... For of these sort are they who creep into houses, and lead captive silly women laden with sins, who are led away with divers desires: ever learning, and never attaining to the knowledge of the truth.* They always confess; they always, or frequently, eat the body of Christ; they attend sermons and discourses; they have frequent and familiar converse with the ministers of God: yet they never dismiss the pomps, the luxury, and the ambition of the world; but, laden with the burdens of sins, and puffed up with divers desires, they flee from and reject the knowledge of the truth.

VI. But know this: that you can by no means announce this doctrine of divine truth, and openly inculcate it in season and out of season, without sustaining reproaches, derisions, and persecutions — and those grave ones. For Paul adds in the same place, chapter 3: *And all that will live godly in Christ Jesus shall suffer persecution.*