

SYNOPSIS OF MORAL AND PASTORAL THEOLOGY

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VOLUME II

On the Virtue of Religion

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On the Virtue of Religion (Volume II)

On Religion in General

ON THE VIRTUE OF RELIGION. — PRELIMINARY REMARKS ON RELIGION IN GENERAL.

851. 1. Notion. The theological virtues, of which we have treated, intimately and directly unite us to God; nevertheless, because we remain distinct from God and dependent upon Him, it is necessary that we acknowledge His infinite excellence by a special worship. Now the supernatural virtue by which the will is inclined to render to God the worship due to Him on account of His infinite excellence is called religion.²

¹ In this treatise we shall set forth the first three precepts of the Decalogue: the first, namely: "I am the Lord thy God... Thou shalt not have strange gods before Me. Thou shalt not make to thyself a graven thing, nor the likeness of anything that is in heaven above or in the earth beneath... Thou shalt not adore them nor serve them"; the second: "Thou shalt not take the name of the Lord thy God in vain"; the third: "Remember that thou keep holy the sabbath day" (Exod. 20:2-8).

² Worship in general is an act by which we venerate someone on account of his excellence; it is also called veneration, and is rendered to any person truly excellent. But the worship which is rendered to God, on account of His infinite excellence, is called the worship of *latría* or adoration, while the worship rendered to the saints retains the name of *dulia* or veneration. Formerly, however, these words were predicated indiscriminately of God and creatures. Cf. *De Incarnatione*, n. 255-256.

852. 2. Principal acts. Considered psychologically, religion embraces manifold acts. (a) First, when we consider the divine excellence, we cannot but admire His infinite perfections and supereminent goodness. (b) This admiration, moreover, soon begets love: for the will is drawn affectively toward the infinite goodness which we have perceived with the mind. (c) Yet reverential fear is joined to love: for while we think of the divine majesty and holiness, we clearly behold our own littleness and imperfection, and we appear before God only with fear. (d) Thence arises the religious sense, or veneration and adoration, by which, with love and fear together, we worship God as first principle and supreme Lord, and subject our whole being to Him. Moreover the habitual will of promptly handing over and devoting oneself to divine worship is called devotion.³ (e) But because we know that all the goods which are in us, both natural and supernatural, have been conferred gratuitously by God, we acknowledge Him as a distinguished benefactor, and offer Him acts of thanksgiving. (f) But, since daily we need new benefits and new graces, which we are able to obtain only from God, we have recourse to Him by prayer, that we may obtain them. (g) Sometimes also it happens that, because of our frailty, we commit sin and inflict upon God an offense which ought to be repaired: thence arises a sense of penance, by which we strive to compensate the injury inflicted upon the Supreme Deity. (h) Among the various acts which are able to express the aforesaid dispositions, sacrifice certainly stands forth, or the offering and immolation of a victim publicly made, in the name of the whole community, in order to acknowledge the supreme dominion of God.⁴

³ Devotion, when it is exercised, becomes an act; but generally it is taken as a habitual disposition.

⁴ The acts of religion are enumerated somewhat differently by St. Thomas (*Summa Theologiae*, II-II, q. 82-91) according to the ontological order: a) interior acts, which are the more principal, namely devotion and prayer; b) exterior acts, by which some exterior things are offered to God, namely sacrifices, offerings, first-fruits, and tithes; or by which something is promised to God, as vows; or by which something divine is assumed, namely an oath and the assumption of the divine name.

These indeed are the principal acts of the virtue of religion. Others are less principal, as oath and vow; others, from positive law, are ordered to the sanctification of certain days, as cessation from servile work and assistance at the sacrifice of the Mass.

853. 3. Place among the virtues. From this it follows that the virtue of religion is a special virtue, not properly theological, but the most excellent among the moral virtues.

(a) The virtue of religion is a special virtue, or one distinct from others. For it pursues a special good, namely the worship due to God, and indeed on account of a special motive, namely His supreme and singular excellence. Now where a particular object and motive are present, there is a distinct virtue.

(b) Theologians unanimously teach that this virtue is not properly theological: for while a theological virtue immediately regards God Himself, religion of itself directly regards the worship due to God. Nevertheless supernatural religion, of which we are here treating, supposes the theological virtues, and cannot be perfect unless in its own sphere it embraces certain acts of these virtues. Thus only by faith do we know the supernatural excellence of God, which we worship by religion; when we pray, we must elicit an act of hope; true devotion, by which we hand ourselves and our goods over to God, involves an act of charity.⁵

⁵ Some spiritual authors, especially of the school of the seventeenth century in France, take the virtue of interior religion as a complex of the theological virtues by which we perfectly worship God through Christ, the perfect adorer of the Father. Thus Olier, *Introduction a la vie et aux vertus chretiennes*, ch. I, where, among other things, he writes: "Finally Our Lord, in order to expand His holy religion toward God, and to multiply it in our souls, comes into us and leaves Himself on earth in the hands of priests as a host of praise, in order to communicate to us His spirit of a host... He pours Himself out in us, He insinuates Himself into us, He perfumes our soul and fills it with the interior dispositions of His religious spirit."

(c) Wherefore religion far surpasses the other moral virtues. For virtues are more perfect insofar as they are nearer to the last end; and therefore the theological virtues are better than the rest, because they immediately attain God, the last end. But among the moral virtues religion stands forth: for it approaches God more nearly, because it is ordered directly to divine honor and worship, while the other moral virtues tend only indirectly to the honor of God, by prescribing duties toward the neighbor and ourselves.

854. 4. Division of the treatise. Treating of the acts of the virtue of religion, and treating of the vices opposed to the same, we shall speak:

I. Of the more principal acts, adoration and prayer;

II. Of the secondary acts, oath and vow;

III. Of the social act, or the sanctification of Sunday and feasts.

And thus we shall set forth the first three precepts of the Decalogue.

Chapter I: On the Principal Acts of Religion, and the Vices Opposed

CONCERNING THE PRINCIPAL ACTS OF RELIGION.

We shall speak both of the principal acts of religion themselves, and of the sins opposed to religion.

ART. I. CONCERNING THE PRINCIPAL ACTS OF RELIGION THEMSELVES.

Passing over those acts of which we have already spoken, sacrifice, the worship due to Christ, the Blessed Virgin, the Saints, relics, and images, we shall briefly treat of adoration and prayer, and also of devotion, which renders us more prompt for each act.

§ I. CONCERNING ADORATION.

855. 1. Notion. In the broad sense, adoration is an act by which we profess the excellence of another and our subjection toward him; in this sense kings and men endowed with excellence are said to be adored.² In the strict sense it designates the act by which we profess the infinite excellence of God and His supreme dominion, and our dependence upon Him; of this we speak here. Adoration embraces a twofold act: internal, by which the intellect and will together acknowledge the divine excellence and their own subjection;³ external, or the manifestation of this interior sense by some sensible sign, for example, by sacrifice, prostration upon the earth, genuflection, and other such things, which vary among different nations.

¹ St. Thomas, *Summa Theologiae*, II-II, q. 84; Suarez, *De Virtute et Statu Religionis*, Tr. I, l. II, c. 1-2; Billuart, diss. III, art. 1; Bouquillon, *De virtute religionis*, Bruges, 1880, n. 46-50; Muller, § 40; M. d'Hulst, *Careme* 1893, Conf. I; Tyrrell, *External Religion, La Religion exterieure*, lectures II-IV.

² 3 Kings 1:16; Acts 10:25.

³ St. Thomas, with many other theologians, enumerates adoration among the external acts of religion, because he considers it especially as a bodily act; but he supposes that it is nothing other than the expression of interior adoration (*Summa Theologiae*, II-II, q. 84, a. 2).

856. 2. Thesis: properly so-called adoration, internal, external, and public, is due to God. (A) Scripture. Christ, tempted by the devil, answered him:⁴ "For it is written: The Lord thy God shalt thou adore, and Him only shalt thou serve." Moreover He thus openly declares to the Samaritan woman that this adoration ought to be internal:⁵ "But the hour cometh, and now is, when the true adorers shall adore the Father in spirit and in truth. For the Father also seeketh such to adore Him. God is a spirit; and they that adore Him must adore Him in spirit and in truth." That it ought likewise to be public, and therefore external, is clear from the institution of the eucharistic sacrifice, by which the sacrifice of Christ on the cross is vividly represented:⁶ for sacrifice is an external and public act of adoration, offered to God in the name of the whole community.

⁴ Matt. 4:10.

⁵ John 4:23-24.

⁶ This we proved in *De Eucharistia*, n. 153-161.

857. (B) Reason shows the same. (a) For God is the supreme Lord of men: since He created them out of nothing, and indeed as to their whole being, both as to substance and as to faculties; besides, He conserves them in being; for by their own weight they tend to nothingness, since they are from nothing, and unless they were positively sustained by God at every instant, they would be reduced to nothing; indeed, He concurs with them in acting: for although they enjoy activity implanted in them by God, they cannot break forth into act unless they are helped by the supreme cause of all things. Therefore men, entirely as they are, depend upon God and are constituted under His dominion. But the supreme Lord, upon whom all things depend, has a right, and indeed a strict right, that His dominion be acknowledged by all rational creatures: for they are rational for this reason, that they may follow the order of reason and spontaneously and freely confess their dependence upon the supreme Cause; this indeed is done by adoration, by which we profess God as first principle and last end, or, in other words, as supreme Lord; therefore God has a strict right that He be adored by men, and he who denies it to Him is guilty of true injustice.

858. (b) That this adoration ought to be not only internal, but also external, is clear from a twofold argument:

1. External worship is necessary by reason of itself. For God is the author not only of the soul, but also of the body, and has lavished upon us not only spiritual but also bodily benefits; therefore we depend upon God also as to the body; therefore we ought to express that dependence not only internally, but also in a sensible mode, namely by using the body which we have received from Him. - This indeed will be still more apparent if it is noted that man, as leader of sensible creatures, is as it were the pontiff of irrational nature, and therefore is bound to praise and adore God not only in his own name, but also in the name of inferior creatures. But this he cannot do better than by exhibiting external worship by the help of the body, which is a microcosm, or compendium of the whole of sensible nature.
2. External worship is necessary also by reason of internal worship, namely to express and foster it. For we are so constituted by nature that the interior affections of the soul, especially when they are more vivid, are expressed in a sensible mode, by the eyes, countenance, gesture, and whole bearing of the body; therefore if man truly and sincerely reveres and loves God, spontaneously and as it were necessarily he will manifest reverence and love by external acts, words, gesture, and the whole bearing of the body; but we are bound sincerely to love and adore God; therefore also to express this worship by external acts. - Otherwise internal worship would soon perish: for since, from what has been said, man is naturally prone to manifest outwardly the interior feelings of the soul, when external signs and ceremonies decrease, generally the very sentiments of religion are diminished, and when such signs are removed, commonly religion itself perishes. Nor is this wonderful: for man is led by sensible things to spiritual things, by external things he is stirred to the thought and practice of interior things, and if incentives of this kind are lacking, gradually even the dispositions of the soul languish and are extinguished.

Augustine had already observed this:⁷ "For those praying," he says, "do with the members of their body what is fitting for suppliants, when they fix their knees, when they extend their hands, or even prostrate themselves on the ground, and if they visibly do anything else; although their invisible will and the intention of the heart are known to God, nor does He need these signs in order that the human mind may be opened to Him; but by this man rather stirs himself to praying and groaning more humbly and fervently." Nor can it be said that from this it happens that our religion consists only in external rites; for, as the Angelic Doctor deservedly says,⁸ "because in all acts of latria, that which is external is referred to that which is internal, as to the more principal, therefore external adoration itself is done for the sake of internal adoration; namely that, through the signs of humility which we exhibit bodily, our affection may be stirred to subject itself to God, because it is connatural to us that we proceed through sensible things to intelligible things."

⁷ *De Cura pro mortuis*, c. V, Migne, P. L., XL, col. 597.

⁸ St. Thomas, *Summa Theologiae*, II-II, q. 84, a. 2.

859. (c) This adoration ought not only to be external, but also public or social. For man was born for society, and in fact lives in society. Now not only each man, but also society itself, as a moral person, arises from God and depends upon Him; therefore it is necessary that not only private individuals worship God, but also that the whole commonwealth, after the manner of one body, exhibit adoration to God. - For this reason indeed God chose a special day, which would be as it were exclusively devoted to divine worship: for He willed that on this day all should rest from servile work, so that they might be able to exhibit public honor to God, as we shall explain below.

860. 3. Points to be noted for practice. (a) Therefore the faithful should be admonished that external and public acts of religion are indeed necessary, but derive their principal value only from interior acts: "God is a spirit; and they that adore Him must adore Him in spirit and in truth." Wherefore genuflections, inclinations of the head, and other signs of adoration should be performed with the intention of worshiping and loving God.

(b) Since, from what was said in the Treatise on the Incarnate Word, n. 243-246, Christ is the mediator of religion and the supreme Pontiff, through whom the Angels praise the divine majesty and the Dominations adore it, nothing is more fitting than to praise, adore, and glorify God through Christ: "Through Him, and with Him, and in Him, is to Thee, God the Father almighty, in the unity of the Holy Spirit, all honor and glory."⁹

⁹ Roman Missal, Canon of the Mass.

§ II. CONCERNING PRAYER.

After the preliminary notions concerning prayer have been set forth, we shall explain: 1. its necessity; 2. its efficacy.

³ St. Thomas, *Summa Theologiae*, II-II, q. 83; Suarez, Tr. IV, lib. I-III; Billuart, diss. II, art. 2-6; St. Alphonsus, little work on prayer written in Italian (*Del gran mezzo della preghiera*) and translated into various languages; Bouquillon, op. cit., n. 129-225; Lehmkühl, n. 338-347; Ballerini-Palmieri, n. 313-324; M. d'Hulst, *Careme* 1893, 3rd Conference; O. Lefranc, *La Priere*, Paris, Lethielleux, 1904.

861. Notion and species. Prayer, in the broad sense, is a pious elevation of the mind to God; it is distinguished from study, by which we think of divine things without pious affection. Under this respect it embraces the principal acts of religion, namely adoration, thanksgiving for benefits received, penance for sins, meditation on divine things, petition for spiritual goods, etc. - In the strict sense, it is commonly defined as the petition of fitting things from God. That this petition, when it is made with due submission, is truly an act of religion is easily understood: for it proceeds from an intimate sense of our need, and is at the same time a practical acknowledgment of divine excellence and goodness; for we do not ask graces from God unless we are inwardly persuaded that He is the fountain of goods, and at the same time full of mercy, so that He can and wills to help us.

Prayer is mental when it is performed by the mind alone, namely by the intellect and will: by the intellect, namely, we think of God, of the things to be asked, and of the motives on account of which it is expedient to obtain them; by the will, we desire that such or such a grace be granted to us by God. - It is called vocal, or oral, when it is performed not only by the mind, but by the mouth, by words or other signs. - Again, vocal prayer is private if it is made by the one praying in his own name; public if it is made in the name and authority of the Church, by a minister deputed for this; thus the recitation of the divine office is public prayer: of this we treat in the Treatise on the Various Obligations of States, n. 132-160.

I. CONCERNING THE NECESSITY OF PRAYER.

862. 1. Errors. Not only atheists, pantheists, and agnostics deny both the necessity and the utility of prayer, but also most rationalists,¹ because, they say, it is foolish to ask God to change the immutable laws of nature, or decrees conceived from eternity. But the Quietists rejected prayer as something imperfect for interior souls; thus Molinos said:² "It is not fitting for one resigned to the divine will to ask anything from God; because to ask is an imperfection, since it is an act of one's own will and choice, and is to will that the divine will be conformed to ours, and not that ours be conformed to the divine; and that saying of the Gospel: Ask and you shall receive, was not said by Christ for interior souls, who do not wish to have a will; indeed souls of this kind come to such a point that they cannot ask anything from God."

¹ J. Simon, *La Religion naturelle*, 4th Part, ch. 2; for refuting him, see Bougaud, *Le Christianisme*, t. V, ch. 4; Gondal, *La Religion*, 1894, l. III; Tanqueray, *De Veri Religione*, n. 16-19.

² Proposition 14, condemned by Innocent XI, apud Denzinger, n. 1101.

863. 2. Thesis: Prayer is necessary for all adult wayfarers by necessity of precept, indeed by necessity of means, at least according to the ordinary law of God.

Here there is question of prayer properly so called, or of the petition of supernatural goods from God. This, according to all, is necessary as to adults, as long as they live, from a divine precept; but, according to the common and true opinion, it is necessary also by necessity of means, from the ordinary law, insofar as it is a means instituted by God for obtaining, in the present order of things, graces necessary for salvation.

864. (A) Scripture often inculcates the necessity of prayer, asserting that petition is an efficacious means for obtaining grace, or for overcoming temptations, and indeed in such a way that from this it can be gathered that without prayer grace cannot be obtained or temptations overcome: "Ask, and it shall be given you; seek, and you shall find; knock, and it shall be opened to you. For everyone that asketh receiveth; and he that seeketh findeth; and to him that knocketh it shall be opened";³ as if He were saying: petition is the means of obtaining grace; therefore, if you do not ask, it will not be given to you. Again Christ says:⁴ "Watch and pray, that ye enter not into temptation." The Apostles likewise command the faithful to be instant in prayer,⁵ and to watch in prayers.⁶ These things indeed, taken all together, suppose not only a precept, but a necessity of means; for the exhortation to pray that we may obtain grace and overcome temptations supposes that we cannot, at least from the ordinary law of God, attain either without prayer.

³ Matt. 7:7-8; cf. Luke 11:9-10.

⁴ Matt. 26:41.

⁵ Rom. 12:12; Col. 4:2.

⁶ 1 Pet. 4:7.

865. (B) The Fathers likewise often attribute victory against temptations and perseverance in good to prayer, as if it were a means necessary for this. Their doctrine is thus summarized by the author of the book *On Ecclesiastical Dogmas*, who very probably is Gennadius of Marseilles (flourished in the year 495): "We believe that no one comes to salvation unless God invites him; that no one invited works out his salvation unless God helps him; that no one merits help unless he prays."⁷ Augustine especially taught this, asserting that the gift of perseverance is given only to those praying,⁸ and that God does not command impossibilities; since He admonishes "both to do what you can, and to ask what you cannot."⁹ Trent made these words its own:¹⁰ "For God does not command impossibilities, but by commanding admonishes both to do what you can, and to ask what you cannot; and He helps that you may be able." Manifestly therefore the Council supposes that certain things are impossible, if the grace by which they can be done is not asked.

⁷ *De ecclesiasticis Dogmatibus*, c. 56, P. L., LVIII, 995.

⁸ "Indeed, since it is clear that God has prepared some things to be given even to those not praying, as the beginning of faith; but others only to those praying, as perseverance unto the end, certainly he who thinks he has this from himself does not pray that he may have it" (*De dono perseverantiae*, c. 16, n. 39, P. L., XLV, 1017).

⁹ *De natura et gratia*, c. 43, n. 50, P. L., XLIV, 271.

¹⁰ Sess. VI, ch. 11, Denzinger, n. 686.

866. (C) The matter indeed depends upon the will of God, who could, if He wished, grant grace even to those not praying. Nevertheless it was altogether fitting that grace should be given only to those asking. For it is consonant with reason that man himself, who needs grace for salvation, should concur, as he can, at least by prayer, in coming to the aid of his own necessity. The Catechism of the Council of Trent declares this thus:¹¹ "For, since God owes nothing to anyone, it surely remains that the things which we need should be sought from Him by

prayers; and He gave these prayers to us as a necessary instrument for obtaining that which we should desire: especially since it is clear that there are certain things which it is not permitted to obtain except by His help." Afterwards it explains the utility of prayer: (a) by praying we exhibit honor to God; for thus we profess that we are subject to Him, whom we acknowledge as the author of all goods, in whom alone we hope, whom alone we have as the refuge and protection of safety and salvation. (b) By praying we also exercise the virtues of the soul: faith, because the more studiously we pray, the greater and more certain faith we have in divine care and providence; hope, because we ought to ask grace only with confidence; charity, since it is necessary to contemplate the divine goodness in prayer, and, besides, by frequent conversation with God we are enkindled to His love; humility, since, in order to pray, we ought to be conscious of our own need. - Therefore it was most fitting that at least certain goods should be granted only to those asking.

¹¹ Catechism of the Council of Trent, P. IV, c. I, n. 3.

867. (D) From this the difficulties proposed by the Quietists already remain solved: for an act commanded by God, which otherwise carries with it such great utility, cannot be imperfect. - Nor do the arguments of the Rationalists have greater force.

They indeed object that God cannot acquiesce in our petitions unless He changes His counsels. St. Thomas had already anticipated this difficulty; for, as he rightly observes,¹² God indeed decreed all things from all eternity, but, in disposing the present order of things, He foresaw our prayers, and could so order secondary causes that effects consonant with our petitions would be produced at the due time. Hence, when we pray to God, we do not pray for this purpose, that we may change the divine disposition, but that we may obtain that which God disposed to be fulfilled through prayers, namely, that in time we may receive what almighty God disposed before the ages to give to us. - In vain likewise do they add that our prayers cannot be heard without the laws of nature perishing. For this is first of all false when we ask spiritual goods: if we pray God that He help us to do good, by enlightening the intellect or strengthening the will, we by no means demand that our liberty be destroyed, but rather that it be strengthened. The same can be said of temporal goods: when we ask for health, we do not ask that physiological laws cease, but only that God so dispose secondary causes that, these being rightly applied, we can be cured from illness.

¹² St. Thomas, *Summa Theologiae*, II-II, q. 83, a. 2.

Nor does it help to say that prayer is not necessary because God, who knows all things, does not need that we set forth our necessities to Him, as Kant said, reheating an old objection; for, as St. Thomas rightly says,¹³ "it is not necessary that we offer prayers to God in order to manifest to Him our needs or desires, but that we ourselves may consider that in these things recourse must be had to divine help"; for thus we better acknowledge our weakness, conceive greater confidence toward God, and concur with Him by greater effort in acting well.

¹³ *Ibid.*, a. 2, ad 1.

868. 3. Practical corollaries. (A) The law of praying, like the precept concerning faith, hope, and charity (above, nn. 644, 718, 754), obliges either by itself or by accident:

(a) By itself, rather frequently in life, though the time cannot be mathematically determined. Hence the faithful are to be exhorted to pray daily, especially in the morning, to ask the helps which they need for that day, and in the evening, to give thanks for benefits received, to elicit penitence for sins, and to hand over their soul to God before they take sleep. Those who omit morning and evening prayers do not indeed sin directly; but experience shows that those who do not recite them, other things being equal, fall into sin more frequently than those who pray daily.

(b) By accident, as often as some duty of Christian life cannot be fulfilled, or a temptation overcome, without prayer. Hence the faithful are to be exhorted to have recourse to prayer whenever some more arduous duty presses, some business of greater moment, or a more dangerous temptation.

869. (B) Prayer must indeed be made in spirit and truth: for God, to whom the hidden thoughts of men lie open, hears prayers even if they are not uttered by the mouth. Yet vocal prayer has its own utility:¹⁴ (a) for stirring up interior devotion, by which the mind is more easily elevated to God, because through external signs internal affection is suggested and rendered more intense; (b) for rendering more perfect service to God, namely that man may serve God according to that whole which he has received from Him, not only by the mind, but also by the body, and thus offer the accumulated sacrifice of soul and body.

¹⁴ St. Thomas, *Summa Theologiae*, II-II, q. 83, a. 12; Catechism of the Council of Trent, l. c., n. 28.

Yet one must not indulge in much speaking, by which the mind is often distracted; for it is better to recite fewer and shorter prayers attentively and devoutly than more extended ones with almost no attention or mediocre devotion: "And when you are praying, speak not much, as the heathens. For they think that in their much speaking they may be heard. Be not you therefore like to them. For your Father knoweth what is needful for you, before you ask Him."¹⁵ - Especially to be avoided is the vain display of hypocrites:¹⁶ "And when ye pray, ye shall not be as the hypocrites, who love to stand and pray in the synagogues and corners of the streets, that they may be seen by men... But thou, when thou shalt pray, enter into thy chamber, and having shut the door, pray to thy Father in secret; and thy Father who seeth in secret will repay thee." The chamber of which there is question here "can be referred to the heart of man, which it is not enough to enter, but which, besides, ought to be closed, lest anything break in or flow into souls from without, by which the integrity of prayer could be violated."¹⁷

¹⁵ Matt. 6:7-8.

¹⁶ Matt. 6:5-6.

¹⁷ Catechism of the Council of Trent, n. 28.

870. (C) Therefore prayer ought to be attentive; for it would be foolish to ask God that He kindly lend an ear to our prayers, if we ourselves do not attend to what we say. For since prayer is an ascent of the mind to God, the words of prayer are poured forth rashly and irreverently if the mind voluntarily wanders from God, and no effort is applied to dispel distractions. - Nor does external attention suffice for true prayer, by which only every action by its nature incompatible with internal attention is excluded; but, more probably, internal attention, or application of the mind to God, is required.¹

¹ Yet according to Lugo (*De Eucharistia*, disp. XXII, n. 25-41), probably internal attention is not required for the essence of prayer, but external attention suffices, provided prayer is begun with the intention of praying and attention of mind, and attention perseveres virtually. - But it is difficult to conceive how attention virtually remains in one who is fully distracted, as is said below.

(a) Attention, on the part of the object, can be diverse: if the mind is occupied with rightly pronouncing the words, it is called superficial, or verbal; if with rightly understanding the words, it is called literal, or intellectual; when attention is given to worshipping God Himself, or to a particular mystery, or to the good which is asked, spiritual, or mystical, attention is had; and this is more perfect than the rest, provided however that the mind is truly attentive and does not wander in vain thoughts.

On the part of the subject, attention is more or less perfect and intense or remiss, directed to one object, or divided among several. - Some distinguish between actual attention, which is actually exercised, and virtual attention, which perseveres in virtue as long as it has not been retracted. But this distinction by no means pleases St. Alphonsus, and deservedly: for it is difficult to conceive how attention, which is an act of the mind, remains virtually in one who is distracted, even involuntarily. The matter is otherwise with intention, which, since it belongs to the will, perseveres virtually in the effect. But he who has his mind occupied elsewhere, even if involuntarily distracted, cannot be called attentive even virtually, since he by no means attends to the things which he recites.

871. (b) For the validity of prayer any internal attention suffices, even superficial and remiss. For, the intention of praying being posited, which we suppose to have been elicited from the beginning of prayer and not retracted, as soon as attention is present, even verbal and remiss, there is true speech with God, and a pious petition to Him, as is clear from comparison with men who recite words which they do not understand well, but nevertheless will to express all those things which are contained in the writing.

872. (c) Voluntary distractions in themselves or in their cause, admitted without a sufficient motive, are a venial sin by their nature, because they imply a certain irreverence against God; but they are not a mortal sin, unless otherwise gravely evil or shameful; involuntary distractions, however, even many and long-lasting, constitute no sin.

They are voluntary in themselves when one actually gives consent to them; in their cause, when, before prayer, vain thoughts are freely admitted which are foreseen to be a cause of distractions. They are involuntary when we apply ordinary diligence to forestall or expel them. - Voluntary distractions are venial sins, even in prayers which are not from precept, unless they are excused by a sufficient motive: because, as soon as we will to speak with God, we are bound to do this reverently. But if, while praying, a useful thought occurs, to turn it over for some time is not even a venial sin, provided a proportionately sufficient reason is present.

Distractions, even voluntary ones, do not destroy the substance of prayer; for, notwithstanding these distractions, the soul can remain turned toward God, and sincerely desire to obtain graces; but God, who has known our frame and is prone to mercy, deigns to hear prayers, even if they are infected by certain light faults. - Nor are certain external actions incompatible with true prayer, such as walking, working with the hands, etc., which by no means impede the elevation of the mind to God. Wherefore it is altogether expedient to pray while walking or working; nor is it to be feared that the

distractions which then naturally occur are sins: for to admit useful distractions while someone recites certain prayers among manual labors is no sin; for who will accuse as guilty of irreverence him who, among common actions, strives to rise in mind to God, although several times he admits other thoughts even voluntarily? The rigid Concina indeed did not hesitate to assert this, but in this he was deservedly reprovved by the other theologians.²

² Concina, *In Decalogum*, lib. II, diss. 2, c. 9, § 3, n. 8-9; Bouquillon, n. 219, refutes him.

873. (D) We ought to pray, from charity, not only for ourselves, but also for the neighbor, and indeed preserving the order described above, n. 805: for prayer is one of the principal means by which we can help him spiritually. We are not bound to pray specially for determined persons, unless these are constituted in grave or very grave necessity, or are joined to us by a special bond of blood or office. It is not licit to exclude enemies from common prayers.

Nor should the souls detained in Purgatory be passed over, since they are joined to us by a peculiar bond, as we explained in the Treatise on God the Rewarder, n. 49.

II. CONCERNING THE EFFICACY OF PRAYER.

874. The effect of prayer is threefold: meritorious, insofar as it can obtain sanctifying grace and its increase, the conditions required for merit being posited, above, n. 199-200; satisfactory, because, since it is an arduous work, it can satisfy for sins; impetratory, insofar as it has the power of obtaining the actual graces which are asked from God, the conditions enumerated below being posited. Since the first two effects have been treated elsewhere (above, n. 196, and *De Poenitentia*, dogmatic part, n. 75-79), it remains here to speak of the last: 1. whether and in what sense prayer is efficacious; and 2. by what conditions?

1. WHETHER AND IN WHAT SENSE PRAYER IS EFFICACIOUS?

875. Thesis: Prayer, clothed with the due conditions, has the power of obtaining, with moral infallibility, what is asked from God.

It is explained. This infallibility is not absolute, but conditioned, nor does it arise from the dignity of prayer alone, but from the superadded promise of God. For if only the dignity of prayer in itself is considered, it indeed has a certain aptitude for obtaining those things which are asked, namely from the goodness and mercy of God; but it does not have infallible efficacy, because of itself it introduces no necessity, since God remains free in such a case to exercise or not to exercise His mercy. But when the divine promise accedes, God owes it to Himself to bestow those things which He has promised, not indeed from strict justice, nor from mere liberality, but from fidelity. Wherefore the infallibility is not absolute, but conditioned and moral, namely provided that the thing asked is necessary or very useful for salvation (below, n. 879-883). For the primary reason on account of which God promised to hear prayers is that He wills us to attain our supernatural end, since all temporal and spiritual goods are finally referred to this end. Hence, if, according to His wisdom, He foresees that some grace in particular, all things considered, will be more harmful than useful, He is not bound by force of His promise to grant it, but will give another more useful or more opportune one.

876. It is proved. (A) Scripture many times proclaims the efficacy of prayer.

(a) An example is had in the prayer of Abraham, who by repeated prayers obtained that wicked Sodom would be spared if ten just men were found in that city;³ in the preservation of the city of Segor, which was saved only by the prayers of Lot;⁴ in the case of the Israelite people, which, when it had deserved to be destroyed, was able to escape ruin by the intercession of Moses.⁵ Besides, Ecclesiasticus thus describes the wondrous effect of prayer:⁶ "The prayer of him that humbleth himself shall pierce the clouds; and till it come nigh he will not be comforted; and he will not depart till the Most High behold... My son, in thy sickness neglect not thyself: but pray to the Lord, and He shall heal thee." The angel of Tobias declares the same poetically:⁷ "When thou didst pray with tears and didst bury the dead... I offered thy prayer to the Lord." - Likewise, in the Gospel, the publican who poured forth a humble prayer went down justified to his house.⁸

³ Gen. 18:16-33.

⁴ Gen. 19:18-22.

⁵ Exod. 32:7-14; cf. Ps. 105:23.

⁶ Eccli. 35:21; 38:9.

⁷ Tob. 12:12.

⁸ Luke 18:14.

877. (b) But the promises of Christ, repeated rather often, have special force:⁹ "Ask, and it shall be given you; seek, and you shall find; knock, and it shall be opened to you. For everyone that asketh receiveth; and he that seeketh findeth; and to him that knocketh it shall be opened. Or what man is there among you, of whom if his son shall ask bread, will he reach him a stone?... If you then, being evil, know how to give good gifts to your children, how much more will your Father who is in heaven give good things to them that ask Him!" - This is true especially of prayer made in the name of Christ, that is, through Him, and with Him, and in Him, insofar as we trust not in our merits, but in His: "And whatsoever you shall ask the Father in My name, that will I do, that the Father may be glorified in the Son. If you shall ask Me anything in My name, that I will do"¹⁰... Amen, amen I say to you, if you ask the Father anything in My name, He will give it you. Hitherto you have not asked anything in My name. Ask, and you shall receive, that your joy may be full."¹¹

⁹ Matt. 7:7-11.

¹⁰ John 14:13-14.

¹¹ John 16:23-24.

(c) Truly, promises of this kind have been proved true by the event. One of the thieves who hung from the cross with Christ prayed thus: "Lord, remember me when Thou shalt come into Thy kingdom. And Jesus said to him: Amen I say to thee, this day thou shalt be with Me in paradise."¹² - The Apostles in the cenacle "were persevering with one mind in prayer, with the women, and Mary the mother of Jesus";¹³ and on the day of Pentecost, "they were all filled with the Holy Spirit."¹⁴ - Stephen the protomartyr prays for his persecutors: "Lord, lay not this sin to their charge,"¹⁵ and soon Saul is converted. - Cornelius the centurion prays earnestly, and thus obtains the gift of true faith: "Thy prayers and thy alms are ascended for a memorial in the sight of God."¹⁶ - Peter, prince of the apostles, is kept in prison: "Prayer was made without ceasing by the Church unto God for him";¹⁷

soon an angel leads him out of prison. - Paul and Silas, who had preached the Gospel at Philippi, are sent into prison; but there "praying, they praised God,"¹⁸ and soon they are divinely delivered. - And many other such facts could be alleged from ecclesiastical history, by which the truth of the promises of Christ would be confirmed.

¹² Luke 23:42-43.

¹³ Acts 1:14.

¹⁴ Acts 2:4.

¹⁵ Acts 7:60.

¹⁶ Acts 10:4.

¹⁷ Acts 12:5.

¹⁸ Acts 16:25.

878. (B) The Fathers often inculcate the same, not a few of whom wrote entire treatises on prayer.

(a) Thus, among others, Tertullian concludes his book *On Prayer* thus:¹⁹ "For what has God denied to prayer from spirit and truth, He who requires it? We read and hear and believe how great are the proofs of its efficacy. Ancient prayer indeed delivered from fires, and from beasts, and from hunger, and yet it had not received its form from Christ. But by how much more fully is the prayer of Christians prayed! It does not station an angel of dew in the midst of fires, nor close the mouths of lions... but it instructs those suffering, and feeling, and grieving, with endurance; it enlarges grace with virtue, so that faith may know what it obtains from the Lord, understanding what it suffers for the name of God... But now the prayer of justice turns away all the wrath of God, keeps watch for enemies, supplicates for persecutors... It also washes away faults, repels temptations, extinguishes persecutions, consoles the fainthearted, delights the magnanimous, leads travelers, calms waves, stupefies robbers, feeds the poor, rules the rich, raises the fallen, supports those falling, holds those standing. Prayer is the wall of faith, our arms and weapons against the man who watches us on every side." St. Cyprian has similar things in the book *On the Lord's Prayer*.²⁰

¹⁹ Tertullian, *Liber de Oratione*, c. 29, P. L., I, 1195-1196.

²⁰ Apud Migne, P. L., IV, 520-544.

(b) Among the Greeks, let Gregory of Nyssa be heard:²¹ "Prayer is the defense and safeguard of chastity, the moderation of anger, the calming and repressing of pride, the cleansing away of the tenacious memory of injuries, the routing of envy, the removal of injustice, the correction of impiety. Prayer is the strength of bodies, the abundance of the home, the right constitution of law and statutes in the city, the strength of the kingdom, the trophy of war, the security of peace, the reconciliation of those dissenting, the preservation of those joined together. Prayer is the seal of virginity, the fidelity of marriage, a shield for travelers, the guardian of those sleeping, the confidence of those watching, fertility for farmers, safety for sailors. Prayer is the advocate of the accused and of those pleading a cause, the relaxation and loosening of the guilty and of chains, rest for the weary, consolation of the sorrowing, delight of the soul for the rejoicing, solace of those mourning, the crown of those contracting marriage, the celebration of a birthday feast, the funeral of the dying." Our Gregory proceeds, enumerating very many facts from which the efficacy of prayer is clear.

²¹ *De oratione dominica*, Orat. I, P. G., XLIV, 1123.

2. CONCERNING THE CONDITIONS REQUIRED THAT PRAYER BE EFFICACIOUS.

879. In order that prayer be truly efficacious, certain conditions are required on the part of the object which is asked, of the subject praying, and of those for whom one prays.

(A) On the part of the object, the things which are asked ought to be such that they conduce to eternal salvation: for prayer, like other supernatural goods, ultimately tends to eternal beatitude.

Wherefore, if there is question of supernatural goods, namely salvation and the means necessary or truly useful for it, they can be asked absolutely, but not against or beyond the order of divine Providence. Thus graces by which all difficulties and temptations are removed, which in the present life are necessary for our probation, ought not to be asked; nor, without condition, graces gratis given, as the gift of prophecy or miracles, since from these pride is not rarely nourished.

Natural goods, as knowledge, prosperity, health, riches, honors, can be asked only conditionally, namely insofar as God foresees that they will profit us; for not rarely these are harmful to us. Say the same concerning the removal of certain evils, which can be useful for our sanctification. Hence it is not becoming to ask things altogether indifferent to salvation, for example, gain from a game. But to ask things morally evil, for example help for stealing or for killing an enemy, is in itself a grave sin, both because it involves desire of an evil thing and because a grave injury is inflicted upon God by asking that He cooperate in an evil action.

880. (B) On the part of the subject praying, the state of grace, humility, confidence, and perseverance are desired:

(a) The state of grace; for although the prayers of sinners are often heard, when otherwise they will to do penance, as is clear from the examples of the publican and the thief alleged above, nevertheless a special infallibility is attached to the prayers of the just, as is clear from many words of Scripture: "The eyes of the Lord are upon the just: and His ears unto their prayers";¹ - "If you abide in Me, and My words abide in you, you shall ask whatever you will, and it shall be done unto you";² - "If our heart do not reprehend us, we have confidence toward God; and whatsoever we shall ask, we shall receive of Him, because we keep His commandments and do those things which are pleasing before Him."³ And deservedly: for those who enjoy the state of grace are the friends of God, keep His commandments, and strive to please Him; therefore it is not wonderful that their prayers are more easily heard by God.

¹ Ps. 33:16.

² John 15:7.

³ 1 John 3:21-22.

881. (b) Humility, by which, conscious of our weakness and misery, we lean not upon our merits or strength, but upon the divine mercy. Thus indeed Abraham, who prayed thus:⁴ "I will speak to my Lord, whereas I am dust and ashes"; and thus Daniel:⁵ "For it is not for our justifications that we present our prayers before Thy face, but for the multitude of Thy tender mercies"; thus also the publican, humbly beseeching God, was heard, while the proud Pharisee, who trusted

too much in his own justice, by no means pleased God.⁶ On the other hand it is openly said:⁷ "God resisteth the proud, and giveth grace to the humble." The reason is that God does not will to give His glory to another, and therefore refuses grace to those who abuse it in order to exalt themselves against Him.

⁴ Gen. 18:27.

⁵ Dan. 9:18.

⁶ Luke 18:9-14.

⁷ James 4:6.

(c) Confidence, which altogether trusts in the merits and promises of Christ. For this honors God, and sweetly disposes Him to hear us:⁸ "Because he hoped in Me, I will deliver him: he shall cry to Me, and I will hear him." Wherefore Christ required confidence of those whom He cured: "Have confidence, son, thy sins are forgiven thee."⁹ Hence also James said:¹⁰ "But let him ask in faith [confidence], nothing wavering. For he that wavereth is like a wave of the sea, which is moved and carried about by the wind. Therefore let not that man think that he shall receive anything of the Lord." Truly, if someone lacks confidence, by that very fact he doubts the goodness and promises of God, and therefore does not deserve to obtain mercy. "Let us go therefore with confidence to the throne of grace."¹¹

⁸ Ps. 90:14-15.

⁹ Matt. 9:2.

¹⁰ James 1:6-7.

¹¹ Heb. 4:16.

882. (d) Perseverance, because, while God grants certain goods at once, namely those which are necessary here and now, He does not usually give certain others except after assiduous prayers, so that meanwhile we may be better disposed for receiving graces. Christ teaches this by various parables and examples: thus the importunate friend finally obtains the loaves which first had been denied him;¹² thus the Canaanite woman, first repulsed, and indeed several times, on account of perseverance in prayer, obtains the healing of her daughter.¹³ - And indeed it is not rarely expedient that only after long and fervent prayers do we obtain what we desire; for thus we more vividly conceive our unworthiness and inability, and esteem more highly what is obtained with more difficulty.

¹² Luke 11:5-8.

¹³ Matt. 15:21-28.

883. (C) On the part of those for whom one prays. It is controverted among theologians whether prayer made for others is infallibly efficacious or not.

Many with St. Thomas respond negatively:¹⁴ "For it happens sometimes that prayer made for another does not obtain, even if it is made piously and perseveringly, and concerning things pertaining to salvation, because of the impediment which exists on the part of him for whom one prays, according to that saying:¹⁵ If Moses and Samuel shall stand before Me, My soul is not toward this people.

Nevertheless prayer will be meritorious for the one praying, who prays from charity." Yet not a few, after Suarez,¹⁶ hold the affirmative opinion; for the words of Christ "Whatever you shall ask" are altogether universal; besides, prayer for others is not only commended, but is declared efficacious: "He that knoweth his brother to sin a sin which is not to death, let him ask, and life shall be given to him who sinneth not to death";¹⁷ - "Pray for one another that you may be saved; for the continual prayer of a just man availeth much."¹⁸

¹⁴ St. Thomas, *Summa Theologiae*, II-II, q. 83, a. 7, ad 2.

¹⁵ Jer. 15:1.

¹⁶ Suarez, *De religione*, Tr. IV, lib. I, c. 27.

¹⁷ 1 John 5:16.

¹⁸ James 5:16.

In our judgment, the matter can be composed thus: prayer made for others is infallibly efficacious in the sense that it obtains some effect of grace; but those for whom one prays are sometimes badly disposed and pertinaciously resist the grace offered to them. - Whatever may be the case, to pray for others is a most excellent work of charity.

884. Corollary: concerning the Lord's Prayer. Among the prayers which we are accustomed to recite, the Lord's Prayer stands forth, which Christ Himself taught the apostles as the norm of other prayers. In it indeed, as St. Thomas rightly says,¹⁹ "not only are all things asked which we can desire, but also in that order in which they ought to be desired; so that this prayer not only instructs us to ask, but is also formative of our whole affection."

¹⁹ St. Thomas, *Summa Theologiae*, II-II, q. 83, a. 9; many Fathers explained this Lord's Prayer, such as Tertullian, St. Cyprian, and, after them, the Catechism of the Council of Trent, p. IV. Cf. Hurter, *Patrum opuscula selecta*, t. II.

In the preface, very brief indeed but full of mysteries, filial confidence is stirred by these words: Our Father, who art in heaven. If He is Father, in Him shine forth charity, indulgence, kindness, mercy; if He is in heaven, His power is great and infinite; and therefore He can and wills kindly to hear our prayers. By the word our, the faithful are taught that they are brothers to one another and ought to pray for one another.

Moreover the petitions are ordered according to the order of charity, so that we attend first to God, then to ourselves. In relation to God, we ask that the sanctity and glory of the divine name be increased: Hallowed be Thy name; then, moreover, that the kingdom of God be extended, or the preaching and practice of the Gospel: "Thy kingdom come"; and therefore that the will of God be fulfilled on earth, His laws diligently observed and commandments kept, so that He may be able to reign in the minds of men: "Thy will be done on earth as it is in heaven." - In relation to ourselves, we ask first "our daily bread," that is, not only the supports of material life, but also and especially spiritual food, namely the word of God, the eucharistic bread, and the other graces by which the soul is nourished; afterwards, that the impediments to eternal beatitude be removed, namely sins: "And forgive us our debts, as we also forgive our debtors"; from which we are powerfully moved to forgiving others, since the remission of sins depends upon the condonation of injuries; and consequently that we may overcome the temptations by which we are allured to sin: "And lead us not into temptation." Finally, as in a brief compendium, we ask that we be delivered from evil, not indeed

from all evils, but only from those which can bring no utility to the soul; and that the evils by which we are sometimes pressed, we may bear with a patient, indeed even willing, soul.

885. Note. Thus far concerning prayer which is directed to God Himself. And indeed God alone is to be prayed to as the first and principal author and giver of goods. Since Christ is the God-Man, our prayers can and ought also to be directed to Him; besides, as man, He is the most perfect mediator, "always living to make intercession for us";²⁰ and therefore our prayers, offered through Christ, obtain greater efficacy.

²⁰ Heb. 7:25.

Besides, from what has been said in the Treatise on the Incarnate Word, n. 300-306, it is good and useful to invoke the saints, and especially the Blessed Virgin; for Trent declares:²¹ "that the Saints reigning together with Christ offer their prayers to God for men; that it is good and useful suppliantly to invoke them: and, in order to obtain benefits from God through His Son Jesus Christ our Lord, who alone is our Redeemer and Savior, to have recourse to their prayers, assistance, and help." From these things it is clear: (a) that the invocation of the saints is indeed good and useful, but not necessary for salvation; (b) that graces are to be expected not from the saints themselves, but from God; (c) that the intercession of the saints rests upon the merits of Christ, who alone is our Savior and Mediator properly so called, while the saints are mediators only improperly and secondarily.

²¹ Trent, sess. XXV, apud Denzinger, n. 860.

§ III. CONCERNING DEVOTION.

886. 1. Genuine concept of devotion. In order that the other offices of religion may be more easily fulfilled, devotion is infused into our hearts and increased by repeated acts, or the will of promptly handing oneself over to God and to His worship. For devotion is so called from devoting, and among the Gentiles the devoted were those who devoted themselves to the gods unto death for the safety of the commonwealth. Therefore it is proper to devotion to hand oneself wholly over to the service of God promptly and cheerfully. It can indeed be considered as an act, but here it is taken for a habitual disposition.

¹ St. Thomas, *Summa Theologiae*, II-II, q. 82; Suarez, op. cit., Tr. IV, lib. II, c. 6-8; St. Francis de Sales, *Introduction a la Vie devote (Philothea)*, where devotion is excellently treated.

(a) This indeed presupposes the love of God and arises from it, but it is as it were a more intense degree of charity. The first degree of charity consists in this, that all the precepts of God be rightly observed; but when we arrive at that degree of perfection that we not only keep the commandments, but also solicitously, diligently, promptly, and cheerfully do good works, charity receives the name of devotion. Wherefore, according to St. Francis de Sales, if charity is compared to fire, devotion can be likened to flame.

887. (b) Devotion therefore ought to be distinguished from diverse devotions, or spiritual acts and services by which worship toward such a mystery or such a saint is exercised: these are diverse according to the disposition and inclination of each one, and according to various times, while the former is substantially the same in all minds and in various ages. Besides, devotions have

their force from interior devotion, and profit insofar as they increase this; wherefore, if true devotion is diminished by their multiplication, they are carefully to be cut back, lest devotion itself perish.

888. (c) From true devotion differs that sweet and sensible affection, or delight, which we sometimes experience in the service of God. For there are those who enjoy these consolations and a little later hand themselves over to vices, while others are deprived of them, who serve God from their whole heart and from all their strength. Nor is this wonderful: for pious emotions of this kind often arise from the natural temperament itself, and sometimes are also divinely granted to beginners, so that these may gradually be drawn to true piety by sensible affections. Therefore they are not to be despised,² since they deter us from the vanities and pleasures of the world: for the least spiritual joy far surpasses all the consolations of the world. Yet one must not trust too much in these pious affections: for they are something transitory and accessory, and they have value insofar as they draw us to solid piety. If they render us arrogant, presumptuous, vain, curious, impatient, disobedient, they are very pernicious; if, on the contrary, they make us more humble, kinder, more fervent, more prone to obedience, mortification, and the fulfillment of the duties of our state, they are truly useful and proceed from God.

² Wherefore this proposition 27 of Molinos was condemned by Innocent XI, Nov. 20, 1687 (Denzinger, n. 1114): "He who desires and embraces sensible devotion does not desire nor seek God, but himself; and he acts badly when he desires it and strives to have it, who walks by the internal way, both in sacred places and on solemn days." St. Francis de Sales discusses splendidly the utility and dangers of sensible consolations, and also spiritual aridities, *Introduction a la Vie devote*, p. IV, ch. 13-15.

Therefore when spiritual consolations occur, they are to be used for fostering humility, self-denial, and the mortification of passions and vices. But it must be kept before the mind that true and solid devotion is not that which rests upon pious emotions and is situated in the sensible appetite, but that which is nourished by faith and charity, remains in the will, and induces one to do arduous things for the sake of God and the neighbor.

889. 2. Means of progressing in devotion. That true devotion is very useful is clear from the fact that it renders us prompt and cheerful for fulfilling the offices of religion, and therefore greatly promotes spiritual progress, and brings true peace and internal joy. Therefore it is of the greatest moment to progress assiduously in devotion.

(A) For this, first, certain impediments must be removed: (a) a proclivity toward earthly consolations and pleasures; for no one can serve two masters, the world and Christ, pleasure and devotion, the flesh and the spirit, but between these two one must necessarily choose. For nothing turns us more away from the service of God than disordered affection for earthly and carnal things, since the mind ensnared by these delights is not able to savor the things that are of God: "For they that are according to the flesh mind the things that are of the flesh; but they that are according to the spirit mind the things that are of the spirit... Because the wisdom of the flesh is an enemy to God; for it is not subject to the law of God, neither can it be. And they who are in the flesh cannot please God."³

³ Rom. 8:5-8.

(b) Immoderate solicitude for temporal things, and excessive occupation in external affairs. The duty is indeed incumbent upon Christians of sustaining themselves and their own, and therefore of laboring strenuously; but it is a vice to be so immersed in business, labors, and earthly solicitudes, that scarcely any thought is had of heavenly things, and the offices of religion are passed over, or are fulfilled only negligently.

On this matter let the Lord be heard:⁴ "Therefore I say to you, be not solicitous for your life, what you shall eat, nor for your body, what you shall put on. Is not the life more than the meat, and the body more than the raiment?... For your Father knoweth that you have need of all these things. Seek ye therefore first the kingdom of God, and His justice, and all these things shall be added unto you." Therefore, among the various solicitudes and occupations of the world, the mind should sometimes be raised to God; and fixed times for praying and thinking of salvation should be predetermined, lest the mind be plunged into the depth of earthly solicitude.

⁴ Matt. 6:25-33; let the whole passage be read with the comparisons there given.

890. (c) Excessive curiosity, and immoderate affection for studies, even theological ones; for these, unless they are tempered by pure intention and frequent elevation of the mind to God, easily drink up the sap of devotion and completely dry out the mind. On the contrary, however, if we devote ourselves to study with the intention of pleasing God and instructing the neighbor, if we use acquired knowledge for nourishing our own faith and charity and that of others, we certainly progress much in devotion.⁵

⁵ To the point St. Thomas says, *Summa Theologiae*, II-II, q. 82, a. 3, ad 3: "Knowledge and whatever else pertains to greatness is an occasion for man to trust in himself; and therefore not to hand himself over totally to God... Yet if man perfectly subjects knowledge and any other perfection to God, devotion is increased from this very thing."

Wherefore St. Bernard earnestly exhorts his disciple and friend Eugenius III, raised to the chair of Peter, that among the innumerable occupations by which he is pressed, he not neglect consideration:⁶ "And first indeed consideration purifies its own fountain, that is, the mind from which it arises. Then it rules the affections, directs acts, corrects excesses, composes morals, honors and orders life, finally confers knowledge both of divine and human things... This is what pre-orders things to be done, and reconsiders things done, so that nothing may reside in the mind either uncorrected or needing correction. This is what foresees adversities in prosperity, and in adversities as if does not feel them: of which the one belongs to fortitude, the other to prudence."

⁶ St. Bernard, *De consideratione*, lib. I, c. 7, P. L., CLXXXII, 737.

891. Moreover the positive means by which devotion is fostered are: (a) attentive and pious consideration of divine benefits and of one's own defects.

St. Thomas splendidly declares this:⁷ for since devotion is an act of the will, it is necessary that it proceed from some consideration of the intellect. "A twofold consideration induces one to this: one indeed which is on the part of the divine goodness and His benefits, according to that saying:⁸ It is good for me to adhere to God, and to put my hope in the Lord God; and this consideration excites love, which is the proximate cause of devotion. The other is on the part of the man considering his own defects, from which he needs to lean upon God, according to that saying:⁹ I have lifted up my eyes to the mountains, whence help shall come to me: my help is from the Lord who made heaven

and earth; and this consideration excludes presumption, by which someone is impeded from subjecting himself to God, while he leans upon his own strength." Among the divine benefits, it especially helps to recall the Lord's passion: for while we recall Christ's anguish, torments, and ignominious death, we easily understand that our whole life, all labors, and all services are owed to Him who suffered such things for us.

⁷ St. Thomas, *Summa Theologiae*, II-II, q. 82, a. 3.

⁸ Ps. 72:27.

⁹ Ps. 120:1.

892. (b) Nor is frequent thought of the divine presence less profitable, with brief ejaculatory prayers, and the often repeated offering of actions. For by these exercises our whole life is ordered to God; and certainly as often as we turn the eyes of the mind to God, especially if we recall that He dwells assiduously in the temple of our heart, and offer our actions to Him as spiritual victims, so often do we dedicate and devote ourselves and our goods to God, and thus devotion wondrously grows.

(c) Finally, prayer itself greatly helps devotion, just as it is rendered easier through devotion: for there is a mutual and constant influence of prayer upon devotion, and of devotion upon prayer. For since true devotion is a gift of God, we ought earnestly to ask it; on the other hand, since devotion renders us prompt for the service of God, it makes us pour forth more fervent prayers.

893. Corollary. From this it follows that genuine devotion is fitting not only for clerics and religious, but also for every kind of vocation and state of men: for all can and ought to love God and promptly and cheerfully order their life to Him. If devotion were situated in fasts and tears, in the assiduous reciting of prayers, or contemplation, in austerities or vigils, it would indeed be adapted to few. But true devotion, far from hindering the duties of any state from being fulfilled, greatly helps us to execute them more perfectly: thus a mother of a family who is truly devout will better love her husband and children, because she will strive to do good to them not only on account of natural motives, but also on account of God and Christ. Therefore let spiritual directors take care, adhering to the footsteps of St. Francis de Sales,¹⁰ to teach devotion in such a way that they may sweetly induce penitents to fulfill all the duties of their proper state more perfectly.

¹⁰ Cf. St. Francis de Sales, *Introduction a la Vie devote*, p. I, ch. 3; Hamon, *Vie de S. Fr. de Sales*, Paris, 1858, l. V, ch. 1.

ART. II. CONCERNING THE VICES OPPOSED TO RELIGION.

Besides sins of omission, which can be understood rather easily from what has been said above, there are two genera of sins which are opposed to religion: superstition, by excess; and irreligiosity, by contempt.

² St. Thomas, *Summa Theologiae*, II-II, q. 92-100; Suarez, op. cit., Tr. III; Billuart, diss. VII, VIII; St. Alphonsus, lib. IV, *De Praeceptis*, n. 1-117; Lehmkühl, n. 351-404; Ballerini-Palmieri, n. 325-531.

§ I. CONCERNING THE SINS OF SUPERSTITION.

894. Superstition (from the word *super-sto*) etymologically designates that which is excessive (beyond that which is due); and as to the thing, a vice by which divine worship is exhibited to a creature to whom it is not due, or to God, yet in an undue manner.

We shall speak: 1. of idolatry; 2. of superstitious observances; 3. of modern facts of magnetism and spiritism, in which supernatural agents can intervene.

I. CONCERNING IDOLATRY.

895. 1. Notion. Idolatry is situated in this, that divine worship is exhibited to some creature. When someone offers supreme worship to an idol, thinking that it is God, idolatry includes an error of the intellect, infidelity or heresy: such were the Gentiles and Manichaeans, such are modern pagans. But if someone, knowing that there is one God, exhibits divine honor to some creature, from hatred of God or cupidity of obtaining something from a demon, there is not indeed infidelity, but the greatest depravity of heart.

Under another respect, idolatry is true and internal, when someone has the intention of adoring a false deity; simulated or external, if someone, from fear or command, externally adores an idol, without internally wishing to offer this service: thus, in the time of persecutions, not a few, who were called the lapsed, sacrificed to idols.

896. 2. Malice. Idolatry is in itself a most grave sin. (a) It was most strictly prohibited by the first precept of the Decalogue, and indeed under most grave penalties; truly, from the whole history of the Jews it is clear that they were severely reprov'd and chastised with dreadful calamities whenever, having abandoned the Supreme Deity, they sacrificed to false gods. (b) In the first ages of the Church, idolatry was held as one of the most grave sins, on account of which public penance was imposed, often prolonged even to the end of life: hence reconciliation was not granted to the lapsed except a little before death, or when a new persecution arose.

(c) Truly, he who bestows divine honor upon a creature, "as much as is in him, makes another God in the world, diminishing the divine principality";² and, just as in the civil order, it is most grave to bestow royal honor upon another than the true king, because thus the whole order of the commonwealth is disturbed, so he who exhibits divine honors to a false deity overturns the authority of God.

² St. Thomas, *Summa Theologiae*, II-II, q. 94, a. 3.

897. But simulated idolatry is less grave than internal idolatry, although of itself it constitutes a mortal sin both because of the external denial of faith (above, n. 653), and because of the scandal given to others. Furthermore idolaters who ignorantly worship false deities sin less gravely than heretics who knowingly adulterate the faith which they have received.

898. Corollary. Those approach near to idolatry who so worship and invoke the saints, relics, and images, that they believe there is in them by their own powers the power of bestowing natural or supernatural gifts; for thus that which belongs to the Creator alone is attributed to

creatures. Wherefore the faithful are carefully to be instructed, lest perhaps, while they indulge in these devotions, they gradually fall into superstition.

II. CONCERNING SUPERSTITIOUS OBSERVANCES.

899. 1. General concept. Superstitious observances are called those modes of acting by which a vain and disproportionate means is applied so that some effect may be obtained. Therefore two things manifest a vain observance: the manifest insufficiency of the means for obtaining the effect, and the infallibility which is attributed to these means. For when these two concur, the intended effect can be expected only from a supernatural agent; and thus there is superstition, because such an effect is expected either from God or His angels, against the divinely instituted order, or from the demon, through a pact either explicit or implicit.

¹ Besides the authors already cited, cf. Del Rio, S.J.; *Ami du Clerge, Le Spiritisme*, t. XXII, 1900, pp. 328, 488, 758; *Le Demonisme*, t. XXIV, 1902, pp. 289, 625, 849, 897, 977, 1057. Yet it seems to us that there more is attributed to the devil than is necessary, if the facts are critically inspected.

Thus these or similar things savor of superstition: to will to hear Mass before sunrise, or with a certain number and order of candles, celebrated by a priest whose name is John, etc., if there is the persuasion that by these various circumstances special and extraordinary effects of grace are infallibly obtained: for there is no proportion, either of itself or from divine institution, between these ridiculous things and the intended effect. - Generally this kind of superstition does not exceed venial sin, on account of good faith and simplicity; yet it must carefully be reprehended and corrected, because otherwise men who are little strengthened in faith are kept away from true religion.

900. But more often an extraordinary effect is expected from the devil or an evil spirit. Sometimes there is as it were an explicit pact (real or imaginary) with the demon, or at least he is expressly invoked; sometimes there is only tacit invocation, insofar as the agent knows that the cause applied is unfit for obtaining the effect, unless an evil spirit intervenes.

But experiments which are made by experts, for detecting new laws of nature hitherto unknown, differ altogether from these superstitions. For there are many hidden things which can be detected only by patient and long observation; and not a few phenomena which formerly were ascribed to magic are today explained naturally.

901. 2. Specifically concerning divination. Among superstitions is enumerated divination, by which the demon is expressly or tacitly invoked for knowing hidden things by his help.

It can be manifold: evocation of spirits, when these appear in a sensible form; necromancy, when the apparition of the dead is sought; oneiromancy, if the manifestation of hidden things is made through a dream; pythonism, if, through men or women, spirits teach hidden things; haruspicy, if secrets are sought from the entrails of animals immolated to the gods; augury or auspice, if the manifestation of hidden things is expected from the cries of animals, the song or flight of birds; chiromancy or physiognomy, when someone tries to detect future things from the lines of the hands or countenance; sortilege, if knowledge of hidden things is sought from arbitrarily chosen signs, for example from the cast of dice, etc.

902. 3. Vain observance. This differs from divination, because it is ordered not so much to detecting hidden things as to producing some effect.

A threefold kind is usually distinguished: (a) the notorious art, or the art of acquiring knowledge without labor, by means altogether unfit, for example by uttering certain words; (b) the art of healings,⁴ or the art of curing diseases by unfit means, for example by amulets hung on the neck, by diverse signs or words which are thought to produce their effect *ex opere operato*; (c) malefice, by which someone, through similarly unfit means, tries to inflict some evil upon the neighbor; it is called amatory if it tends to excite a most vehement love or hatred, and venomous if it tends to bring harm upon a person, family, or goods.

⁴ This superstition indeed ought altogether to be distinguished from the gift, natural or supernatural, of curing certain diseases, which belongs to certain men. When these do nothing ridiculous, and otherwise are honest, and have not entered into any pact with the devil, they are not to be prohibited from exercising this gift, especially if they protest that they will to reject whatever would be diabolical. Cf. Noldin, n. 161.

903. 4. Concerning the malice of superstitious observances. (A) It must first be noted that many of the phenomena which are called superstitious must be ascribed to fraud or imagination. For since it is very well known that there is in men an innate propensity for detecting hidden things or seeing marvelous things, in all ages and regions clever men have been found, greedy for money, who, in order to favor curiosity, feigned that they had commerce with supernatural agents, and by skillful industry deceived them.⁵ Besides, those who are endowed with a vivid imagination often take phantasms for true phenomena,⁶ especially when a third person suggests it. - Moreover certain other facts which formerly were attributed to the devil, when the matter has been better weighed, can be ascribed to natural forces: for recent discoveries show that there are many forces, formerly unknown, by which marvelous effects are obtained. - Yet, since there truly are evil spirits, who solicit men to evil, as was said in *De Deo Creante*, n. 91-99, it is not wonderful that, by their help, preternatural and prodigious things are sometimes accomplished, so that the unwary may more easily be deceived and drawn to illicit things. Therefore in individual cases all circumstances ought carefully to be weighed, so that it can be discerned whether the alleged facts are diabolical or not, and whether penitents had a superstitious intention or not.

⁵ Thus the famous Home, who in great cities, and especially in Paris, had exercised the magic art and had obtained responses from rotating tables, when near death declared that he himself had given responses of this kind. Cf. P. Davis, *La fin du monde des esprits, le spiritisme devant la raison et la science*, Paris, 1887, p. 287; Surbled, *Spirites et Mediums*, Paris, 1901, p. 93-105.

⁶ Malefactors, who were thought to gather to celebrate a sabbath, used narcotic medicines, and for the most part dreamed that they saw the things which they afterward narrated. Surbled, *La morale*, t. IV, ch. 19.

904. (B) Whatever may be the case concerning the speculative question, the moral malice of superstitions ought to be judged especially from the intention itself of the agents, from the effects which they foresaw, and from the dangers of sinning to which they expose themselves.

(a) First, if there was an explicit pact with the demon, real or imaginary, or an express invocation of the same, it is certainly a most grave sin; for he inflicts a grave injury upon God who seriously enters,

or wishes to enter, into society with the devil, the most bitter enemy of God: "Neither let there be found among you... any one that consulteth soothsayers, or observeth dreams and omens, neither let there be any wizard, nor charmer, nor any one that consulteth pythonic spirits, or fortune tellers, or that seeketh the truth from the dead; for the Lord abhorreth all these things."⁷

⁷ Deut. 18:10-11; cf. Lev. 19:31; 20:27.

(b) Even when there is no explicit pact, if, from superstition, a means is knowingly applied which is unfit for the intended effect, a grave sin is committed of itself, because diabolical intervention is implicitly desired. Yet, in this case, many are excused from mortal sin on account of simplicity or ignorance, or because they act from mere curiosity, especially if there is not a certain expectation of the event, but only a certain hope. Nevertheless penitents are to be turned away from superstitions of this kind, which gradually divert the mind from true religion.

(c) If someone uses malefice, he sins besides against charity and justice; and if harm is truly inflicted upon the neighbor, there is an obligation of repairing it.

(d) In doubt whether phenomena are natural or diabolical, the principles concerning cooperation are to be applied (above, n. 185): therefore it is licit to posit an action which of itself is not evidently evil, provided there is a proportionately grave reason for acting, and the good effect is intended, not however the evil one, or diabolical cooperation.

905. (C) There are certain extraordinary phenomena which today are quite commonly held, or at least can be held, as natural, and therefore are licit from what has already been said: (a) Thus the use of the divining rod for detecting waters or certain metals cannot be condemned: for the movement of this rod is rather easily explained from a certain influence of water or metals; in truth pious Christians and priests use it without any fear of diabolical intervention.⁸

⁸ *Revue du monde invisible*, Oct. 15, 1898; July 15, 1899; Surbled, *Le secret des Sourciers*, in *Science Catholique*, Sept. 1902.

(b) Sometimes certain hidden things are manifested to those dreaming, and sometimes to those awake, either by God,⁹ or in a natural way through a certain, as they say, telepathy;¹⁰ on the other hand, it is commonly admitted that the demon can excite some phantasms in the mind of those sleeping.¹¹ Therefore from the circumstances it must be discerned whether these dreams or presentiments are sent by God, or are diabolical, or natural. If they proceed from God, the thing manifested bears nothing ridiculous before it, impels to good, leaves the soul tranquil and also more cheerful for performing works of piety. - But it would be rash to direct one's actions from those things which appeared in sleep, since hallucination frequently occurs in this matter. - Sometimes, however, to posit or omit some indifferent action on account of a dream is not prohibited, since warnings received in sleep are sometimes true.

⁹ Num. 12:6; Acts 2:17.

¹⁰ Facts of telepathy, which occur not only through sleep but also in the state of wakefulness, you will find set forth in the work *Phantasms of the Living*, by Gurney, Myers, and Podmore, rendered in French by L. Marillier under this title *Hallucinations telepathiques*, Paris, Alcan; Surbled, *Morale*, t. IV, ch. 14; C. Flammarion, *L'Inconnu et les Problemes psychiques*, Paris, 1900; J. Maxwell, *Les Phenomenes psychiques*, 2nd ed., 1904, Paris, Alcan, p. 183-191; *Civiltà cattolica*, Serie XVII, vol. VII, p. 144, 411, 673, etc.

¹¹ This is also inferred from Deut. 18:10.

III. CONCERNING MODERN FACTS WHICH ARE CIRCULATED UNDER THE NAME OF MAGNETISM OR SPIRITISM.

906. 1. Historical overview. In our age, under the name of magnetism or spiritism, many phenomena have been made public, concerning which it can be inquired whether they are diabolical or not.

(a) The principal promoter of animal magnetism is recognized to be Anthony Mesmer, a Viennese physician, who around the end of the eighteenth century, seeking new modes of curing, thought that he had found a marvelous means in a certain most subtle fluid, which is similar to magnetic fluid, and is supposed to flow from the bodies of animals, indeed to pervade absolutely all bodies. His disciples developed his system, especially Puysegur and J. Braid.¹ There are especially three phenomena attributed to magnetism, which are produced either by gestures of the hands, or by magnetized substances, or even by the simple nod of the will expressed in words: convulsions, and various physiological effects which are diverse according to the diverse condition of the sick; a certain state of paralysis and catalepsy, in which the members become rigid and sensibility vanishes; magnetic sleep, in which the magnetized person, although deprived of the use of the senses, nevertheless sees, hears, and speaks, indeed knows marvelous things which before were unknown to him, and perceives actions which are done secretly or far away. - Hypnotism soon succeeded magnetism; its phenomena were described above, n. 134.

¹ Cf. Deleuze, *Histoire critique du magnetisme animal*, Paris, 1813; Puysegur, *Memoire pour servir a l'histoire... du magnetisme*, Paris, 1830; J. Braid, *Neurypnology, or the Rationale of Nervous Sleep*, London, 1843; A. Wood, *What is Mesmerism*, Edinburgh, 1851; Heidenhain, *Animal Magnetism*, London, 1880; Perrone, *De Virtute Religionis*, n. 400 sq.; *Encyclopaedia Britannica*, word "Magnetism animal"; Gasc-Desfosses, *Magnetisme vital*, Paris, 1897; Surbled, *Morale*, t. IV, ch. 6. - Concerning diabolical obsession and possession we spoke in *De Deo Creante*, n. 95-99. Sometimes, however, certain facts similar to obsession are mere hallucinations. Cf. Veronnet, *La possession diabolique*, in *Revue du Clerge francais*, t. XXXVII (1904), p. 570, and t. XXXIX, p. 423.

907. (b) Modern spiritism² had its origin in the Federated States of America. Already in the year 1832, three boys playing, with a hand placed upon a certain table, made it rotate, and practice of this kind immediately was diffused far and wide through America. But in the year 1848 a new phase of the same thing began in a little town of the State of New York, called Hydesville; namely, in the house which the Fox family, of the Methodist sect, inhabited, knocks and noises were heard: indeed amazed, but not terrified, two young girls who lived there, thinking that a spirit was present, asked from it that it would respond by distinct blows; and this indeed succeeded in such a way that a little afterward they became mediators between spirits and persons who wished to communicate with them. Sometimes also various utensils of the house were thrown here and there, whether in closed rooms, or in the presence of the Fox family. From this the matter became frequent not only in America but in all Europe, and in the years 1852-1854 became common. Everywhere it was noted that the principal phenomena occurred only when certain persons were present; these persons are called media or mediators, since the phenomena are produced only through their mediation. Nor do individual media have equal force or aptitude for accomplishing them, but some are more skilled than others; besides, the same media do not seem equally apt for producing the same effects in any session whatever, but succeed more or less according to various circumstances. - Moreover there were diverse

forms of spiritism: for sometimes spirits gave responses through rotating tables, either by striking various blows, or by writing with the help of a pen or stylus, or by the hand of the medium; but sometimes there was a direct evocation and apparition of spirits. All these things indeed were accompanied by various mechanical phenomena, for example of levitation, by which the laws of nature concerning the gravity of bodies seemed to be suspended; luminous phenomena, with flashes and splendors suddenly appearing; or even by noises imitating the whistling of winds or the roar of waters; or by harmonious sounds imitating human voices; physiological phenomena, namely the vital functions being more or less disturbed, but especially the nervous system being more or less shaken and as it were exhausted. Yet it must by no means be doubted that very many frauds have intervened in all these things, and it is often difficult to distinguish the true from the false.³

² E. W. Capron, *Modern Spiritualism*, Boston, 1855; Edmonds and Dexter, *Spiritualism*, New York, 1854-57; Allan Kardec, *Le livre des esprits, Le livre des mediums*, Paris, 1864-1865; O. Brownson, *The Spirit Rapper*; Crookes, *Researches on the Phenomena of Spiritualism*; *Encyclopaedia Britannica*, word "Spiritualism"; E. Meric, *Le Merveilleux et la Science*, Paris, 1887; id., *L'imagination et les prodiges*, Paris, 1905; E. Dupouy, *Sciences occultes et physiologie psychique*, Paris, 1898; Surbled, *Spiritualisme et spiritisme*, Paris, 1898; Gibier, *Le Spiritisme*, Paris, Doin, 1904; Grasset, *Le Spiritisme devant la Science*, Paris, Masson, 1904; Maxwell, *Les Phenomenes psychiques*, where the phenomena observed by him are described methodically and accurately. - L. Denis sets forth modern theories of spiritism, *Christianisme et spiritisme*, Paris, Leymarie, 1903; id., *Apres la mort*.

³ For not a few of the persons who boast that they are media try to deceive not only the simple, but also the learned; others, who are truly media, use frauds to amplify the phenomena which they produce. Cf. *Proceedings Soc. for Psych. Researches*, VI, p. 253; XIII, p. 45; Maxwell, op. cit., p. 116 and 256-312. Thus, concerning the Fox sisters, certain American physicians said: "The double raps were produced by a rapid movement of dislocation and relocation of the knee" (Maxwell, op. cit., p. 258).

908. 2. Principal phenomena. Among the phenomena which have been scientifically weighed and are thought to be free from fraud, these especially can be enumerated:

(A) Physical phenomena: (a) the noise of a table, whose foot, raising itself and afterward descending, strikes the earth and thus gives responses; these motions and noises sometimes occur not only when the bystanders extend their palms over the table, but also when they have already withdrawn from it.⁴ Sometimes also a rotating table strikes one or another of the bystanders. (b) Objects fixed to the walls, or those which are in the room, fall or are moved confusedly, not without great noise; after some time, all return to their former state.⁵ (c) Sometimes a stool or table, where the medium sits, is raised into the air (which is called levitation), without any cause of motion appearing.⁶ (d) Not rarely flames or lights of diverse color appear in a dark room.⁷ (e) Sometimes human hands, feet, a head appear; indeed, although rarely, an entire human body, ordinarily clothed in long and broad garments, walking, speaking with those present, which leaves a photographic impression of itself, either in paper, or in wax or gypsum, and otherwise can be touched:⁸ these phenomena are called materializations of spirits, because they are thought to be the bodily apparition of some spirit or of the soul of one deceased. But many are persuaded that these spirits are nothing other than human persons who are called media, clothed with special garments and masks; that the matter is thus has been discovered in some cases.⁹

⁴ Maxwell, op. cit., p. 67-85.

⁵ Maxwell reports facts of this kind observed by trustworthy witnesses, op. cit., p. 232-255. To this belong the phenomena which are called haunting, haunted house, concerning which see E. Dupouy, op. cit., p. 273-309; Surlbled, *Hantise*, in *Science Catholique*, 1899; *Civiltà cattolica*, Serie XVIII, vol. III and IV.

⁶ Maxwell, p. 87-92.

⁷ Maxwell, p. 118-146.

⁸ Maxwell, p. 135-162 and 209-212. - Especially celebrated is the apparition, for three years, of the spirit who called herself Katie King; the very well-known W. Crookes described her various manifestations, who affirms that he observed not a few differences between the bodily form of this spirit and the medium, namely Miss Cook. Apud Dupouy, op. cit., p. 216-231. Yet certain persons think that the most learned Crookes was deceived: thus Davis, op. cit., p. 39-90; the same author explains, p. 224, how in New York those who wish to deceive the common people by apparitions of spirits are taught.

⁹ Cf. Davis, op. cit., p. 163 sq.

909. (B) Intellectual phenomena. By the blows of a rotating table, or by the writing of the medium, or even by conversation with the same, certain hidden or secret things can be known. (a) Sometimes facts are manifested which occur in a distant place, for example the illness or death of some person;¹⁰ at other times objects are detected which had been lost or placed in a hidden place. (b) Often indifferent things and things little connected among themselves are brought forth; not rarely false things are mixed with true.¹¹ (c) Generally the responses given are accommodated to the mind, disposition, and dispositions of those present; if they are Christians and devout, nothing is said against religion, but rather the doctrine of Christ and worship toward God are commended. But if impious or unbelieving persons are present, certain Catholic dogmas are denied, especially the eternity of punishments, the indissolubility of the matrimonial bond; the name of God is retained, but a little afterward pantheism is proposed.¹² Finally, when men of little honesty are present, shameful things are sometimes brought forth and commended. - But whether secrets of hearts and future events are revealed with certainty is not so certain; for the alleged facts seem to some to be nothing other than those things which probably can be detected or foreseen from things already known.

¹⁰ Dupouy, op. cit., p. 115-126 and 140-143, 151-173; Gurney, Myers, Podmore, op. cit.

¹¹ Maxwell, op. cit., p. 202-212; 242-255.

¹² This is clear, for example, from the works edited by Allan Kardec, *Le livre des esprits*, *Le livre des mediums*.

910. 3. Various opinions concerning the cause of these phenomena. Although certain persons still deny most of the facts hitherto described, today they are rather commonly recognized as true by many even unbelievers, except however apparitions of spirits, as is clear from the authors cited, not a few of whom admit no revelation. Nevertheless they are explained in diverse ways:

(a) Some say that all these things are merely natural, although the same cannot be scientifically explained because of the limits of modern science; but as science progresses, the natural reason for these things will at last one day be manifested.¹³ (b) Others, on the contrary, hold that at least the principal and almost all facts of this kind must be attributed to the devil;¹⁴ for, on the one hand, they not only go beyond the laws of nature, but also often contradict them; on the other, they cannot be

ascribed either to God or to the good angels, since ridiculous, false things, contrary to faith and morals, are often found mixed with them; therefore they must be attributed to the devil alone.

¹³ Thus, among others: A. Maury, *La magie et l'astrologie dans l'antiquité et le moyen-âge*, Paris, 1864; C. Richet, Preface to the already cited work of Maxwell; Gibier, op. cit.; M. de Rochas, *Les états profonds de l'hypnose*.

¹⁴ Franco, *L'hypnotisme remis à la mode*, Paris, 1891; id., *La nouvelle théorie de la suggestion*, Paris, 1892; Ch. Helot, *Névroses et possession diaboliques*, Paris, Bloud, 1897.

(c) Between these two extremes, not a few Catholics are found who ascribe many of these phenomena to the laws of nature, and only certain ones to a supernatural agent, whose nature, in any case whatever, ought to be judged from the circumstances, according to the laws of the discernment of spirits.¹⁵ And we assent to these. For since new laws of nature, or at least new applications of the same, are detected daily, and on the other hand supernatural agents usually intervene rarely, a fact often occurring can be held as natural, probably at least, as long as the contrary is not morally certain. Ferraris had already wisely observed this.¹⁶

¹⁵ Thus Meric, *Le merveilleux et la Science*, and in the periodical *La Revue du monde invisible*; Coconnier, *L'hypnotisme franc*; P. G. Moreau, *L'hypnotisme, étude scientifique et religieuse*, Paris, 1891; Guibert, *Etude sur l'hypnotisme*; Surbled, *Spirites et Mediums*; id., *Les Frontières du surnaturel*; Lescoeur, *La Science et les faits surnaturels contemporains*, Paris, Roger, 1900; P. de la Barre, *L'ordre de la nature et le miracle*; P. Grasset, *L'hypnotisme et la suggestion*, Paris, 1903; id., *Le spiritisme devant la Science*, 1904.

¹⁶ Ferraris, *Prompta Bibliotheca*, word "superstitio."

911. 4. The more probable opinion is proposed. (A) Moreover the opinion which we defend seems clearly to be inferred from various responses of the Holy Office concerning magnetism.

Thus, on June 23, 1840, the Sacred Congregation of the Holy Office, to the question whether magnetism, taken generally and in itself, ought to be considered licit or illicit, responded: "Every error, sortilege, and explicit or implicit invocation of the demon being removed, the use of magnetism, namely the mere act of applying physical means otherwise licit, is not morally forbidden, provided it does not tend to an illicit end, or in any way depraved. But the application of principles and means purely physical to things and effects truly supernatural, so that they may be physically explained, is nothing but an altogether illicit and heretical deception."¹ From this it is clear that not every species of magnetism (say the same of hypnotism) is condemned, but only that by which effects truly supernatural are expected from merely physical means. Moreover what those supernatural effects are is declared in the Encyclical of the Holy Office, issued on Wednesday, July 30, 1856, and sent to all Bishops: "Although by this general decree the licitness or illicitness in the use or abuse of magnetism is sufficiently explained; yet the malice of men has so increased that, neglecting the licit pursuit of knowledge, and rather pursuing curious things, with great loss of souls and detriment to civil society itself, they boast that they have obtained a certain principle of soothsaying and divining. Hence, by the tricks of somnambulism and clear vision, as they call them, little women, carried away by gestures not always modest, babble that they see all invisible things, and undertake discourses about religion itself, evoke the souls of the dead, receive responses, detect unknown and distant things, and rashly presume to exercise other superstitious things of this kind, certain to obtain great gain for themselves and their masters by divining. In all these things, whatever art or

illusion they may finally use, since physical means are ordered to non-natural effects, there is an altogether illicit and heretical deception, and scandal against the honesty of morals."²

¹ *Collectanea S. C. de Prop. F.*, n. 1743.

² *Acta Sanctae Sedis*, t. I, p. 177; *Collectanea*, n. 1754.

912. (B) But if we descend to particulars, these things can be established:

(a) When there is question of merely physical phenomena, such as rotations of tables, blows, various motions even of levitation, they are not to be attributed to a preternatural agent, unless it is morally certain that these same things, from various circumstances, evidently contradict the laws of nature. For many today probably think that there is in the human body, especially of certain persons in whom the nervous system preeminently stands out, a certain fluid, analogous to the magnetic or electric fluid, which can be projected outwardly and influence surrounding objects, either by immediate contact, or by mediate contact transmitted through the ether;³ and thus, at least hypothetically, the blows and movements of rotating tables can be explained.

³ To the point S. Cox, apud Davis, op. cit., p. 293: "The theory of psychic force is simply to recognize a fact almost indisputable under some respects, but still imperfectly known under others. This fact establishes that at an indefinite distance from the body of certain persons, having a special nervous organization, there exists a force producing, without the aid of muscles, a particular action capable of giving motion or making solid substances move, and of producing sounds in these same bodies."

913. (b) The same can be said concerning intellectual phenomena which do not transcend the intellectual powers of those present and of the medium; for if, under the influence of the medium, responses are given, they certainly do not proceed from the table itself, nor necessarily from a supernatural agent, but only from the very mind of the person who, by force of the fluid emitted by him, directs the motion of the table. - On the contrary, however, if the phenomena denote knowledge of things which surpass the capacity either of the medium or of those present, they ought to be attributed to a supernatural agent; such are, according to the Roman Ritual, "to speak with many words in an unknown tongue, or to understand one speaking; to disclose distant and hidden things; to show powers above the nature of one's age or condition; and other things of this kind, which, when several concur, are greater indications." From this it follows that generally not one of these indications suffices for producing moral certainty, but several are desired. As to speech in an unknown tongue, it is not enough, in a state of feverish excitement, to recite certain words which were heard formerly, but it is necessary that someone indubitably show that he has suddenly learned or truly understands a language which he by no means knew. As to distant and hidden things, it is not enough to conjecture them, or even to see something about them in a certain state of hyperesthesia;⁴ but, if things which can be known only by revelation or inspiration are distinctly manifested, such as secrets of hearts, future events, and indeed not conjecturally, but with certainty, this must be ascribed to a supernatural agent. But what kind of agent this is cannot be defined except from all the adjuncts, from object, end, and circumstances, by investigating whether all these things tend to good or to evil.

⁴ For certain facts of telepathy or clear vision, which occur transiently in a state of hyperesthesia (that is, abnormal sensibility), are not wholly certain indications of supernatural intervention.

914. 5. Practical conclusions. Whatever may be the case concerning the nature and cause of these phenomena, these things seem to be established in practice:

(A) The faithful are carefully to be turned away from the use of magnetism, hypnotism, and spiritism for the sake of mere curiosity; for it usually disturbs the nervous system and prepares the way for neurasthenia and hysteria, concerning which above, n. 130-131; besides, it favors superstition, and turns the mind away from the practice of true religion, insofar namely as those who are addicted to these extraordinary things neglect the ordinary duties of Christian life as too common; not rarely it stirs up dissensions between persons and families, by spreading suspicions or defamations; sometimes it also harms good morals, insofar as young persons of different sex are present at these gatherings, and seek responses from the medium which are less honorable.

915. (a) Hence, on July 1, 1841, the use of magnetism was declared illicit, as it was being expounded by the Bishop of Lausanne; and among other things this was being expounded:⁵ the magnetized person, who is generally of the female sex, questioned about her own illness and the illness of persons absent and entirely unknown to her, although evidently unlearned, most accurately states anatomical matters; she points out the cause, seat, nature of internal diseases in the human body, which are most difficult for experts to know and define, and unfolds their progress, variations, and complications, and this by proper terms; often also she exactly pronounces the duration of the said diseases, and prescribes the simplest and most efficacious remedies. If the hair of an absent person is placed against the palm of the magnetized woman, she immediately declares whose hair it is, where the person to whom it belongs now is, what he is doing, and discusses his illness no otherwise than if, after the manner of physicians, she herself were looking within the body. With covered eyes she can read a book or manuscript, open or closed, placed upon the head or stomach. - Deservedly indeed the use of such magnetism was prohibited, since, from the things set forth, it is very dangerous and can be attributed either to fraud or to the devil; in either case the simple are deceived, are made prone to vain superstitions, and, while they intend to be cured, can contract graver diseases.

⁵ You have the complete petition apud Gury-Ballerini, n. 280.

916. (b) The indiscriminate use of hypnotism likewise is illicit, because, as physicians admit, unless it is cautiously applied by honorable and skilled men, it brings in almost the same dangers as magnetism in both the physical⁶ and moral order, insofar namely as the hypnotized person, losing the use of reason for some time, depends wholly, as to the exercise of his own activity, upon the nod of the hypnotizer and is subject to his dominion. But if it is applied within its own limits, without any intention of rashly knowing hidden and future things, by physicians or physiologists, both skilled and honorable, with due caution, and for a grave cause, it is not in itself illicit.⁷ For, according to Catholics who have investigated these things, hypnotic phenomena which are certain do not seem to go beyond the powers of the natural order; on the other hand, the temporary privation of the use of reason can be permitted for a grave cause, as indeed sleep induced by ether is permitted; moreover abuses which can arise from this can be forestalled by due caution; indeed some utility can arise from the prudent use of hypnotism, not only as to the cure of diseases, but also as to the correction of depraved habits: for experience shows that certain young men, given to drunkenness and lust, have been

corrected somewhat by mental suggestion prudently applied.⁸ Therefore hypnotism is not illicit in itself, but, as dangerous, is to be applied only cautiously. - Besides, the good effects described above are produced more prudently, without disturbance of the nerves, by suggestion in the state of wakefulness.⁹

⁶ Grasset, *L'hypnotisme*, p. 352-369; Coconnier, op. cit., p. 155-158.

⁷ Lehmkuhl, n. 994, note 1; Ballerini-Palmieri, n. 365; Coconnier, p. 260 sq.

⁸ Coconnier, op. cit., p. 215 sq. - In truth, the Holy Office, July 26, 1899 (*Collectanea*, t. II, n. 2061), responded that new experiments can be tolerated, after a protestation that one wills to have no part in preternatural facts has been made, provided danger of scandal is absent, and there is not question of facts which certainly go beyond the forces of nature.

⁹ Cf. Grasset, *La Psychotherapie*, in *Revue des Deux Mondes*, Sept. 15, 1905, p. 350.

917. (c) But spiritism, or the evocation of spirits, when it truly happens, is a superstition illicit under grave sin; for good spirits are not accustomed to appear to men, unless they are sent by God for promoting His glory; therefore, if sometimes spirits seem to favor human curiosity, they certainly are not good, but evil. Hence it is necessary to exhort the faithful that for no reason, not even from curiosity, should they assist at gatherings where the phenomena of spiritism are exhibited. And so the Holy Office, on April 24, 1917, declared that it is not licit, through a Medium or without a Medium, hypnotism being applied or not, to assist at spiritistic manifestations, even those bearing before themselves the appearance of honesty or piety, even with tacit or express protestation that one wills to have no part with malign spirits.
918. (B) But if there is question of expert men who wish scientifically to weigh psychic and biological phenomena, so that, insofar as can be done, the laws of nature may be better known, they certainly can carry out those experiments which are necessary for the scientific investigation of the matter, provided supernatural intervention is not sought, and provision is made for the modesty and health of the media.

§ II. CONCERNING SINS OF IRRELIGIOSITY.

Sins of irreligiosity are committed against God Himself, or against sacred things. To the first genus are referred blasphemy and the tempting of God; to the latter, sacrilege and simony: concerning these we must speak separately.

¹ St. Thomas, *Summa Theologiae*, II-II, q. 13 and q. 97-100; Suarez, op. cit., Tr. III, l. I, III-IV; Billuart, diss. VIII, XXI; St. Alphonsus, lib. IV, n. 29-132; Ballerini-Palmieri, n. 369-531; Lehmkuhl, n. 364-404; Noldin, n. 171-208.

I. CONCERNING BLASPHEMY.

919. 1. Notion. Blasphemy in general is an insult inflicted upon God. Sometimes it is conceived only internally, and, if consent accedes, the malice of blasphemy is already truly incurred.² But often it is expressed by some sensible sign, by speech or deed, for example by shooting an arrow against heaven, or discharging a gun, or trampling upon a crucifix. Yet more properly blasphemy is called insulting speech against God; hence if ecclesiastical penalties are enacted against blasphemy, they touch this alone, unless the contrary is explicitly said.

² "If it consists only in the heart, it is blasphemy of the heart; but if it proceeds outwardly by speech, it is blasphemy of the mouth" (St. Thomas, *Summa Theologiae*, II-II, q. 13, a. 1).

And so he truly blasphemes who either denies something concerning God which belongs to Him, or asserts concerning Him what does not belong to Him; for in either case insult is inflicted upon Him, for example if God is said to be cruel, or if it is denied that He is omniscient, omnipotent. Consequently he is guilty of blasphemy who attributes to a creature what belongs to God alone, because indirectly the infinite perfection of God, which is incommunicable to creatures, is denied; for example, if someone were to say: I can do that equally as God; - or he who speaks only ironically, or with contempt, concerning God and His attributes, or concerning the Incarnate Word, for example: Thou hast conquered, Galilean; - he who brings forth something insulting against divine or sacred things, or against the Blessed Virgin or the saints, insofar as they are friends of God: for then the injury is ultimately referred to God.

920. Therefore blasphemy is distinguished from imprecations or maledictions, which are uttered against rational or irrational creatures, without relation to God, for example when Job cursed the day of his birth, David cursed the mountains of Gelboe, or when we curse ourselves or the neighbor. These can indeed be sins of anger, or opposed to fraternal charity, but they do not inflict insult upon God.

Thus much more probably these or similar expressions are imprecatory, but not blasphemous: May God damn me! May God damn you, may the devil snatch you, go to hell, etc.; but otherwise, if someone were to say or wish to signify: May God be damned; which however happens very rarely.³

³ E. Brahm explains this fully, *Dissertatio de formula "G. V. D., Deus damnet me"*, Brussels, 1904.

Likewise from blasphemy are distinguished expressions by which the name of God is taken in vain, even if they are preceded by the word sacred (for example, the sacred name of God!); or words which in themselves are blasphemous, but, according to common estimation, are not held as such, but only as a manifestation of anger against persons or irrational creatures (for example, a thousand gods!). For those who assert such things generally by no means intend to bring forth something against God, but only to express their indignation.⁴

⁴ To the point Gousset, *Theol. Morale*, t. I, n. 459-460: "It is not a blasphemy, nor a mortal sin, to pronounce, whether in cold blood or in a movement of anger or impatience, the word sacred, which one most often uses with certain coarse expressions, more or less injurious to the neighbor... Nor is it properly so-called blasphemy to pronounce in vain the holy name of God, by saying for example: Name of God! sacred name of God! These words, which one most often brings forth in a movement of impatience, are not against God in the intention of him who permits them to himself, but against men, animals, or inanimate beings with regard to which one gives himself over to anger."

921. Hence, in all these things, the intention and affection of the one speaking ought especially to be attended to: if injury and dishonoring of God are truly intended, there is blasphemy; otherwise, there will be a certain imprecation, which is often excused from mortal sin, because it arises from a movement of indignation imperfectly deliberate. In doubt whether some expression is blasphemous or not, St. Alphonsus says (n. 130), it is by no means to be taken as blasphemy.

Yet expressions of this kind are carefully to be avoided, as unbecoming, unworthy of an honorable man, movements of disordered anger, and not rarely opposed to charity.

922. 2. Malice of blasphemy. (A) Every properly so-called blasphemy is a sin mortal from its whole genus. (a) In the old law, blasphemy was punished by death:⁵ "The man that curseth his God shall bear his sin; and he that blasphemeth the name of the Lord, dying let him die: all the multitude shall stone him, whether he be a citizen or a stranger." Under the new law, blasphemy is enumerated among the grave sins which are to be fled:⁶ "But now put you also all away: anger, indignation, malice, blasphemy, filthy speech out of your mouth." - Wherefore the Fathers reprove it as most grave; thus St. Jerome writes:⁷ "For nothing is more horrible than blasphemy, which sets my mouth on high... for every sin, compared with blasphemy, is lighter."

⁵ Lev. 24:15-16.

⁶ Col. 3:8.

⁷ St. Jerome, *In Isaiam*, l. VII, c. 19, P. L., XXIV, 247.

(b) Truly, blasphemy is directly opposed to religion, by which we are bound to render reverence and honor to God; and therefore, when it is fully deliberate and free, it does not admit smallness of matter.

923. (B) Heretical and imprecatory blasphemy add special malice to simple blasphemy. (a) Heretical blasphemy is called that which embraces heresy, and therefore is opposed not only to religion, but also to faith; for example if someone says: God is a cruel tyrant. (b) Imprecative blasphemy is that by which evil is wished to God, and consequently it is opposed both to religion and to charity; for example, if someone were to say: Let God perish, cursed be God! (c) Yet blasphemy, although most grave in itself, is not rarely a venial sin from defect of advertence or full consent, for example when blasphemous words are brought forth in the heat of passion without sufficient attention of the mind.

924. 3. Remedies against blasphemy. (a) If there is question of true blasphemy, which proceeds both from irreverence toward God and from anger, both these roots must be torn out: one must seriously think how foolish it is to inflict injury and insult upon Him who, on account of His infinite goodness, deserves supreme honor,⁸ and, before His omnipotence, can afflict blasphemers with dreadful punishments. But for conquering anger, let the remedies set forth above, n. 534-537, be applied.

⁸ M. d'Hulst lucidly explains why the name of God is to be revered and how carefully blasphemy is to be avoided, *Careme* 1903, p. 111-122.

(b) If there is question of blasphemies improperly so called, or of imprecations, they generally arise from anger or long custom. Wherefore irascibility is likewise to be restrained, - and custom conquered by custom, namely by using other words altogether innocent, until anger is at last put away. Besides, the custom should be seriously and sincerely retracted: for then words which suddenly proceed from vehement affection are not imputed as sin, at least grave sin.

II. CONCERNING THE TEMPTING OF GOD.

925. 1. Notion. The tempting of God is a saying or deed by which, without a just cause, we rashly expect from God some unusual effect.

For to tempt is to take an experiment concerning someone; this is done by words, deeds, or the omission of some deed. By words we tempt God when we rashly ask something from Him with the intention of testing His knowledge, power, or goodness; by deeds, by doing something with the intention of testing the divine attributes, for example if someone casts himself from a high tower, wishing to try whether God wills to save him or not; by omission of some deed, namely by omitting those things which prudence demands for obtaining the intended effect, for example by rejecting all medicines in a grave illness, or by giving a sermon without any preparation, rashly expecting that thoughts and words are to be suggested to him divinely.

926. The tempting of God arises especially from a threefold cause: (a) from unbelief, when someone truly doubts concerning some perfection of God; for example when the Jews said to the Crucified:⁹ "If Thou be the Son of God, come down from the cross"; or when the impious say: if God exists, now is the time for Him to show His power by killing me; (b) from rashness or curiosity, if someone, not doubting concerning the power of God, wishes to test whether He wills to do it, for example if someone, firmly holding the real presence of Christ under the eucharistic species, nevertheless asks that the divine Infant appear in the consecrated host; (c) from presumption, if someone, although not wishing to test the power or goodness of God, indubitably expects from Him, without sufficient reason, some miracle, for example if one gravely sick rejects a physician, expecting healing from God, or if a priest, in order to convert sinners and unbelievers, promises to perform some miracle (the case of special inspiration being excluded).

⁹ Matt. 27:40.

But the tempting of God is not given in these or similar cases: if in a grave matter, after ordinary means for knowing the will of God have been applied, and doubt remaining, some sign is humbly sought by which the will of God may become known; or if, from a just and grave cause, a miracle is conditionally asked; if someone, in view of a great good, exposes himself to grave danger, hoping that God will be favorable to him: for then, on account of the grave reason, divine help is deservedly hoped for.

927. 2. Malice. (A) The tempting of God which involves unbelief is a mortal sin from its whole genus, since it calls some truth of faith into doubt, and otherwise imports contempt of God, by testing His power or goodness without reason.

(B) The tempting of God arising from rashness, curiosity, or presumption is a sin grave from its genus, because it supposes some contempt of God; but it often admits smallness of matter, on account of the smallness of the danger to which the agent exposes himself, for example if in a light illness someone rejects medicine; it is also often excused from mortal sin on account of ignorance, inconsideration, good faith, etc.

In practice, in order to avoid a sin of this kind, it must be inculcated upon the faithful that God helps those who strenuously and unceasingly exercise their own powers, and at the same time humbly and confidently implore divine help. Therefore let us act with all our strength, using means both natural and supernatural, and place our whole hope in God: He will provide.

928. 3. Corollary. From this it follows that, the case of divine inspiration being excluded, those trials which formerly were called judgments of God are by no means to be approved, as passage through fire for proving the innocence of someone: for then a miracle is asked without necessity. Formerly indeed they had been used in good faith; but afterward they were prohibited by canon law, and deservedly indeed, since there are other means of detecting truth.¹⁰

¹⁰ Vacandard, *Etudes de critique*, Paris, 1905, ch. 4.

III. CONCERNING SACRILEGE.

929. 1. Notion. Sacrilege is properly called the violation, or unworthy treatment, of a sacred thing or person, insofar as it is sacred.

(a) A thing or person is called sacred which, by the authority of God or of the Church, has been deputed for divine worship: therefore a purpose or vow made privately does not suffice for this.

(b) For sacrilege it is required that the thing or person be violated insofar as sacred, that is, precisely under that respect under which it was consecrated to God. Thus a priest by fornicating commits sacrilege, because he has been consecrated that he might live continently; but he does not commit sacrilege by blaspheming, by being proud, by being angry, because he has not been specially deputed to avoiding these sins.

930. 2. Species. A threefold sacrilege is distinguished: personal, real, and local, according as a person, thing, or place is violated.

(A) Personal sacrilege is the violation of a sacred person. Moreover a person becomes sacred by reason of the clerical state, or by reason of the vow of chastity emitted in solemn religion.¹ He who has emitted a vow privately or in a simple congregation, and afterward violates chastity, indeed sins against religion by violating the faith given to God, and therefore ought to accuse the circumstance of the vow, but more probably he does not commit sacrilege properly so called, since he is not a sacred person by the authority of God or the Church.

¹ Certain persons add that even a private vow, and *a fortiori* a simple vow emitted in a Congregation, makes the person vowing sacred, and therefore its violation is sacrilegious. This indeed is probable, but the contrary is held by the more probable opinion, which Ballerini-Palmieri defends, n. 386-390, with the authors there cited.

Personal sacrilege can be committed in three ways: (a) by laying violent hands upon a cleric or religious, against the privilege of the canon; (b) by usurping jurisdiction over ecclesiastical persons, where ecclesiastical immunity still flourishes, for example by drawing clerics to a secular tribunal, against the privilege of the forum, or by enrolling the same into military service, against the privilege of immunity; (c) by a sin of lust committed either by a person consecrated to God by chastity, or with such a person; hence, if each is sacred, a double sacrilege is committed on each side. According to the

common and true opinion, a sacred person commits sacrilege not only by external sins, but also by merely internal sins against chastity, provided true consent is given to them.

931. (B) Real sacrilege is that which is concerned with sacred things. Now things can be sacred in a fourfold way:

(a) From divine institution itself, such as the sacraments, which cannot be administered or received unworthily without sacrilege, as is more fully declared in the Treatise on the Sacraments. Under this head sacrilege is also incurred if knowingly and willingly the sacred species are not renewed at the opportune time, with danger of corruption; if the sacred Eucharist is touched or treated irreverently, etc. Likewise if the words of Sacred Scripture are mocked or applied to dishonorable uses.

(b) From consecration or blessing, those things are sacred which are sanctified by the prayers of the Church, as are sacred buildings, altars, sacred vessels, baptismal water, chrism and holy oils, liturgical vestments used in sacred functions, holy water and blessed things. Therefore those commit sacrilege who use these things for profane and indecent uses, or with contempt and mockery.²

² Those also commit sacrilege who pollute a church; concerning this see the Canonists, especially S. Many, *Praelect. de Locis sacris*, Paris, 1904, n. 30-40.

(c) From representation, images of Christ, of Blessed Mary and of the Saints, crosses, even not blessed, are called sacred. To this also belong sacred relics, which not only recall the saints to memory, but also once were informed by a holy soul. Therefore those are sacrilegious who use these things irreverently.

(d) From destination, ecclesiastical goods, both movable and immovable, are called sacred, which are deputed for sacred or pious uses, when they have already been accepted by the Church for this end, and therefore not only those things which serve divine worship, but also for the support of ministers, the fabric of the church, ecclesiastical hospitals and hospices, etc.; indeed those things which have been deposited in a church or handed over in pledge. Therefore those are sacrilegious who unjustly invade or usurp these goods. But if someone steals in a church a thing which belongs to a private person, but by no means to the church, more probably he does not commit sacrilege.³

³ Many, op. cit., n. 45.

932. (C) Local sacrilege is the violation of a sacred place; therefore it is equated with real sacrilege, since a sacred place is a thing; yet it is treated specifically on account of the special difficulties which occur in this matter.

A sacred place is properly called one which has been deputed to divine worship by episcopal authority, for example churches, cemeteries, public oratories, but not private ones. In a broader sense a place deputed to pious use by the authority of the Church is also called sacred, as the palace of the bishop, a parish house, a seminary, a monastery; but not a place destined for pious works by private authority. Against a place sacred in the broad sense, sacrilege was formerly committed by violating the right of asylum. But today, from can. 1179, the right of asylum belongs only to churches, in this sense, that those who have fled to them are not to be drawn out from there, unless necessity urges, without the assent of the Ordinary or at least the rector of the church.

933. A sacred place properly so called can be violated in four ways:

(a) By sins by which a church or cemetery is polluted, even if they remain hidden, and therefore the church is not polluted from them, namely voluntary and injurious homicide, gravely culpable shedding of human blood, impious or filthy uses, burial of an excommunicated person to be avoided or of an infidel.⁴

⁴ Concerning this see Many, op. cit., n. 47-61; n. 30-40 and n. 147.

(b) By profane actions which, from their nature, ecclesiastical law, or common estimation, dishonor the sanctity of the place, as markets, games, banquets, vain conversations, secular meetings, the clamor of judgments, etc., unless urgent necessity excuses. - Sometimes, however, literary or musical exercises are permitted, especially when they tend to fostering religion; likewise the sale of candles and other things pertaining to exciting devotion is tolerated, but, in all these things, care must be taken lest the house of God become a house of trade.

(c) By theft of a sacred thing, in the sense explained above; likewise by burning or breaking into a sacred place.

(d) By actions by which the right of asylum is violated, where it still flourishes.

Other sins committed in a sacred place do not contract the grave malice of sacrilege, necessarily to be explained in confession; but they bear before themselves some special indecency, on account of the circumstance of the sacred place, and thus put on the venial malice of sacrilege.

934. 3. Malice of sacrilege. (A) Sacrilege is a mortal sin from its genus against religion. For he who treats a sacred thing unworthily, insofar as it is sacred, by that very fact offends God Himself, to whom the thing is dedicated. - The sin is grave from its genus, because the precept of religion obliges under grave sin. Yet smallness of matter can be given, from the fact that the sacred thing serves divine worship more remotely, or the irreverence committed, all things considered, is judged light.

Hence, for judging concerning the gravity of the sin, three things especially ought to be attended to: (a) the sanctity of the person, thing, or place: the fault is graver insofar as the person or thing was more proximately dedicated to God; (b) the sacrilegious action, which is graver if greater irreverence is committed, according to the common estimation of the pious; (c) the intention of the agent, who can intend irreverence more or less directly, more or less distinctly.

IV. CONCERNING SIMONY.

935. 1. Notion. Simony (so called from Simon Magus, who wished to purchase spiritual graces with money) is a certain species of real sacrilege, since it imports irreverence toward a sacred thing. It is commonly defined, after St. Thomas,⁵ as the studious (or deliberate) will of buying or selling something spiritual or annexed to the spiritual.

⁵ St. Thomas, *Summa Theologiae*, II-II, q. 100, a. 1.

Therefore three things are required for simony: (a) a spiritual thing, concerning which an agreement is made or intended to be made, or at least a temporal thing annexed to a spiritual thing. Now by the

name of a spiritual thing here is understood a supernatural thing ordered to salvation: such are grace and the gifts of the Holy Spirit, - or the cause of a supernatural thing, as the sacraments, sacramentals, prayers, sermons, - or the effect or use of a supernatural power, for example dispensation from vows, consecration, blessing, health restored by the help of a miracle. - But a temporal thing annexed to a spiritual thing is that which is ordered to something spiritual, or depends upon it, or is intimately connected with it, whether from its nature or from the institution of the Church. Thus chalices, altars which are consecrated antecedently for the sacrifice of the Mass; labor and time, which are concomitantly annexed to sacred functions; the revenues of a benefice, which are consequently received on account of some spiritual office.

(b) A price paid for a spiritual thing; this can be threefold: a gift from the hand, that is, not only money, but a movable or immovable thing estimable by price, for example remission of a debt, concession of a right, a loan, etc.; - a gift from the tongue, that is, any patronage, any favor conceded or promised, as for example the promise of a vote in an election; - a gift from service, or any temporal service, servitude, administration of affairs, etc., with the intention of obtaining something spiritual.

(c) The deliberate will of making a pact concerning a spiritual thing for a temporal thing. Hence it is not required that the pact be completed by mutual consent, nor *a fortiori* that it be committed to execution, but it suffices that one truly intend to make a pact with another.

He does not commit simony who gives a spiritual thing for a spiritual thing, for example, you will say Mass for me and I will recite the rosary for you; nor he who exchanges an annexed spiritual thing for an annexed spiritual thing, for example a chalice for a ciborium.

But it is simoniacal to hand over a spiritual thing for something annexed to the spiritual, for example to hand over relics for a chalice or for a certain number of Masses, because the chalice and Mass stipends have a certain temporal value.

936. 2. Species of simony. (A) By reason of the law by which it is prohibited, simony is of divine or ecclesiastical law:

(a) Of divine law, when for a temporal thing a spiritual thing or a thing annexed to the spiritual is given, so that truly and intrinsically the malice of simony is had. Thus, for example, to give or accept something temporal as a price or just compensation for sacraments, relics, sermons, indulgences, etc. But if, on the occasion of sacred functions, some stipend or honorarium is offered or accepted, not as the price of the sacred thing, but as a means of support, simony is not incurred: "Know you not that they who work in the holy place eat the things that are of the holy place; and they that serve the altar partake with the altar? So also the Lord ordained for them that preach the Gospel to live by the Gospel."⁶ Likewise some special stipend can be exacted for extrinsic and undue labor, for example, for celebrating in a chapel three miles distant.⁷

⁶ 1 Cor. 9:13.

⁷ Cf. Treatise on the Eucharist, n. 185.

(b) Of ecclesiastical law only, when a pact, although not simoniacal of itself, has the appearance of simony or induces danger, and therefore is prohibited by the Church from a motive of religion; for example, the sale of holy oils, of a rosary enriched with indulgences, the resignation of a benefice in favor of another, etc.; for although to sell holy oils and blessed rosaries for as much as they are worth,

the matter alone being considered, is not of itself simoniacal, yet there is danger lest they be sold more dearly on account of the consecration or indulgences.¹

¹ Hence if rosaries or medals enriched with indulgences are sold, by that very fact they lose the indulgences, as is explained in the Treatise on Penance, n. 582.

937. (B) By reason of the pact, simony is mental, conventional, real, and confidential:

(a) Mental, when it is done internally, without any pact outwardly manifested. It is twofold: purely mental, restricted to the internal forum and content with intention alone: this is simony improperly so called and therefore is not subject to ecclesiastical penalties; not purely mental, which indeed excludes every pact, but is manifested by some external act: thus, for example, if a cleric serves a bishop with the intention that, as wages, he may obtain some benefice, - or if a bishop confers a benefice gratuitously with the intention that thus he may induce the beneficed man to manage the bishop's affairs.

(b) Conventional, which is made by a pact of giving or receiving something spiritual for something temporal, without however the agreement being fulfilled on each side; it is called purely conventional if it has been committed to execution on neither side, semi-real, or mixed, if it has been committed to execution on either side, at least partially.

(c) Real, when the agreement has been fulfilled on each side at least inchoately, for example if, the benefice having been handed over, part of the money has been paid, or at least a written obligation has been given by which someone obliges himself to paying the money.

(d) Confidential, which obtains only in ecclesiastical benefices, consists in this, that someone procures a benefice for another under a certain confidence, that is, with the obligation that he resign it to himself or to a third person, or from it pay a pension or part of the fruits. The Canonists discuss this fully.

938. 3. Malice of simony. (A) Simony of divine law is a mortal sin from its whole genus. (a) It is most strictly reprobated by Scripture; for when Simon Magus wished to purchase from the apostles with money the power of giving the Holy Spirit, Peter said to him:² "Keep thy money to thyself to perish with thee, because thou hast thought that the gift of God may be purchased with money!" For Christ wills that graces and spiritual gifts be conferred gratuitously: "Freely have you received, freely give."³ (b) And indeed religion is gravely violated when a spiritual and sacred thing is not esteemed more highly than a temporal and profane thing.

² Acts 8:20.

³ Matt. 10:8.

To buy or sell temporal things intrinsically annexed to a spiritual thing, whether concomitantly, as labor in the celebration of Mass, or consequently, as the revenues of a benefice, is simony of divine law, according to the common opinion; but not if it is connected to it antecedently, as a chalice.

939. (B) Simony of ecclesiastical law is a sin grave from its genus, because it is prohibited by the Church from a motive of religion, in order to remove the grave danger of simony; but it admits

smallness of matter, because the Church accommodates its prohibitions to the matter forbidden, and does not prohibit under grave sin what, whether in itself or by reason of the danger which it induces, is only light. But what matter is grave, and what light, ought to be judged from the common estimation of prudent men.

The Church strikes the guilty of simony with various penalties, which the Canonists describe. Specifically, in the Bull *Apostolicae Sedis*, II, n. 8-10, it enacted excommunication *latae sententiae*, reserved to the Roman Pontiff, against: "Those guilty of real simony in any benefices whatsoever and their accomplices: those guilty of confidential simony in any benefices whatsoever, of whatever dignity they may be:⁴ those guilty of real simony on account of entrance into religion."⁵

⁴ When simony is confidential, only those are excommunicated who receive and retain an ecclesiastical benefice from that pact, but not the accomplices, nor the one himself conferring or resigning the benefice in confidence, because the matter was so in the old Bulls. Cf. Thesaurus, *De poenis ecclesiasticis*, Rome, 1770, word "Simonia," c. 3, p. 396.

⁵ This penalty is incurred when something temporal is given for this end, that someone be received into religion, and indeed by those making the pact, and by him who thus admits or is received. But simony is not committed when something is accepted under the title of mere alms, or under the title of support for the time of novitiate in monasteries of men, or when nuns make a pact concerning the dowry which sometimes is required by the rule.

940. 4. Concerning the obligation of restoring what was simoniacally received. Before completed simony, whatever was accepted ought to be restored, since a contract entered into concerning an illicit thing is null, as is proved in the Treatise on Justice, n. 644. After the completed contract, the question can be weighed as to the spiritual thing or the price.

(A) As to the spiritual thing: (a) if the thing accepted is an ecclesiastical benefice, it must be dismissed with the fruits unjustly perceived, excepting only those which correspond to one's own labor; restitution of the benefice is to be made to the legitimate collator, restitution of the fruits to the successor in the benefice, or to the poor, unless a composition is obtained from the Supreme Pontiff, with a just cause acceding.

(b) But if there is question of a spiritual thing distinct from a benefice, it is not to be restored, unless restitution, when possible, is enjoined as a penalty of the crime; thus the sacraments cannot be restored, but relics ought not to be restored unless a sentence of a judge intervenes.

941. (B) As to the accepted price, if commutative justice has not been injured, it is not to be restored except after the sentence of a judge: because this is prescribed by no law. But restitution is imposed when simony was committed in a beneficiary matter, in the conferral of orders, and in entrance into religion.

But if commutative justice has been injured, because, for example, the price was extorted by fear or deceit, or because it exceeds the advantage of the thing annexed to the spiritual, according to the common estimation of the pious, restitution ought to be made to him who was injured, before the sentence of a judge, because it is required by natural law.

942. To be noted for practice. Not rarely cases occur in which it is doubted whether some action should be called simoniacal or not. Then attention must be paid to the general practice of the

Church, the customs of places not reprov'd, and the estimation of prudent men.

Thus if someone is unjustly troubled in possession of a benefice, he can free himself by paying money; likewise a faithful person, to whom the sacraments are unjustly denied unless money is furnished, can pay it. Likewise, if you have a right to obtaining some office, and are unjustly troubled by someone, you can give him money that he may abstain from harming you; but you ought not pay an elector anything, lest perhaps he cast a vote against you. He does not act simoniacally who by money impedes the election of an unworthy person; but you cannot buy votes, nor impede another from competing, who has a right of competing.

To avoid the danger of simony, clerics and priests should often meditate upon these words of the Apostle: "Having food and wherewith to be covered, with these we are content."⁶ Otherwise they are mercenaries, they feed themselves and not the sheep: "Their turpitude and wickedness not only pours great darkness upon the priestly order, so that now almost nothing can be held more contemptible and abject by the faithful people; but also brings it about that they themselves obtain nothing more from the priesthood than Judas obtained from the office of apostle, which brought eternal destruction upon him."⁷

⁶ 1 Tim. 6:8.

⁷ Catechism of the Council of Trent, *De Ordinis sacramento*, n. 5.

Chapter II: On Oaths and Vows

CONCERNING THE SECONDARY ACTS OF RELIGION.

Two secondary acts of religion are enumerated: oath, by which God is called as witness of truth, and vow, or a promise made to God. They are called secondary, not because they are less perfect than the acts described above, but because they are not so necessary for the exercise of religion.

ART. I. CONCERNING OATH.

We shall speak: 1. of its nature; 2. of its honesty; 3. of the obligation which it induces; 4. of adjuration, which is akin to oath.

¹ St. Thomas, *Summa Theologiae*, II-II, q. 89-90; Suarez, op. cit., Tr. V; Sayrus, *Clavis regia sacerdotum*, lib. V; St. Alphonsus, n. 133-193; Bouquillon, n. 503-725; Ballerini-Palmieri, n. 532-601; Muller, § 58-62; Lehmkuhl, n. 405-427; Noldin, n. 243-260; M. d'Hulst, *Careme* 1893, 4th Conference, p. 123; Codex, c. 1316 sq.

I. CONCERNING THE NATURE OF OATH.

943. 1. Notion. An oath, which is also called a sacrament, is the invocation of the divine name in testimony of those things which are said or promised. When men wish to confirm the truth of the things which they say, they are accustomed to bring in witnesses for confirming the matter. But sometimes the matter of which there is question cannot be fully proved by human testimony, because it is hidden or future: then not rarely, especially if there is question of a momentous matter, God Himself is invoked as witness so that, when it pleases Him, whether in this or in the other life, He may confirm the hidden truth.

Therefore two things are required for an oath: (a) invocation of the divine name, either express or tacit, namely through external signs sufficiently expressing this invocation, such as the touching of the cross or of the Gospel, or the extension of the hand toward a crucifix. The word I swear does not of itself suffice for an oath, unless from the context or other adjuncts it is clear that God is truly invoked. Likewise, to swear by creatures or saints does not suffice, unless, from the adjuncts, the creatures have a special relation to God, so that their invocation is deservedly held as the invocation of the divine name.

(b) Besides, the calling upon God as witness of the truth declared is required, and therefore the intention of obliging oneself to speaking the truth; for the end of this invocation is the confirmation of the truth which is asserted. Psychologically the matter is declared thus: when the one swearing, who is supposed to fear God, confirms by oath the things which he says, he is judged sincerely to declare the truth: for he invokes God as witness, who can neither be deceived nor deceive, and is accustomed strictly to chastise the perjured, if not in the present life, at least in the other life. But, as is clear, the force of this confirmation arises from faith in God the rewarder, and therefore the oaths of atheists lack it.

944. Applications. (a) Among oaths these or similar expressions cannot be enumerated: by my faith, by the faith of a man, by the faith of a priest, by my honor, because then only the conscience, honor, veracity of man is called upon; otherwise if it were said: by the Christian faith. (b) To say: it is as true as it is true that God exists, or as true as the Gospel, is not of itself an oath, since God is not invoked as witness; nor generally is it heretical blasphemy, since the speaker does not will to equate the certainty of his own assertion to the truth of the Gospel; but, if it is brought forth for the sake of confirming a lie, it is not excused from simple blasphemy, since injury is inflicted upon God. (c) These formulas: may I die, may the devil snatch me, if this is not true, are not properly oaths, unless, from the adjuncts, there is the intention of calling upon God, but imprecations; otherwise, if it were said: may God destroy me if I lie: for then there is an execratory oath, by which God is invoked as the avenger of perjury. (d) Uncivil words, which the common people improperly call oaths (*pardi, parbleu, sacristi, sacredii*, etc.), although etymologically certain ones import blasphemy, are generally neither blasphemies nor oaths, the intention of the speakers being considered; but, according to common estimation, they are nothing other than meaningless words brought forth by an angry person; yet a Christian man will carefully try to avoid them.

945. 2. Divisions. (a) By reason of the object about which it is concerned, an oath is assertory, if God is invoked as witness of a past or present thing, for example, I swear that I saw Paul standing there, I swear that I am a cleric; or promissory, if He is invoked as witness of a future thing, for example, God is witness to me that I will give you one hundred coins: it is called promissory, because it is generally applied to confirming a promise.

(b) By reason of form, it is called invocatory, or contestatory, when God is simply invoked as witness; imprecatory, or execratory, when He is invoked not only as witness, but as avenger of perjury, namely when the one swearing imprecates evils upon himself or his own, if he asserts a false thing or does not keep what he promises, for example, may God destroy me, if I do not speak the truth. - The formula: so may God help me and these holy Gospels, approaches an imprecatory oath, and the sense is: if I speak the truth, may God help me; if a false thing, may God deprive me of His help.

(c) By reason of the mode in which it is uttered, it is simple, if it is made without any apparatus; solemn, if with special ceremonies, for example, by touching the Gospel, raising the hand, before a crucifix, with candles lit, etc.

Moreover these diverse oaths are of the same moral species, since all agree in the invocation of the divine name, and differ only accidentally.

II. CONCERNING THE HONESTY OF OATH.

946. Certain heretics contended that oath is prohibited under the new law, among whom were the Waldenses and certain Protestants, such as the Quakers, relying on these words of the Lord: "Again you have heard that it was said to them of old: Thou shalt not forswear thyself... But I say to you not to swear at all, neither by heaven, for it is the throne of God; nor by the earth, for it is His footstool; nor by Jerusalem, for it is the city of the great King; neither shalt thou swear by thy head, because thou canst not make one hair white or black. But let your speech

be: yea, yea; no, no; and that which is over and above these is of evil."² Nevertheless not only Catholics, but most Protestants, hold that an oath is licit, certain conditions being posited.

² Matt. 5:33-37.

947. 1. Thesis: An oath, clothed with the due conditions, is honest and laudable.

(A) That oath was in use under the old Law and approved by God Himself is clear from many texts:³ "Thou shalt fear the Lord thy God, and shalt serve Him only, and shalt swear by His name." In the new law likewise oath is often exhibited as something honest, used by the apostles; thus Paul writes:⁴ "For God is my witness, whom I serve in my spirit in the Gospel of His Son, that without ceasing I make a commemoration of you... But I call God to witness... For God is my witness, how I long after you all in the bowels of Jesus Christ." Wherefore, unless a contradiction is admitted between the words of Christ and the words of Paul, it must be said that the passage cited above is to be understood of the prohibition of swearing without cause, without necessity; for in common circumstances it is not necessary to confirm by oath the truth of the things which are said; for Christians ought to be so sincere that, even without any oath, their words are believed confidently.

³ Deut. 6:13; cf. Josh. 9:15; Judg. 21:5; Ps. 14:4 and 62:18, etc.

⁴ Rom. 1:9; 2 Cor. 1:23; Phil. 1:8.

(B) The practice of the Church has approved this interpretation; for in judgments, whether ecclesiastical or secular, oath is frequently used, either so that witnesses may be induced by religion to manifest the truth completely, or to strengthen an argument otherwise incomplete. And deservedly; for, provided God is invoked as witness of the truth brought forth not frequently, but only in a matter of great moment, no irreverence is committed against Him, but on the contrary His supreme veracity is acknowledged, and His justice, which strictly pursues and chastises perjury. Wherefore in the Epistle to the Hebrews it is read:⁵ "For men swear by one greater than themselves, and an oath for confirmation is the end of all their controversy."

⁵ Heb. 6:16.

948. 2. Conditions, moreover, are required for the liceity of an oath. Three are deduced from this text of Jeremiah,⁶ namely truth, judgment, and justice: "And thou shalt swear: As the Lord liveth, in truth, and in judgment, and in justice."

⁶ Jer. 4:2.

(A) Truth, that is, conformity of words with the knowledge and intention of the one swearing. Therefore it excludes a lie in asserting or promising, and fiction, or an oath uttered without the mind of swearing or obliging oneself.

(a) He who by oath confirms that which he knows to be false commits the mortal sin of perjury, because he commits grave irreverence against God, bringing Him in as witness of falsity. Nor does lightness of matter excuse here; for, even in light or joking matter, it is gravely repugnant to invoke God as witness of falsity. Therefore this proposition 24 was deservedly reprovved by Innocent XI, March 2, 1679: "To call God as witness of a light lie is not such irreverence on account of which He wills or can damn a man."⁷

⁷ Apud Denzinger, n. 1041; Viva, on this proposition.

(b) It is not licit to swear with only probable knowledge of the matter, but moral certainty is required, namely that against which no prudent doubt fights; one swearing with prudent doubt concerning the truth sins mortally, because he inflicts grave irreverence upon God, by invoking Him as witness of something about which he doubts.

949. (c) Nor is it licit to swear with a mental restriction whose sense cannot be detected; indeed not even with a mental restriction whose sense can be detected, except from a most grave cause: for the former restriction is a lie; the latter is a distorted mode of speaking, which, when an oath accedes to it, can be used only in a case of true necessity, namely when there is no other means of protecting oneself or others against unjust aggression or a most grave evil.⁸ - Therefore these propositions were deservedly condemned by Innocent XI:

⁸ For understanding this, see what we wrote concerning lying, *De Justitia*, n. 408-417. - If the theory of equivocations and restrictions is rejected, and with moderns it is admitted that false speech is licit in a case of necessity, it must be said that false speech cannot be confirmed by oath, unless when there is no other means of averting a most grave harm, for example the death of an innocent person.

26. "If someone, either alone or before others, whether questioned, or of his own accord, whether for the sake of recreation, or for any other end, swears that he has not done something which in reality he has done, understanding within himself something which he did not do, or another way than that in which he did it, or any other true addition, he in reality does not lie, nor is he perjured."⁹

⁹ Here there is question, from the context, of a purely mental restriction, whose sense cannot be detected by a prudent man.

27. "A just cause of using these amphibologies is whenever this is necessary or useful for the health of the body, honor, preserving family goods, or for any other act of virtue, so that the hiding of truth is then judged expedient and studious."

28. "He who, by means of custom or gift, has been promoted to a magistracy or public office, will be able with mental restriction to take the oath which, by command of the king, is customarily exacted from similar persons, no regard being had to the intention of the one exacting it: because he is not bound to confess a hidden crime."¹⁰

¹⁰ As Viva testifies (on this proposition), thus is condemned the practice of those who use equivocation whenever, by command of legitimate authority, they swear that they were not promoted because of recommendations or gifts.

950. (d) He who promises something by oath without the intention of swearing or obliging himself, and therefore simulates an oath, commits a grave sin from its genus; for although he does not emit an oath, he uses the name of God in vain, and deceives others. Wherefore if this is done before a judge, or in contracts, the sin is grave. But in other matters of slight moment, the sin is probably light, according to many theologians, because it is nothing other than the vain use of the name of God. But all fictions of this kind, as unworthy of an honorable man and easily drawing one to perjury, are altogether to be avoided. - But he who with the mind of swearing

promises something, yet without the intention of fulfilling it, sins mortally, since he brings God in as guarantor of a false promise.

951. (B) Justice, in an assertory oath, requires that the one swearing have the right of asserting what he says, and, in a promissory oath, that the thing promised be honest.

(a) Thus, in an assertory oath, he sins who manifests another's hidden crime without cause, or boasts of a sin committed: for he does not have the right of saying these things, nor, a fortiori, of confirming them by oath. Moreover, the gravity of the sin depends both on the intention of the agent and on the gravity of the things which are said.

(b) In a promissory oath, he certainly sins mortally who swears that he will commit some grave thing: for he inflicts a grave injury upon God by making Him witness and, as it were, guarantor of this iniquity. But if the act which is promised under the faith of an oath is only venially evil, the malice against religion is probably only venial, although, according to St. Alphonsus (n. 146) and others, it is more probably mortal, on account of the injury inflicted upon God. Whatever the case, oaths of this kind are carefully to be avoided, not only because of the reverence due to God, but because they savor of foolishness: for who of sound mind can invoke God as witness of the promise of a thing less honest?

952. (C) Judgment, or discretion, requires two things, namely, that there be a just cause for swearing, and besides that the oath be furnished with that reverence, internal and external, which the divine majesty requires.

(a) Therefore they sin who frequently swear, without sufficient reason, that is, without necessity or great utility: "Let not thy mouth be accustomed to swearing; for in it there are many falls... A man that sweareth much shall be filled with iniquity, and a scourge shall not depart from his house. And if he make it void, his sin shall be upon him; and if he dissemble, he offendeth doubly; and if he swear in vain, he shall not be justified."¹ Moreover, the gravity of the sin depends both on the frequency of the acts and on the intention of the agent; to swear once or twice without sufficient cause does not exceed venial sin, unless contempt of the divine majesty is present.

¹ Ecclus. 23:9-14.

(b) They also sin who utter oaths jokingly or in a manner little becoming. This happens by no means rarely when they are taken too frequently.² - Civil authority can indeed, from a just cause, exact an oath to be taken upon a book of Scripture; but it ought to permit Catholics to swear upon Catholic Bibles.³

² In the United States of America oaths are perhaps required too often in the matter of tributes and taxes; whence it happens that perjuries are easily committed in this matter. By a very excellent counsel all Christians ought to join their forces, so that they might obtain a change of the civil laws in this matter.

³ To the point, S. Cong. de Prop. Fide, Sept. 8, 1869 (*Collectanea*, n. 1664): "It has been reported that, in several regions of India, Catholics have been accustomed, if an oath occurs, to swear upon Bibles corrupted by Protestants and presented by the government... Therefore let all Apostolic Vicars, in whose missions use of this kind has been accustomed to be employed, diligently take care that the Anglo-Indian government leave to the faithful the liberty of swearing upon Sacred Scripture received by the Catholic Church. But until they shall have obtained this from the civil

authority, let them prudently be silent, if they see the faithful take an oath upon the Bibles of heretics, provided that there is question of a lawful oath."

III. CONCERNING THE OBLIGATION INDUCED BY AN OATH.

953. Here there is question only of a promissory oath; for an assertory oath produces no obligation for the future, since it consists in the mere affirmation of some thing. - Every promise induces an obligation of justice or fidelity, according to the principles set forth in the Treatise on Justice, n. 677; when an oath accedes to this, it produces a new obligation of religion: of which we must now speak.

954. 1. The existence and gravity of this obligation: A promissory oath, concerning an honest thing, induces an obligation of religion, grave from its genus, for the one swearing. For the one swearing invokes God not only as witness of the promise, but also as guarantor of its execution; and therefore, from reverence toward God, he is bound to execute what was promised. - Nevertheless, he who utters the formula of an oath without the intention of swearing, whether from inadvertence or from deliberation, does not contract an obligation: say the same of him who does not have the intention of obliging himself; for in both cases one of the elements necessary either for an oath or for contracting an obligation is lacking.⁴

⁴ But what obligation is incumbent on him who emitted a promissory oath in favor of a third party can be inferred from what was said in the Treatise on Justice, n. 621.

(a) Moreover, the gravity of the obligation depends on the gravity of the thing promised; for since the one swearing is judged to have had a sincere will of fulfilling what was promised, he sins only insofar as he does not put the same into execution; but if the thing promised is of slight moment, its non-execution cannot be grave; for an oath does not change the nature of the act, but only adds to it an obligation of religion.

(b) The obligation of a personal oath belongs to the one swearing, and therefore does not pass to heirs, while the obligation of justice or fidelity arising from the promise itself can be real and can pass to heirs (*De Justitia*, n. 679).

955. (c) An oath concerning an impossible, illicit, or plainly useless thing induces no obligation. For no one is held to the impossible; besides, an oath cannot be the bond of iniquity, or even of a vain thing, which in no way turns to the honor of God. If the thing afterward becomes licit or useful, an oath which was null from the beginning does not revive: for that which by law does not subsist from the beginning is not made firm by the passage of time.⁵

⁵ Rule of law 18 in the Sext.

(d) From the Code, can. 1317, "an oath extorted by force or grave fear is valid, but can be relaxed by an ecclesiastical Superior." Nevertheless, from can. 1318, "a promissory oath follows the nature and conditions of the act to which it is added. If an oath is added to an act directly tending to the harm of others or to the prejudice of the public good or of eternal salvation, the act consequently obtains no firmness."

956. 2. Concerning the extension and interpretation of this obligation.⁶ (A) The general principle is that the obligation of an oath does not extend more widely than the promise itself to which it accedes; for an oath is something accessory to the promise itself, which it confirms; but it is fitting that the accessory follow the nature of the principal.⁷ - Except if the one swearing intended the matter otherwise; for the extension of the obligation, like its existence, depends chiefly on the intention of the one swearing.

⁶ In the Treatise on Justice, n. 662-664, there is weighed what sort of obligation an oath adds to a contract.

⁷ Rule of law 42 in the Sext.

(B) Moreover, two particular rules are to be noted: (a) The obligation ought not be extended beyond the sense of the words strictly accepted. For hateful things are to be restricted; but an obligation which arises from an oath is judged hateful, as restricting liberty. Besides, an oath depends on the intention of the one swearing; but he is not judged to will to oblige himself beyond the expressed and strict sense of the words.

(b) A promissory oath is to be interpreted according to the conditions and restrictions which are understood from the nature of the matter, or from the principles of law, or from the common sense of prudent men. Moreover, the chief restrictions of this kind are the following: - if I am able, physically and morally; - without prejudice to the right of superiors, who from a just cause can invalidate the obligation or dispense in it; - if the matter has not been notably changed: for if it is notably changed, the intention of the one swearing did not extend to it; - if the other has kept faith: for in vain does someone ask that faith be kept toward himself by him toward whom he himself refuses to keep the faith pledged;⁸ - unless the other cedes his right: for since a promissory oath is made in favor of another, and this other can renounce his right, it is in some way subjected to his will; - unless there is a grave reason for changing the proposal: for if execution cannot take place without a grave danger of death, infamy, etc., not foreseen before, the one swearing is not judged to have willed to oblige himself.

⁸ Rule of law 75 in the Sext.

957. Corollaries. (a) An oath of observing the statutes of some college, congregation, office, etc., ought to be understood of statutes already issued, not of those to be issued, - of those which then are in force, not of those which have fallen into desuetude or are not observed by the greater part of the community, - and indeed in that manner in which the statutes oblige, that is, under grave sin, under light sin, or only to a penalty, according to the statutes themselves: for an oath does not change the nature of the obligation, but only adds to it the bond of religion.

(b) An oath of observing a secret does not oblige when the obligation of the secret itself ceases (*De Justitia*, n. 421-425).

(c) An oath of fidelity and obedience to some Prince or Government, or of observing a Constitution, does not oblige except according to the common sense of honorable men; accordingly it does not oblige one to embrace in mind all things which are contained in the Constitution, but only to undertake nothing illegitimately against the same.⁹

⁹ Bouquillon, op. cit., n. 660-714, discusses learnedly the various political oaths.

(d) An obligation induced by oath ceases: by the cessation of the end, - by condonation made by him in whose favor the oath was uttered, - by invalidation, or dispensation, or commutation, according to the principles set forth below, n. 990 sq.

IV. CONCERNING ADJURATION.

958. 1. Notion and species. (A) Adjuration, which is akin to oath, is called the interposition of the divine name or of a sacred thing, by which someone is induced to do or omit something. Accordingly it differs from an oath, because God is not invoked as witness or guarantor, for confirming truth, but as a motive for obtaining something more efficaciously.

(B) It is deprecatory when it is made through prayers, for example: "I beseech you therefore, brethren, by the mercy of God..."¹; thus also God Himself is sometimes prayed by way of adjuration, for example, through the mystery of Thy holy Incarnation, through Thy Passion, etc. - It is preceptive, or imperative, when it is made by command or mandate; for example, when the high priest said to Christ:² "I adjure thee by the living God, that thou tell us if thou be the Christ." - God can be adjured only deprecatorily, because no one can command Him; the devil only imperatively, because he is not capable of deprecation; man both imperatively and deprecatorily, because he is capable both of command and of deprecation.

¹ Rom. 12:1.

² Matt. 26:63.

Adjuration is called solemn when it is made in the name of the Church, by ministers specially deputed, as in exorcisms; but private if it is employed in a private name.

959. 2. Principles. (A) Adjuration does not induce an obligation of religion in the person adjured: for it is not used for this, but for exciting in him fear or love of the divine name, by which he may be moved more easily and efficaciously to perform what is asked. If a subject is already bound to obey a superior, he ought indeed to comply with him, not by force of the adjuration, but by force of the precept joined with the adjuration.

960. (B) But on the part of the one adjuring, certain conditions are required so that he may act licitly; for on his part, adjuration is an act of religion, which ought to be adorned with the same qualities as an oath: (a) truth, insofar as the one adjuring ought to set forth only a true cause: from this head a fictitious poor man sins who, by God or by the Virgin, asks alms without cause; (b) justice, insofar as only a licit thing can be asked; (c) judgment, that is, for a reasonable motive, but not from vanity alone, or curiosity. The defect of these conditions is grave or light sin, according as the matter is grave or light. Thus a fictitious poor man who squeezes out a great sum of money, or who asks for a gravely illicit thing, sins mortally; but venially, if he solicits a modest alms, or induces to a light sin.

SCHOLION: CONCERNING THE VAIN ASSUMPTION OF THE NAME OF GOD.

961. 1. The second precept forbids that the name of God be taken in vain:³ "Thou shalt not take the name of the Lord thy God in vain." And deservedly; for the name of God is holy, and

ought to be pronounced only with due reverence. The same must be said, due proportion being observed, of the vain assumption of the names of saints, since irreverence toward the saints or sacred things ultimately redounds upon God.

³ Exod. 20:7.

This vain appellation of the divine name arises especially from a twofold cause: from anger, and from lightness or custom.

(A) From anger, when from commotion of mind one says, for example: the name of God, a thousand names of God! For the most part that usurpation does not exceed venial sin, because it proceeds from sudden and little deliberated commotion; nevertheless it could be mortal, on account of deliberate contempt of God, or scandal.

962. (B) From lightness, or custom, when without cause the name of God is frequently used in conversation, for example: My God! Great God! Good Jesus! Sweet mother of God! This frequent appellation is indeed reprov'd by Scripture:⁴ "Let not the naming of God be continual in thy mouth"; and in reality it bears before it some irreverence toward God and the saints. But it does not exceed venial fault, since in it there appears only a light disorder; indeed, it often is free from all fault, on account of inadvertence.

⁴ Ecclus. 23:10; cf. above, n. 952.

963. 2. But by no means is frequent invocation of the divine name from an internal sense of reverence and from devotion of heart prohibited; rather, it is commended. Thus in the Scriptures the prophets more often say: The Lord liveth; thus also today pious Christians greet one another with these words: Praised be Jesus Christ!

Wherefore it is permitted to conclude with the Catechism of the Council of Trent:⁵ "Then we venerate and worship the divine name when, by reason of office and religion, we celebrate the divine praises, and give Him singular thanks for all things, both prosperous and adverse... Therefore, when we are tortured by pains of soul and body, when we are tormented by miseries and afflictions, let us at once turn all the zeal and powers of our soul to praising God, saying that saying of Job:⁶ Blessed be the name of the Lord!"

⁵ Catechism, second precept of the Decalogue, n. 4.

⁶ Job 1:21.

ART. II. CONCERNING VOW.

964. Through an oath God is assumed as witness of the things which are asserted or promised; through a vow a promise is made to God Himself; for just as we promise something to men, so likewise also to God. Moreover, a promise made to the Lord is counted among the acts of religion, because it tends to furnish service to Him. We shall speak: 1. of the nature of a vow; 2. of its honesty and obligation; 3. of the cessation of this obligation.

⁴ St. Thomas, II-II, q. 88; Suarez, op. cit., tr. VI, l. 1-6; Billuart, diss. IV; St. Alphonsus, n. 194-262; Bouquillon, op. cit., n. 302-502; Ballerini-Palmieri, n. 602-710; Noldin, n. 209-242; Berardi, *Praxis*, t. I, n. 489-562; M. d'Hulst, *Careme*,

§ I. CONCERNING THE NATURE OF A VOW.

In order that the nature of a vow may be better understood, it is fitting to declare its notion and species.

I. THE GENUINE NOTION OF A VOW.

A vow is commonly defined as a deliberate promise made to God concerning a possible and better good. Hence two things especially are desired for a vow: a true promise made to God, and apt matter. When these have been rightly set forth, it will easily be understood what conditions are required for its validity.

965. 1. A true promise made to God. (A) The promise of which there is question here is a sincere will of obliging oneself to do or omit something; accordingly it differs from a mere proposal, or intention of doing something, which is elicited without the will of assuming a true obligation. The faithful sometimes doubt whether they have emitted a proposal or a vow; for solving this doubt, attention must be paid not only to the words which they used, but also and especially to their intention. For not rarely the word "I promise before God" signifies nothing other than a proposal; indeed "I vow" does not necessarily import a vow; but if there is the intention of obliging oneself under penalty of sin, there is a vow, whatever words were employed.⁸ If, all things considered, the matter remains truly doubtful, in practice there is not a strict obligation of fulfilling the vow, because its existence is not established.

⁸ The will of fulfilling the thing promised is not essentially required for the existence and obligation of a vow, but it is required that the vow be honest and an act of religion; for he who intends to contract an obligation, but not to fulfill it, by no means honors God, but offends Him, and therefore commits a sin more or less grave according to the gravity of the matter itself.

966. (B) A promise of this kind ought to be true, or deliberate: for no one imposes upon himself any moral obligation unless he sincerely wills this; but for this there is required a deliberate volition, namely that which is necessary for a truly human act (above, n. 78-84). Indeed, since a vow is an act grave in itself, a greater deliberation is required for its validity than for other common acts; and the graver the obligations which it imposes, the greater deliberation it requires. Nevertheless, in order that a vow be valid, lengthy and mature deliberation is not necessary, but only that which, according to the common estimation of prudent men, is proportioned to the gravity of the obligation to be undertaken. But when mature deliberation is lacking, the obligation contracted is less strict, and is more easily dispensed or commuted.

Therefore invalid are vows emitted by children not yet perfectly masters of themselves, - by the half-drunk or half-asleep, - by those who are wholly ignorant of the obligations which vows induce, or conceive them only imperfectly and confusedly: for in these and similar adjuncts, there is not found a deliberation proportioned to the gravity of the obligation.

967. (a) But an attentive consideration of all the circumstances of the thing promised is not required, but only of those which morally pertain to its substance. Thus he who emits religious

vows, understanding sufficiently clearly what they substantially import, vows validly, even if he has not maturely considered all the burdens which naturally follow from them.

(b) Nor for a vow is there required an actual and explicit will of undertaking the obligation, but a virtual and implicit will suffices, provided it be true. A virtual will suffices, namely one which truly was had and still perseveres, although not actually elicited; thus an adolescent who freely resolves to receive the subdiaconate and, by force of this proposal, receives ordination, truly emits the vow of chastity, which he knows to be annexed to this order, even if at the time of ordination he does not actually think about it; the same must be said of him who emits religious profession. - An implicit will likewise suffices, namely one which is included in the general volition of undertaking all the obligations annexed to such a promise; thus he who wills to profess the religious state, by that very fact implicitly vows poverty, chastity, and obedience annexed to this profession, when he has sufficiently understood that all these things are included in the religious state.

968. (c) From this it also follows that all those impediments which harm the liberty of human acts obstruct the validity of a vow: if liberty is thoroughly destroyed, the vow is by that very fact invalid; if it is diminished, yet so that the one vowing enjoys liberty proportioned to the gravity of the obligation, the vow is indeed valid, but dispensation in it is easier.

1. Thus he who emitted a vow from error is not held to fulfill it, if the error is truly the cause of the vow, so that, the truth having been known, he would not have vowed the thing; for example, one who promises chastity, in no way knowing of what matter there is question, - one who vows a pilgrimage to a sanctuary which he thinks to be distant one hundred miles, while in reality it is distant one thousand, - one who vows a Mass for the health of his father, whom he falsely heard to be ill. - On the contrary, an error of less moment about the circumstances of the matter, knowledge of which would not have impeded the vow, does not render it invalid.

When there is question of religious vows, it is commonly held that they are not invalidated except by error concerning their substance: for since there is question of a complex of obligations, it suffices that their substance be sufficiently understood.

If an invalid vow is renewed because it was believed valid, by this it does not become firmer, because it was renewed only from error.

2. A vow emitted from grave fear unjustly inflicted for extorting the vow is not valid,⁹ because it lacks due liberty, and besides God cannot accept a promise of this kind, lest He seem to approve the very injury brought upon the one vowing. But it is otherwise if it is from light fear,¹⁰ or from fear justly inflicted, or not for extorting consent. Thus a vow emitted from fear of shipwreck or of another danger is valid: for then it is not made unwillingly, but from the soul, for obtaining the grace of safety.

⁹ This can be inferred from cap. 1 *Perlatum*, lib. I, tit. 40, and also from Trent, sess. XXV, c. 19.

¹⁰ Thus always in public vows; but in private vows, if it were established in fact that fear, even light fear, was the true and sole cause of vowing, the vow more probably would not be valid in the forum of conscience.

969. (C) A promise made to God: for a vow properly so called is an act of religion by which we furnish service to God and acknowledge His supreme dominion, and so it pertains to the worship of latria. Nevertheless, sometimes vows are said to be pronounced to the saints, that is, to God in honor of the saints, just as altars are dedicated to the saints, that is, to God in their honor: for the honor rendered to them redounds upon God Himself. - But if someone should directly intend to promise something to the saints themselves, it would not properly be a vow, but a religious promise, pertaining to the worship of dulia.

970. 2. Apt matter, that is, honest, concerning a better good, and possible.

(A) Honest, or morally good; for since a vow is emitted for furnishing service to God, nothing can be promised except a thing pleasing and acceptable to Him. Therefore a vow concerning a thing altogether indifferent is void, unless from the end or circumstances it becomes good: thus the one vowing sins venially, as taking the name of God in vain; and, a fortiori, a vow concerning a morally evil thing is void: thus the one vowing sins gravely in itself, unless he is excused by ignorance or inconsideration (as often happens), because he supposes that an evil thing can please God: which in itself brings a grave injury upon Him.

Here it is asked whether a vow of a good thing is valid, but from an end of the one vowing which is in some way evil. (a) It is indeed not valid, if the depraved intention is the motive and total cause of the vow, because then the act becomes totally evil (above, n. 150); for example, if someone vows alms that he may successfully commit injustice: for such an end renders the vow evil and impious. (b) But it is valid if the depraved intention is only the impulsive and partial cause of the vow, because then the whole act is not vitiated; for example, if someone vows alms both that he may please God and that he may be praised by men: for notwithstanding a vain intention of this sort, the action remains good in part and can be offered to God. - The same must be said concerning an evil condition added to a vow, for example, if someone promises a rich alms, on condition that he come out unharmed from a duel; for although the duel is evil, to preserve life unharmed is good, and the vow is not concerned with the evil thing, namely the duel, but with safety, which is certainly good.

971. (B) Concerning a better good, that is, concerning a work which is more perfect than its opposite, all the circumstances being considered; for since a vow is made for pleasing God, one cannot promise Him a good which impedes a greater good: for if a lesser good is promised, by that very fact the one vowing obliges himself to omit the greater: which surely cannot please God. Moreover, a better good must be estimated not only in itself and absolutely, but also in relation to the one vowing and all the adjuncts.

Thus a vow of marrying is not valid in itself, because it is opposed to a better good, namely virginity. But in special adjuncts matrimony can be the matter of a vow, for example, if someone, under the hope of matrimony, has corrupted some virgin, or if such a matrimony is very useful to the republic. Likewise a vow of not vowing is not valid in itself, because it concerns a lesser good; but a vow of not vowing except with the permission of a confessor is valid, since it is an act of prudence.

An action already prescribed can be the matter of a vow, because a thing prescribed is good; besides, from what is to be said, to do something from vow is better than to perform the same thing without

vow. Nevertheless, that which already falls under a precept should not be vowed without reason, lest bonds be multiplied rashly in this way.

972. (C) Concerning a possible good, not only physically, but morally: because no one can oblige himself to the impossible.

Wherefore a vow of avoiding all venial sins, even semi-deliberate ones, is not valid, since this is impossible without a special privilege of God, from what was said in the Treatise on Grace, n. 63; but a vow of avoiding all fully deliberate venial sins is valid, because persons firmly rooted in virtue can fulfill this, with the help of grace; but such a vow cannot be permitted to others, since it is above their strength. A vow of avoiding all mortal sins is also valid, but is by no means to be counseled to the frail, lest perhaps by violating it they commit a double sin.

Since the matter of a vow ought to be in the power of the one vowing, we cannot properly vow the deed of another, or something to be performed by another; thus a mother cannot vow that her son will enter religion. If in reality such a vow has been emitted, it ought to be explained thus: that the mind of the one vowing was to oblige herself to take care, insofar as she can, that the other perform it; but his liberty remains intact. Vows made by cities, monasteries, or colleges do not bind posterity, unless the obligation arises from elsewhere, for example from a statute, law, or custom having the force of law.

973. If the matter of a vow is partly possible and partly impossible, before all else the intention of the one vowing must be explored: if he promised both indivisibly, or in the manner of one thing, he is held to nothing when either part is impossible; otherwise, if he promised two things divisibly, or independently from one another, because the useful is not vitiated by the useless. If the intention of the one vowing is not established, it ought to be presumed from the matter itself of the vow: when this is divisible, the possible part must be fulfilled; thus he who vowed ten fasts, and can fulfill only two, is held to these two. If the matter is indivisible, or if the impossible part is altogether principal in relation to the other, no obligation subsists; thus he who vowed a Roman pilgrimage, and can travel only half the way, is held to nothing; but if he promised to make the journey on foot (which he cannot do), yet can easily go to Rome by railroad, he should indeed do this, since the Roman pilgrimage itself is principal, and the mode of going is accessory.

II. CONCERNING THE VARIOUS SPECIES OF VOWS.

974. 1. By reason of the object about which it is concerned, a vow is: (a) personal, if the thing promised is some action to be placed or omitted, such as the recitation of some prayer, a pilgrimage, etc.; (b) real, when the thing promised is directly some thing external to the one vowing and estimable by price, such as alms, the donation of a chalice, etc.; (c) mixed, if the object of the vow is at the same time an action and a thing, for example, a vow of going to Loreto, and there offering a chalice.
2. By reason of duration, it is called temporary or perpetual according as it is promised to be observed for a certain time or throughout one's whole life.

975. 3. By reason of the mode in which it is made, it is called absolute or conditioned, according as it is made simply, without any restriction, or with some condition added: an example of this is had if someone vows a rich alms on condition that he receive such an inheritance. - If the condition added is joined by way of a penalty to be inflicted, the vow is penal, as if someone promises alms, on condition that he shall have relapsed into such a sin.

976. 4. By reason of form and effects, a vow is public when it is accepted in the name of the Church by a legitimate ecclesiastical Superior; otherwise it is private; - solemn, if it has been recognized as such by the Church; otherwise simple (Codex, c. 1308). - As to the fact, the Church regards two genera of vows as solemn: the vow of chastity emitted in sacred orders, and religious vows emitted in those orders which have been approved by the Church as solemn.

977. Hence arises the question, long debated among canonists and theologians, whence the solemnity of vows comes, or in what a solemn vow differs from a simple one. All today indeed confess that this distinction arises only from the authority of the Church, since neither Christ nor the Apostles established anything concerning this matter. This, moreover, Boniface VIII declared in the single chapter *De Voto*, in the Sext: "We, considering that the solemnity of a vow has been found by the constitution of the Church alone"... Nevertheless it is further asked whether this solemnity is situated in the will alone of the Church, or in some special effect which, by the Church so establishing, has been annexed to a solemn vow.

(a) According to St. Thomas¹ and many others, the solemnity of a vow consists in a certain spiritual consecration, by force of which the person or thing designated by the vow is thoroughly withdrawn from human uses and, of itself irrevocably, is dedicated to God, so that it cannot be converted to profane uses without sacrilege. (b) According to others,² however, the distinction between a solemn and a simple vow is merely external, and consists in this, that the Church dissolves solemn vows far more difficultly than simple ones. - Nevertheless we hold the former opinion, rightly understood, as the more probable; for, although the solemnity of vows depends on the Church, it produces some effects permanent in themselves which do not proceed from a simple vow: thus acts contrary to solemn vows are rendered not only illicit, but also invalid; for example, a marriage contracted by him who has emitted a solemn vow of chastity is invalid. This can be declared thus: just as, in civil matters, those contracts are called solemn in the making of which public authority intervenes, which confers upon them a special firmness on account of the public good; so likewise, in our matter, the public authority of the Church intercedes, so that it may concede a special indissolubility to solemn vows, which it publicly recognizes as such. Moreover this indissolubility proceeds from this, that publicly, and from the very authority of the Church accepting and confirming the vows emitted, persons vowing are consecrated to God in a special and indissoluble manner, as regards those acts which they promised to do or omit.

¹ St. Thomas, II-II, q. 88, a. 7 and 9; Lehmkuhl, n. 500.

² Ballerini-Palmieri, n. 603; Noldin, n. 210.

Moreover, since this indissolubility arises from the authority of the Church, it is not so firm that dispensation cannot be made in it from a most grave cause.

**§ II. CONCERNING THE HONESTY AND OBLIGATION OF
A VOW. — I. CONCERNING THE HONESTY OF A VOW.**

978. 1. Errors. Many Protestants, from the fact that they reject the distinction between precepts and counsels, contend that vows concerning things not prescribed, from the motive of worshiping God, are not only illicit, but impious, since they suppose that there are certain supererogatory works which are by no means owed to God. Nevertheless, they concede that the same vows are licit if they are made from another motive, for example, for the sake of avoiding sin, or of freeing oneself from the bonds of the world. - Today, however, not a few rationalists and politicians reprove all vows, especially religious and perpetual vows, as harmful to liberty and to society: for since man is essentially mutable and progressive, no one can abdicate his liberty, especially in perpetuity; besides, religious, by vowing poverty, obedience, and chastity, become not only useless to society, but even harmful: for they produce nothing, and by their example draw others to idleness under the pretext of contemplation. - Hence we shall premise a few things concerning the honesty and excellence of vows.

¹ St. Thomas vindicated the excellence of religious vows in two opusculum works: Opusc. I, *Contra impugnantes Dei cultum et religionem*; Opusc. III, *Contra pestiferam doctrinam retrahentium homines a religionis ingressu* (Works, ed. Vives, t. XXIX).

979. 2. Thesis: Vows prudently emitted, from the motive of worshiping God, are honest and laudable.

(A) That vows made in honor of God are acceptable to Him and are commended by Him is clear from many texts of Scripture: the Patriarchs emit vows, and on account of this are blessed by Him;² in the Mosaic law, prescriptions are established concerning the fulfillment of vows: "When thou hast made a vow to the Lord thy God, thou shalt not delay to pay it: because the Lord thy God will require it: and if thou delay, it shall be imputed to thee for a sin. If thou wilt not promise, thou shalt be without sin."³ Although vows do not fall under precept, as is clear from the words just cited, nevertheless elsewhere they are commended:⁴ "Vow ye, and pay to the Lord your God." - Under the new law, the Apostles are presented as paying vows;⁵ and many Fathers understood of the vow of chastity the words of Paul concerning younger widows, who have made void their first faith.⁶

² Gen. 28:20.

³ Deut. 23:21-22.

⁴ Ps. 75:12.

⁵ Acts 18:18; 21:23.

⁶ 1 Tim. 5:12.

980. (B) Wherefore, already in the first centuries of the Church, vows were in use, especially the vow of chastity, and afterward the three vows of religious. Thus Tertullian, Cyprian, Ambrose, Augustine, and Jerome wrote entire treatises on virginity, insofar as it is confirmed by vow. Let Augustine be heard addressing the spouses Armentarius and Paulina, who by mutual consent had emitted a vow of chastity: "But now, because thy pledge is held before God, I do not invite thee to great justice (if I exhort thee not to recede from the vow), but I deter thee from great

iniquity. For thou wilt not be such as thou wouldst have remained if thou hadst vowed nothing of this kind. For then thou wouldst have been lesser, not worse; but now so much the more miserable, which may God avert, if thou shalt break the same to God, as thou art happier if thou shalt pay it. Nor therefore should it repent thee to have vowed; rather rejoice that now that is not licit for thee which would have been licit to thy loss... Happy is the necessity which compels to better things."⁷ - Wherefore the Church approved the vows of religious, condemned their impugnors,⁸ and, against Protestants, in a general manner defined the honesty of vows thus:⁹ "If anyone shall say that men are to be so recalled to the remembrance of baptism received that they understand all vows which are made after baptism to be void by force of the promise already made in baptism itself, as if by them both the faith which they professed and baptism itself were detracted from, let him be anathema."

⁷ St. Augustine, Epist. 127, Migne, P.L., XXXIII, 487. - Cf. St. Jerome to Eustochium on the custody of virginity, P.L., t. XXII, 394-425.

⁸ In Denzinger, n. 497-499.

⁹ Trent, sess. VII, *De Baptismo*, can. 9; Denzinger, n. 746.

981. (C) Reason itself shows that vows, prudently emitted, turn to the glory of God and to the utility of those vowing. (a) To the glory of God; for man, offering and promising to God a thing pleasing and better to Him, studies to please Him and acknowledges His supreme dominion; but because he cannot fulfill the vow except by renouncing his own will and pleasure, at the same time he offers an internal sacrifice and spiritual hosts by which God is worshiped most greatly. - Even conditioned vows, by which something is promised if God grants such a grace, glorify Him, although less perfectly than absolute vows; for thus it is acknowledged that God provides for human affairs, and that one must flee to Him so that opportune helps may be obtained in temporal or spiritual matters. - Nevertheless that mercenary disposition of soul by which something is never vowed to God or to the saints except for obtaining some temporal advantage should by no means be commended; they act much more perfectly who vow something to God absolutely, confidently awaiting from Him whatever it shall please Him to repay at the opportune time.

(b) To the utility of those vowing; for since human nature is weak and inconstant, it greatly benefits, in certain adjuncts, to furnish it strength and firmness by binding oneself to more perfect things through a vow: for thus the will is strengthened and confirmed in good; since an honorable man is, as it were, compelled by a sense of honor to execute promises seriously made; and, if there is question of promises made to God, he is induced gently and strongly by the virtue of religion to fulfill them. Wherefore he will employ every fortitude to overcome difficulties and execute the thing, and thus his powers for doing good will be doubled. Besides, God Himself, in whose honor the vow was emitted, will not disdain to assist the one vowing by His powerful virtue, and from this head his strength will be increased not a little.

982. The adversaries indeed object that liberty is destroyed by vows, since thus the moral power of choosing between contraries is taken away. - The argument is retorted; for the same can be said of all human promises and contracts; for by these the power of choosing is restricted,

since the contracting parties impose true obligations upon themselves, whether for a time or in perpetuity. - Therefore the adversaries falsely suppose that liberty is diminished or destroyed by a moral obligation; on the contrary, we are the freer the more faithfully and perfectly we fulfill our duties. For although we have the power of choosing between good and evil, we do not lose this by choosing good, which perfects our nature, but use it well. Is not liberty, on the contrary, diminished when, serving passions and pleasures, contrary to the dictate of right reason, we desire evil? Therefore they are freer who, their passions having been subdued, fulfill their duties more frequently and perfectly. But those who not rashly but prudently, not quickly but after mature deliberation, spontaneously oblige themselves to doing something better, far from binding their liberty with new bonds, become freer: for they bid farewell to pleasures, that they may serve right reason and God Himself more faithfully. - Thus certainly do they judge who, after a long life spent in the practice of virtue, are no longer drawn to evil by the vehement impulse of the passions.¹⁰

¹⁰ M. d'Hulst, *Careme* 1893, p. 134-136, eloquently declares this as follows: "The vow an enemy of liberty? But do you not perceive the equivocation? Liberty, that is, the right to do: yes, this liberty, which after all is only a benefit, is restricted by the vow. What was permitted is so no longer. But since when is it a moral diminishment to renounce a benefit? Is not everything great in the world of souls made of this stuff? Do you wish to see whom the vow profits? Look at whom it saddens. It saddens egoism, the need to enjoy, to seize goods. Ah! if egoism is not satisfied, so much the better; it is that virtue triumphs... The power of choosing one's acts, that is free will; and such is the moral signification of the word liberty. Well then, this power, where is it exercised, where is it affirmed more? Speak; I appeal to your consciences. Is it in enjoyment permitted, or in enjoyment sacrificed? Ah! in enjoyment permitted, I am not very sure of being free. Perhaps I grant it to myself because it is permitted; then it is a good act; but perhaps I yield to its attractions because it is enjoyment, and then I am no longer free, I am dragged along. If on the contrary I react; if, by going back up the current of my covetous desires, I pass even beyond the line of duty; if I venture, bold and proud, into the regions of perfection; if I do more; if, modest as much as strong, I distrust, in my fervor of today, my weakness of tomorrow, and if, in order to cut it short, like that Spanish conqueror, I burn behind me the ships of return and bind myself by a voluntary bond to heroic actions which it was permitted to me to omit; oh! then, say if it pleases you, that I am no longer free. I shall answer you, for my part, that one is free in the measure in which one does a work of will, and that I have willed more strongly than you, since I have willed more difficult things. And, if returning to the charge, you speak to me of my chains, I shall tell you that I bear them because I chose them, and that I am proud of them, while perhaps you bear some which you did not choose and of which you are ashamed."

983. 3. Corollary. A good work done from vow, other things being equal, is more meritorious than the same work without vow. St. Thomas demonstrates this by a threefold argument: (a) to vow is an act of latria, or of religion, which is the chief among the moral virtues; but since an act of an inferior virtue is better and more meritorious from the fact that it is commanded by a superior virtue, the works of inferior virtues, such as fasting, abstinence, continence, are rendered better and more meritorious when they are done from vow, because thus they are commanded by the virtue of religion, which excels the other moral virtues. (b) He who vows something and does it subjects himself to God not only as to the act, but also as to the power, and therefore subjects himself more perfectly; just as he gives more who hands over to a neighbor the tree with the fruits than he who hands over the fruits only. (c) Through a vow the will is immovably confirmed in good, from what was said above, n. 982; but to do something from a will confirmed in good pertains to the perfection of virtue, which from its nature is stable, just as to sin with an obstinate mind aggravates sin.

Nevertheless I said other things being equal; for, since charity is the most perfect of all the virtues, he who acts from charity accomplishes more perfect works than he who acts from vow, or from the virtue of religion. Moreover, he who, not from vow, but from repeated acts, accomplishes the same things as one vowing, sometimes acquires greater merit from the greater effort which he must renew more frequently.

II. CONCERNING THE OBLIGATION ARISING FROM A VOW.

984. 1. Principle: By a vow there is induced in conscience an obligation of performing that which was promised; moreover, the gravity of this obligation depends both on the intention of the one vowing and on the gravity of the matter.

(A) From Scripture it is clear that vows must be diligently fulfilled under penalty of sin: "When thou hast made a vow to the Lord thy God, thou shalt not delay to pay it, because the Lord thy God requireth it, and if thou delay, it shall be imputed to thee for a sin"¹... "If thou hast vowed anything to God, defer not to pay it: for an unfaithful and foolish promise displeaseth Him... and it is much better not to vow, than after a vow not to perform the things promised."² In truth, if promises made to men must be kept from the virtue of fidelity, a fortiori those things which are made to God must be fulfilled, and indeed from the virtue of religion; for fidelity toward God, as pertaining to divine worship, is deservedly adorned with the name of religion. It is indeed true that a promise does not strictly oblige unless it has been accepted; but, from the texts cited above, it is clearly established that vows, clothed with the due conditions, are accepted by God, and that their fulfillment is urged; wherefore there can be no doubt concerning the obligation which they induce.

¹ Deut. 23:21.

² Eccles. 5:3-4.

985. (B) The gravity of this obligation depends chiefly on the very intention of the one vowing: for since a vow is, as it were, a private law which he imposes upon himself, he can oblige himself under grave sin or under light sin, according as he wills. It also depends on the gravity of the matter itself. Nevertheless, even when there is question of matter grave in itself, a vow can be emitted under light sin only. Yet those vows are excepted whose gravity the Church herself has defined, namely the vow of chastity emitted by sacred ministers, and the vows of religious: for then legitimate authority, on account of the public good, manifestly declares that vows of this kind cannot be made except under penalty of grave sin. - Besides, matter light in itself cannot be vowed under grave sin, because the intention of incurring a grave obligation in light matter is not reasonable, and therefore is not approved by God (*De Legibus*, n. 274).

Hence, in order that a vow oblige under grave sin, two things are required: that the matter be grave, and that the one vowing have the intention of obliging himself under mortal sin. - Moreover, matter is judged grave which, if it were prescribed by the Church, would oblige under grave sin, such as assistance at Mass, fasting, Communion, etc.; this indeed must be determined from the estimation of prudent men. - When several light matters have been promised by the same vow, they coalesce or do not coalesce into grave matter according as, from the intention of the one vowing, they were promised as one thing or as singular things; when this intention is lacking, the matter must be judged from the estimation of prudent men.

986. 2. Corollaries. (A) A vow directly obliges only the one vowing; for since the obligation of a vow arises from a promise freely made, he alone is bound by this obligation who freely undertook it. Hence:

(a) Children are not held to fulfill the personal vows of their parents, unless afterward they have made these vows their own. Subjects are not held to execute vows made by the superior of the community, by force of the vow itself, unless they have consented to the same, but by force of religious obedience, if the superior legitimately commands this. Likewise posterity is not compelled to observe the vows of ancestors by force of the vow; but, if the community itself, through its legitimate presidents, has emitted some vow, the subjects ought to execute the acts promised by reason of precept, or of custom having the force of law: for presidents can, on account of the common good, prescribe some work which even posterity must fulfill; but because the work is enjoined from the motive of religion, it must indirectly be performed by the subjects from the same motive.

(b) When there is question of a real vow, heirs are held to execute, not from religion, but from justice, those things which had been promised by deceased predecessors, yet not beyond the forces of the inheritance. For a real vow, for example, the promise of some alms, is as it were a burden annexed to the inheritance itself; but the inheritance passes to heirs with its burdens. Therefore these are held to pay the burdens, first indeed debts of justice, but afterward debts of religion, arising from vow, which precede pious legacies.

(c) Moreover a personal vow must be fulfilled by the one vowing himself, since his own action was promised; if the one vowing cannot fulfill it, he is not held to perform it through another. - The contrary must be said of a real vow: for since a thing was promised, the one vowing can give it either by himself or through another.

987. (B) A vow must be fulfilled in the manner in which it was made. Accordingly:

(a) If it is conditioned, it does not oblige unless the condition has been fulfilled. Nevertheless, it is not licit fraudulently to impede the execution of the condition; and therefore he sins against the vow who by deceit, force, threats, or other unjust means impedes this execution. But he who prevents the added condition from being verified only by prayers, persuasion, or licit ways, does not strictly sin, and is freed from his vow, since in reality the condition was not fulfilled. Likewise, if the condition is fulfilled not properly but only equivalently, the vow probably does not oblige; for example, he who vowed entrance into religion if his widowed mother entered second nuptials is not strictly held to enter if she has died, even if the reason for the condition added was the support of the mother.

(b) If it is disjunctive, for example, if I recover, I shall fast for three days or give twenty coins to the poor, the option belongs to the one vowing; but he must execute one or the other. If, before the election has been made, one part becomes impossible without the fault of the one vowing, probably he is held to nothing, because the faculty of choosing does not remain; but a pious and honorable man will nevertheless execute the other part. But once the election has been made, the chosen part is to be performed, even if the other part becomes impossible; but if the chosen part becomes impossible without the fault of the one vowing, he is held to nothing.

988. (C) As to time, a vow must be fulfilled at the prefixed time, without its being necessary to anticipate it, even if a future impediment is foreseen; and notable delay, without just cause, in a grave matter, is of itself a grave sin.

But what constitutes notable delay depends on many circumstances: on the nature of the vow, the age of the one vowing, the danger of forgetfulness or of inability to execute the vow in the future. All these things can be judged only from the estimation of prudent men. Thus he who vowed to enter religion at once, and without cause defers for three or four years, of itself sins gravely, because he withdraws a notable part of the service promised; but if there is question of a pious pilgrimage, a long delay does not seem grave, unless from this there is probable danger of future inability to execute the pilgrimage. - If the vow has not been fulfilled at the prefixed time, its obligation ceases if the time was added for ending the obligation, but by no means if it was added for urging the same: prudent men will judge concerning this, according to the true or presumed intention of the one vowing and the other circumstances. - If no time was prefixed, the vow must be fulfilled as soon as morally possible: for it is as a debt, which must be paid as soon as possible.

989. (D) When there is question of the interpretation of a vow, these things especially are to be attended to: (a) First, a vow must be interpreted according to the expressed or presumed intention of the one vowing, as is established from what has already been said.

Thus he who vowed that he would give annually, for ten years, one hundred coins to Titius, so that he might help him in supporting his family, is held to perform this even after Titius has died, if his primary intention was the support of the family; but not if the primary intention was the relief of the father from anxiety in supporting the family.

(b) When the intention of the one vowing is not established, the vow must be interpreted according to the nature of the vow, the common usage of the place, or the general custom of the Church.

Thus he who vowed to recite the rosary can recite it alternately with a companion; he who vowed a fast can use lacticinia where this custom is in force; if you vowed a fast for a month, you are not held on Sunday, since, from the practice of the Church, fasting does not take place on that day.

(c) If, all things having been weighed, doubt remains concerning the sense of the vow, it is licit to follow the more benign part; for in hateful matters, to which the bond of a vow is referred, the more benign part is to be followed.

Therefore he who promised alms, without determining the quantity, satisfies the vow, provided the sum disbursed is not ridiculous, all things considered; he who vowed a chalice, without a determined quality of matter, is not held to offer a gold one, but can offer a silver one.

Moreover, as to all doubts which arise concerning the existence or extension of a vow, the principles handed down in the Treatise on Conscience, where the various systems of probabilism are treated, must be kept in mind; nor is the fulfillment of a truly doubtful vow to be urged.

§ I. CONCERNING THE CESSATION OF A VOW OR OF ITS OBLIGATION.

The obligation of a vow can cease in four ways: 1. by its own nature, from a change of matter or cessation of the end; 2. by invalidation, or annulment or suspension by him who has power; 3. by

dispensation; 4. by commutation by a legitimate superior.

I. CONCERNING THE CESSATION OF A VOW FROM THE NATURE OF THE THING ITSELF.

990. A vow, like a law, can cease from the nature of the thing itself, namely from a notable change of matter or circumstances, or from the cessation of the principal end.

1. From a notable change of matter or circumstances, namely if the thing promised becomes illicit, useless, or impeding a greater good: for the thing ceases to be apt matter of a vow.

Thus a pastor who vowed a pilgrimage on such a day, if then he must assist the gravely sick; or one who promised to come to the aid of some necessity which has already come to an end; or who vowed a fast on such a day, which would impede a very useful work of charity. The same must be said when circumstances are so notably changed that, if the one vowing had foreseen the change, he would not have emitted the vow: for then he did not intend to oblige himself for such circumstances. Thus he who vowed to give a rich alms, and afterward became poor, is not held to bestow it; he who had promised to relieve a poor man is not held to give him money when he notices that this man uses the same to make himself drunk. On the contrary, however, a vow of chastity is valid, even if vehement temptations afterward arise: for these could have been foreseen from things commonly occurring.

991. 2. From the cessation of the principal end; for since a vow is ordered to obtaining some end, when the principal end for which it is intended ceases, by that very fact the reason of the obligation ceases. Therefore he who vowed a pilgrimage for obtaining the health of a friend is not held to execute the vow after the friend has died. But when the secondary, or impulsive, end ceases, the vow does not by that very fact cease, if the principal end endures; he who vowed to educate a pious young man for the clerical state, and chose Titius on account of a pleasing voice, is not freed from the vow if the voice becomes less pleasing, because this end is altogether secondary.

II. CONCERNING THE INVALIDATION OF A VOW.

992. 1. Notion. The invalidation of a vow is its annulment or suspension made by him who has dominative power¹ over the will of the one vowing, or over the matter of the vow. Therefore a twofold invalidation is customarily distinguished: (a) direct, or properly so called, which is the annulment of a vow made by him who has power over the will of the one vowing: this dissolves the obligation in perpetuity, so that it never revives. This can be declared thus: he who is subject to the power of another cannot emit an absolute vow, but only a conditioned one, namely with the tacit condition added: unless the superior contradicts; wherefore, if in reality the superior has contradicted, by that very fact the vow does not oblige, because the annexed condition was not fulfilled. (b) Indirect, or less properly so called, is the suspension of a vow made by him who has power not directly over the very will of the one vowing, but over the thing promised: this does not thoroughly remove the obligation of the vow, but only suspends it, namely as long as the matter remains subject to the will of the superior; therefore the obligation revives as soon as this matter is withdrawn from his power.

¹ Dominative power, which belongs to private masters as regards subjects, differs from the power of jurisdiction: for the latter arises from a public office, while the former arises from a private office. Dominative power sometimes flows from the law of nature, as paternal authority; sometimes also from ecclesiastical law, as the authority of religious superiors over subjects.

993. 2. Who are able to invalidate vows? (A) Directly, those can do this who have dominative power over the will of others:

(a) A father can directly invalidate all vows emitted by children before puberty, and probably those of non-emancipated minors (Codex, 88, 89). This power indeed rests on natural law, by force of which children depend on the father as long as they are immature in judgment, but it was determined by ecclesiastical law alone within these precise limits. This faculty extends to all vows emitted before puberty, even reserved vows and vows made in favor of a third party; indeed even to vows confirmed after puberty, unless these are made firm by a new vow altogether independent from the former. The same privilege belongs to all those in whom paternal power is present by law, namely to a tutor, and, this lacking, to the paternal grandfather; indeed probably, according to some, to the mother, if, the father or tutor being present and not contradicting, she exercises this authority.

(b) It is controverted whether a husband can directly invalidate all the vows of his wife emitted after marriage. Those who affirm with St. Thomas² argue from the fact that the man is the head of the woman, and therefore has power over her will. Yet many deny this, because the subjection of the wife, arising from marriage, does not extend beyond matrimonial duties; therefore the husband can invalidate only indirectly those vows which are opposed to his rights. We embrace this opinion as the more probable.

² St. Thomas, II-II, q. 88, a. 8, ad 3. - Num. 30:7-9 is also alleged for confirming this opinion; but this text pertains to the ceremonial Mosaic law, which has been abrogated.

(c) A regular Superior can directly invalidate all private vows of subjects emitted after profession: for by the vow of obedience they have subjected their will to the superior in all licit things. Nevertheless, the vow of passing to a stricter religion is excepted; this, from ecclesiastical law,³ no one can invalidate, since it is always free to each one to tend to better things. - The vows of novices can be invalidated only indirectly, since they have not yet vowed obedience.

³ Decretals, l. III, tit. 21, c. 18.

This same power belongs to superioresses of nuns as regards the vows of their subjects. - The Sovereign Pontiff, insofar as he is the supreme prelate of all religious, can invalidate their vows; Bishops enjoy the same authority only as regards religious who depend on the Ordinary.

994. (B) From the Code, all superiors who have power over the matter of a vow can suspend the vows of subjects which wound their rights. The reason is that, even by natural law, promises which wound the rights of another cannot be made. Wherefore:

(a) A husband can invalidate all vows of his wife, even those emitted before marriage, which are opposed to his matrimonial rights, for example, a vow of continence, of a long pilgrimage, etc.; the wife enjoys the same right, and therefore can invalidate a vow of living for a long time far from the conjugal home.

- (b) A father can invalidate the vows of children, even of those who have reached puberty, which are opposed to his rights or the rights of the family, for example, a vow of a distant pilgrimage.
- (c) Masters, or lords, can invalidate the vows of servants which render them unfit to furnish the services owed, such as vows of fasting daily or of spending a long time in churches.
- (d) Regular prelates can invalidate the vows of novices which are incompatible with the observance of the rule; the same must be said of all superiors of colleges as regards the vows of pupils which bring an impediment to due obedience.
- (e) The Sovereign Pontiff and Bishops can a fortiori invalidate the vows of subjects incompatible with their just prescriptions.

995. Note. For the validity of invalidation, in these or similar cases, no reason is required, because the superior who invalidates a vow subject to himself uses his own right. But for the licit exercise of this right, a just cause is required; for one who without reason invalidated the vows of subjects would irrationally impede their spiritual good. Thus from the Code, can. 1312: "... he can render his vows invalid validly and, from a just cause, also licitly."

From the Code, c. 1315, vows emitted before religious profession are suspended as long as the one vowing remains in religion.

III. CONCERNING DISPENSATION FROM A VOW.

996. 1. Notion and required conditions. Vows, even firm in themselves, sometimes it is expedient to remove by dispensation, which is defined as the relaxation of an obligation induced by vow, made in the name of God by him who has the power of jurisdiction.

(A) From this the distinction between invalidation and dispensation is clear: (a) for the latter is made in the name of God, while invalidation is made in the proper name of the one invalidating; (b) the latter requires the power of jurisdiction, while the former supposes only dominative power: for since, by force of the vow, a man has contracted an obligation before God, this cannot be dissolved except by him who has divinely received the power of jurisdiction, by force of which he can dissolve spiritual bonds in the name of God Himself; (c) hence a just cause is required for a valid dispensation, which is not necessary for invalidation; (d) invalidation can be made even when the one vowing is unwilling, while dispensation supposes the consent of the one vowing, who imposed the obligation upon himself.

997. (B) That the power of dispensing in vows belongs to the Church is clear: (a) from the general concession of dissolving all spiritual bonds which can obstruct the salvation of souls: "And whatsoever thou shalt loose upon earth, it shall be loosed also in heaven";⁴ for sometimes it happens, on account of human frailty, that vows even maturely emitted can be observed only with difficulty, with the greatest danger to souls; therefore it is of the greatest interest that they be able to be relaxed, so that those vowing may provide for their salvation more easily. Wherefore Christ conferred upon the Church the power of dispensing in vows, in the name of God Himself, who alone can condone an obligation contracted toward Himself. (b) From the

long-standing and universal practice of the Church, which very often, for just causes, is accustomed to dispense in vows.

⁴ Matt. 16:19.

998. (C) But because one dispensing acts not in his own name, but in the name of God, a just cause is required for dispensing validly, and indeed a cause graver according as the vow is more excellent. The sufficiency of this cause must be left to the prudent judgment of superiors; and the faithful, who in good faith have set forth the whole matter, ought not be disquieted concerning this. - The general causes which can move superiors to grant a dispensation legitimately are the honor of God, the utility of the Church, and the necessity of the one vowing.

Among particular causes, certain ones stand on the part of the vow, and others on the part of its execution. (a) On the part of the vow, namely if someone vowed indiscreetly, from anger, sadness, before puberty, without deliberation; or under compulsion, from fear even light fear, deceit, etc. (b) On the part of the execution, if this becomes too arduous, or impedes a greater private or public good, or becomes an occasion of spiritual or temporal evil; for example, if, the frailty of the one vowing being considered, it is an occasion of frequent violation.

If the vow was made for the utility of a third party, dispensation can be made as long as the promise has not been accepted, because this does not produce an obligation toward neighbor; but, if it has already been accepted, generally dispensation cannot be made without the consent of the third party, because otherwise his rights would be violated. Nevertheless, if the promise was made principally in honor of God, and only secondarily in favor of the third party, it can be dispensed by the Sovereign Pontiff, because the accessory follows the principal.

999. 2. Concerning those who are able to dispense. All and only those are able to dispense in vows who have jurisdiction in the external forum: for such dispensation pertains to the government of the Church.

(a) The Sovereign Pontiff can dispense in all vows for the universal Church: for supreme and universal jurisdiction belongs to him. He grants this power to the Major Penitentiary for the whole Christian world, and to Apostolic Legates in the provinces to which they are sent; and this power, although by commission of the Pontiff, is judged to be ordinary, and not merely delegated, since it has been handed over to them by reason of office and by ordinary law.

(b) Ordinaries and all having quasi-episcopal jurisdiction are able to dispense in all vows of their subjects, except those which are reserved to the Sovereign Pontiff; and therefore also capitular vicars when the see is vacant. - Vicars general enjoy this power from the Code (c. 1313) by force of their office; but pastors do not, because they do not enjoy jurisdiction in the external forum, except by delegation.

(c) Superiors of exempt orders can dispense in the non-reserved vows of their subjects (Codex, c. 514).

(d) By special privilege, regular confessors can commute the non-reserved vows of the faithful by dispensing; indeed, according to many, they can also dispense simply, from the privilege granted by

Julius II to the Canons Regular of St. Saviour, and by Leo X to the Camaldolese hermits, which, by force of the communication of privileges, passed to other regulars. - Secular confessors sometimes obtain the same privilege by delegation. - In both cases, this privilege can be exercised even outside confession, unless the contrary is declared in the concession.

1000. 3. Concerning vows reserved to the Sovereign Pontiff. The Sovereign Pontiff has reserved to himself certain vows, in which he alone can dispense; these are:

(a) Solemn vows of religion; indeed, from recent law,¹ simple religious vows which precede solemn profession, and those which are emitted in congregations approved by the Holy See, whether perpetual or temporary.

¹ S. Cong. Bishops and Regulars, June 12, 1858.

(b) The vow of entering a religion of solemn vows.

(c) The vow of perpetual and perfect chastity, even emitted by laypersons.

The vows of a Roman pilgrimage, to the thresholds of the Apostles; of a Jerusalem pilgrimage, to the sepulcher of the Lord; of a Compostelan pilgrimage to the relics of St. James, are no longer reserved.

1001. Yet these vows are not reserved except in the strict sense set forth above; - and indeed when they are perfect, that is, obliging under grave sin; - fully free and emitted after the completed eighteenth year of age; - absolute, but not conditioned or disjunctive; - and certain, but not doubtfully emitted or doubtfully reserved. The reason is that, since reservation is hateful, it is to be interpreted strictly.

Wherefore vows of not marrying, of not sinning against chastity, of conjugal chastity, of temporary chastity, of virginity (as distinguished from a vow of perfect chastity), of receiving sacred orders, of entering a congregation in which only simple vows are emitted, ought by no means to be held reserved. - Likewise even reserved vows are reserved only as regards substance, but not as regards circumstances; thus he who vowed to enter a stricter religion can be dispensed by the Bishop so that he may enter a milder one.

Besides, when necessity urges, namely when grave spiritual or temporal harm is imminent and, on the other hand, the Sovereign Pontiff cannot be approached at once, Bishops can dispense in reserved vows. - When, by force of an apostolic concession, a reserved vow has been commuted into other works, these works indeed have the nature and obligation of a vow, but not of a reserved vow.

IV. CONCERNING THE COMMUTATION OF A VOW.

1002. 1. Notion. The commutation of a vow is the substitution of another work in place of that which had been promised, with the same obligation. Therefore in commutation the obligation of the vow is not relaxed, as in invalidation or dispensation, but, the bond of the vow remaining, the obligation contracted is transferred to another matter.

This commutation can be made in three ways: into a better work, into an equal work, into a less good work.

1003. 2. Conditions. For commutation two things are required: legitimate power and a just cause.

(A) Now (a) commutation into something better can be made even by the proper authority of the one vowing, unless a prescription of the Church or the good of a third party stands in the way; for what is better, that is, what contributes more, all things diligently considered, to the glory of God or the utility of the one vowing, includes in itself the less perfect, and without doubt is accepted by God.² But by the statute of the Church, reserved vows must be excepted, which cannot be commuted except into religious vows, and the vow of passing to a stricter religion. Likewise a vow in favor of a third party, accepted by him, cannot be commuted without his consent.

² Thus religious vows include the others in themselves, and therefore vows emitted in the world are extinguished by religious profession, or rather are commuted into it.

(b) Commutation into an equal work, according to the Code (can. 1314), does not require the intervention of a superior, but can be made by one's proper authority.

Thus an end is imposed on the controversy previously debated among theologians; and therefore we omit what we had written concerning this controversy.

Thus, for example, the daily recitation of the Rosary can be commuted into hearing Mass three or four times in the week; the fast of one day into one confession; the vow of a pilgrimage of one day into one fast, by applying the expenses of the pilgrimage to a pious work.

(c) Commutation into a lesser work, since it involves a true dispensation, cannot be made without the intervention of a superior. All those enjoy this faculty who have the power of dispensing, whether ordinary or delegated. - Those who have obtained only the power of commuting can use it for commuting vows into a morally equivalent work, or even into a work a little less good, but not into a notably lesser work.

1004. (B) As regards cause, a vow can be changed into something better without cause; into something equal, with a light cause, such as the greater devotion or utility of the one vowing; into something lesser, from a grave cause, which is required not only for liceity, but also for validity: this cause nevertheless can be less than that required for dispensation.

Moreover, once commutation has been made, it is licit to return to the first work, - even when this had been made into a better work, at least more probably: for commutation is a favor which no one is held to use. - Nevertheless, in practice inconstancy should carefully be avoided, which is found by no means rarely in pious women, and harms their progress not a little.

If the work into which the vow has been changed becomes impossible: (a) it is necessary to return to the first, if the commutation was made by one's own authority, because the obligation is not judged extinguished except by an equal or better work; (b) if the commutation was made by the authority of a superior, it is not necessary to return to the first work, because the prior obligation has been dissolved by the superior.

PRACTICAL COROLLARY.

1005. Confessors ought not be too inclined in suggesting or permitting vows, especially where there is question of the vow of perpetual chastity. For experience establishes that certain young women, at a time when sensible devotion is fervent, easily vow chastity, and afterward, when temptations arise and an opportunity of marrying is offered, seek marriage and bid farewell to their vows, not without great danger to the soul. Therefore those are not to be heard who at once wish to vow perpetual chastity; but, after mature investigation, let a vow of chastity be permitted the first time for three or six months, afterward for a whole year, then for two years. Very rarely is the vow of perpetual chastity to be counseled to those remaining in the world, unless they are already of advanced age and have furnished examples of firmness.

Likewise, let confessors not easily commute vows without cause, but let them exhort penitents to fulfill their vows, and to serve God with fortitude of soul and unconquered constancy: for thus they will make more progress than by easily changing their proposals.

Chapter III: On the Sanctification of Sunday

CONCERNING THE SOCIAL ACT OF RELIGION.

Since man was born for society, and in reality lives in society, it is altogether fitting that worship be rendered to God not only private, but also social. The determination of worship of this kind, under the law of nature, would pertain to the presidents of society. But once the institution of supernatural religion is supposed, this determination pertains to God Himself, or to those to whom the care of spiritual things has been committed, namely to ecclesiastical authority.

¹ St. Thomas, II-II, q. 122, a. 4; Suarez, *de Virt. relig.*, Tr. II, l. II; Billuart, *de Relig.*, diss. VI; St. Alphonsus, n. 263-332; Sporer-Bierbaum, t. I, tr. 3, n. 482-541; Ballerini-Palmieri, n. 711-814; Berardi, t. I, n. 563-620; Noldin, n. 261-277.

PRELIMINARY REMARKS CONCERNING THE SANCTIFICATION OF THE SABBATH AND SUNDAY.

1006. Historical exposition.² In reality God Himself, under the old law, selected the seventh day of any week as to be dedicated to divine worship: "Remember that thou keep holy the sabbath day. Six days shalt thou labor, and shalt do all thy works. But on the seventh day is the sabbath of the Lord thy God: thou shalt do no work on it, thou, and thy son and thy daughter, thy manservant and thy maidservant, thy beast, and the stranger who is within thy gates."³ The reason assigned is chiefly twofold: one, on the part of God: for He rested on the seventh day, and blessed it, and sanctified it, or separated it from profane uses; wherefore we also ought to rest on the same day, for testifying our dependence upon God: "For in six days the Lord made heaven and earth, and the sea, and all things that are in them, and rested on the seventh day: therefore the Lord blessed the sabbath day, and sanctified it"⁴... "See that you keep my sabbath: because it is a sign between me and you in your generations: that you may know that I am the Lord, who sanctify you."⁵ - But the other reason stands on the part of man, namely that the Jews and their servants may enjoy necessary rest: "Thou shalt not do any work therein, thou nor thy son... that thy manservant and thy maidservant may rest, even as thyself. Remember that thou also didst serve in Egypt, and the Lord thy God brought thee out from thence with a strong hand and an outstretched arm. Therefore He commanded thee that thou shouldst observe the sabbath day."⁶ - The violation of this precept was punished by the penalty of death.⁷

² J. Gilfillan, *The Sabbath viewed in the light of reason, revelation and history*, Edinburgh, 1867; A. Villien, *Hist. des Commandements de l'Eglise*, first Commandment, in *Rev. du clerge francais*, t. XLI, 1905, p. 563-584; and t. XLIII, p. 339-366.

³ Exod. 20:8-10. - That the sabbath day was observed by the Patriarchs before Moses is very probable. Sayce, *Hibbert's Lectures*, p. 76-77, hands down that among the Assyrians there were certain sabbath days, or days of rest from work. Cf. M. d'Hulst, *Careme* 1893, p. 281-283.

⁴ Exod. 20:11.

⁵ Exod. 31:13.

⁶ Deut. 5:14-15.

⁷ Num. 15:32-36.

On the sabbath day not only was rest observed, but sacrifices were offered to God: "And this holocaust shall the prince offer to the Lord: on the sabbath day six lambs without blemish, and a ram without blemish."⁸ On the same day the loaves of proposition were renewed; besides, the Jews were accustomed to assemble in synagogues, to pray and to hear the word of God:⁹ "For Moses of old time hath in every city them that preach him in the synagogues, where he is read every sabbath."

⁸ Ezek. 46:4.

⁹ Acts 15:21; cf. 13:27.

1007. 2. Through the new law the ceremonial part of sabbath observances has been abrogated. For Christ declared that the Father is to be worshiped in spirit and in truth,¹⁰ and, to root out Pharisaic interpretations, taught that the sabbath was made for man, but not man for the sabbath.¹¹ Wherefore Paul reproved the Galatians, who, after conversion to the Christian faith, observed days and months and times and years,¹² according to the Mosaic law; and he admonishes the Colossians that the obligation of observing new moons and sabbaths is no longer in force.¹³ Yet Christ often inculcated the necessity of glorifying God not only interiorly, but also exteriorly; and to promote this worship He instituted the Eucharistic sacrifice, which, since it is the renewal of the sacrifice of the cross, is much more excellent than all ancient oblations.¹⁴ He Himself indeed did not determine the special day and manner by which God was to be worshiped, but left to the Church the power of establishing all these things.

¹⁰ John 4:23.

¹¹ Mark 2:27.

¹² Gal. 4:10.

¹³ Col. 2:16.

¹⁴ Cf. Treatise on the Eucharist, n. 157 sq.

1008. The Apostles and the first Christians for some time, together with the Jews, assembled on the sabbath day to praise the Lord.¹⁵ But soon they had special assemblies, and there they prayed and celebrated the Eucharistic supper;¹⁶ and the custom prevailed that they assemble in this manner on the day following the sabbath, or on the first day of the week, which afterward was called the Lord's day.¹⁷ In reality, already in the second century, from various documents it is clear that this practice was universal.¹⁸ And so by apostolic authority and universal custom of the Church it came about that Sunday was substituted for the sabbath. Hence the *Apostolic Constitutions* (fourth century) attribute the institution of the Lord's day to the Apostles Peter and Paul: "I Peter and I Paul decree that servants work for five days, but on the sabbath and the Lord's day be free in church on account of the doctrine of religion."¹⁹ In the same place it is asserted that the Lord's day was selected in commemoration of the day of Christ's resurrection. "On the day of the resurrection of the Lord, which we call the Lord's day, assemble without any interruption for giving thanks to God, and for professing the benefits with which God has affected us through Christ... so that your sacrifice may be without blame."²⁰

¹⁵ Acts 2:46; 3:1; 5:12; 21:26.

¹⁶ Acts 2:42.

¹⁷ Acts 20:7; 1 Cor. 16:2; Apoc. 1:10. - According to Nicephorus Callistus, H.E., l. VII, c. 46, the emperor Constantine willed that this day be called the Lord's day.

¹⁸ You will find the testimonies in A. Villien, l.c., p. 565-566.

¹⁹ *Constit. Apost.*, l. VIII, c. 33, Mansi, t. I, 579.

²⁰ *Ibid.*, l. VII, c. 31, Mansi, 506.

1009. From the testimonies cited, and many others, it is clear that Sunday was consecrated to God not only by cessation from work, but also by prayers, preaching of the word, and especially by the offering of the sacrifice of the Mass. Already at the beginning of the fourth century, the Council of Elvira imposed canonical penalties on those who neglected to assist at Mass for three Sundays: "If anyone placed in a city shall not have gone to church for three Sundays, let him abstain for a short time (from Communion), so that he may seem to have been corrected."²¹ - In the sixth century, Caesarius of Arles exhorts the faithful to sanctify the whole day, and commands that they assist at the sacred rite: "Therefore let him to whom it is possible come to the evening and nightly celebration, and let him pray there in the assembly of the Church to God for his sins. But he who cannot do this, let him at least pray in his own house, and not neglect to pay his vow to God and render the payment of servitude: but during the day let no one separate himself from the sacred celebration of Masses, nor let anyone remain idle at home."²² And elsewhere he adds that the omission of any prayer and reading on Sunday is a grave sin: "If on the whole Lord's day we neglect to attend to reading and to supplicate God, we sin against God not lightly."²³ At the same time the Council of Agde (a. 506) prescribed "that Masses on the Lord's day be held whole by laymen... so that the people not presume to go out before the blessing of the priest."²⁴

²¹ Elvira, c. 21, in Mansi, t. II, 9.

²² Serm. 280, among the works of Augustine, P.L., XXXIX, 2275.

²³ Serm. 281, *ibid.*, 2270.

²⁴ Council of Agde, c. 47, Mansi, t. VIII, 322.

1010. Besides Sunday, certain feasts in the course of the centuries were instituted by the Church, and celebrated in the same manner. Since Bishops were able to institute feast days of precept, the discipline of various churches in this matter was diverse.

By common law, from the Constitution *Universa* of Urban VIII, Sept. 13, 1642, thirty-six days besides Sundays were to be observed by precept.²⁵ But Pius X retained only eight days,²⁶ namely the feasts of the Nativity, Circumcision, Epiphany, and Ascension of Our Lord Jesus Christ, the Immaculate Conception and Assumption of the Blessed Mary Mother of God, of the Blessed Apostles Peter and Paul, and of All Saints.²⁷

²⁵ The Nativity of the Lord, Circumcision, Epiphany, Monday and Tuesday after Easter, Ascension, Monday and Tuesday after Pentecost, the Feast of Corpus Christi, the Finding of the Holy Cross; Purification, Annunciation, Assumption, Nativity of the Blessed Virgin Mary, (the Immaculate Conception, added to the catalogue by Clement XI), Saints Peter

and Paul, St. Andrew, St. James, St. Bartholomew, St. Matthew, Saints Simon and Jude, St. Matthias, St. Stephen Protomartyr, the Holy Innocents, St. Lawrence Martyr, St. Sylvester Pope, St. Joseph, St. Anne, the Feast of All Saints; one of the more principal patrons in any kingdom or province; another more principal patron in any city, town, or village.

²⁶ *Motu proprio Supremi disciplina*, July 2, 1911, A.A.S., III, p. 305.

²⁷ Feast days of patrons are not subject to ecclesiastical precept. But local Ordinaries can transfer the exterior solemnity to the nearest following Sunday.

From the Code, c. 1247, two feasts must be added to these, namely that of the most holy Body of Christ and of Saint Joseph (March 19).

By particular law, in France and other regions, from the concession of Cardinal Caprara on Apr. 9, 1802, the feasts to be celebrated outside Sundays were reduced to four: the Nativity and Ascension of the Lord, the Assumption of the Blessed Virgin Mary, and the feast of All Saints. The solemnity of certain principal feasts is transferred to the following Sunday.

In Great Britain, the feasts to be observed by precept remain seven: the Nativity of Our Lord Jesus Christ, Circumcision, Epiphany, Ascension, Saints Peter and Paul, Assumption, and the feast of All Saints.

For the Federated States of America, there are likewise six feasts of precept: the Immaculate Conception of the Blessed Virgin Mary; the Nativity of the Lord; Circumcision; Ascension; Assumption; the feast of All Saints. The feast of Saints Peter and Paul is transferred, as to solemnity, to the following Sunday.

1011. Conclusion. The law which prescribes the hearing of Mass and cessation from servile work on Sundays and feast days rests indeed on divine law, but has received its determination from ecclesiastical law.²⁸

²⁸ This conclusion differs little from that which St. Thomas hands down, II-II, q. 122, a. 4, ad 1: "The precept concerning the sanctification of the sabbath, understood literally, is partly moral, but partly ceremonial. It is moral indeed as to this, that man assign some time of his life for attending to divine things... But insofar as in this precept a special time is determined as a sign of the creation of the world, thus it is a ceremonial precept. Similarly it is ceremonial according to its allegorical signification, insofar as it was a sign of the rest of Christ in the sepulcher, which was on the seventh day." And he adds in the same place, ad 4: "The observance of Sunday in the new law succeeds to the observance of the sabbath, not by force of a precept of the law, but from the constitution of the Church and the custom of the Christian people." Cf. St. Alphonsus, n. 263.

(A) Certain theologians thought that not only the institution of the sabbath, but also the substitution of Sunday in place of the sabbath, is of divine law.²⁹ But it is commonly held that this substitution is of ecclesiastical law, as is clear from what was said above, n. 1008. (B) Others said that the sanctification of Sunday is only from ecclesiastical law,³⁰ since through the new law the precept of sanctifying the sabbath was abrogated, and only from the authority of the Church was Sunday substituted for the sabbath.

²⁹ Sporer-Bierbaum, tract. III, n. 485.

³⁰ Suarez, *de relig.*, tr. II, l. II, c. 1-4.

(C) Nevertheless we think, with certain others,³¹ that the matter must be distinguished thus: (a) the sanctification of one day per week seems to be from divine law; for God Himself instituted the

division of time into weeks, and commanded that the seventh day be devoted to divine worship; the ceremonial part of this precept, namely the choice of the sabbath, was abrogated; but nothing proves that the precept was altogether deleted as regards the obligation of specially sanctifying one day per week. (b) But the selection of Sunday in place of the sabbath, as well as the mode of sanctifying this day by hearing Mass and cessation from servile work, proceeds from the authority of the Church. It was indeed very fitting that, once the institution of the Eucharistic sacrifice was posited, the faithful be held sometimes to hear Mass, especially on Sundays; but sound exegesis does not permit one certainly to infer this from the text³² "Do this in commemoration of Me." Likewise, that God may be better worshiped on this day, it is altogether expedient that men abstain from works which turn the mind away from divine things; but what these works are, how many hours one must cease from them, was defined only by ecclesiastical law.

³¹ Fr. Schmid, *Worin grundet die Pflicht der Sonntagsruhe*, *Quartalschrift Linz*, 1900, p. 12 ff.; Noldin, n. 261.

³² Luke 22:19.

1012. From this it follows that the universal abrogation of this law is not to be expected. This even the defenders of the second opinion admit, among whom is Lehmkuhl, n. 546: "The universal abrogation of this law cannot therefore be made, because a sufficient reason can scarcely be conceived; and this law is to be conserved all the more holily, because it is traced back to apostolic institution, indeed in some way to the very origin of things, and precedes every institution of the old law." - But particular dispensations both from the hearing of Mass and from cessation from work can be granted, and in fact are granted not only to individual citizens, but also to communities.

These things having been set forth, we shall speak: 1. of the social utility of the sanctification of Sunday; 2. of the precept of hearing Mass; 3. of the precept of abstaining from servile works.

§ I. CONCERNING THE SOCIAL UTILITY OF SUNDAY.

1013. Thesis: The sanctification of Sunday, although it is not prescribed by natural law, but by positive law, is nevertheless most fitting both on the part of God and on the part of man.

It is explained. Natural law indeed prescribes that God be worshiped by man, from what was said above, n. 856, but it determines neither the mode nor the time in which worship is to be rendered. Likewise experience establishes that man needs rest, so that he may be able to work better, and perfect and develop his faculties: yet nothing is defined by natural law as regards the duration of this rest. Nevertheless, from the almost unanimous consent of Christian peoples, and also from long experience, it is established that sabbatic or Sunday rest, with the pious exercises which are celebrated on this day, bears before it very great social utility.

1014. It is proved: 1. On the part of God. (A) For although God can and ought to be adored daily, it is altogether expedient, indeed morally necessary, that certain times be determined in which special worship is rendered to Him. For man, oppressed by continual labors for sustaining himself and his own, often distracted by various cares and solitudes, and allured by many pleasures, by no means rarely forgets his Creator and Lord; if at some time the thought of honoring God occurs, many put off this duty until tomorrow, because other duties, as they

think, urge immediate fulfillment; thus first the exercise of religion is deferred, then soon altogether neglected; thus man, forgetful of God and of his last end, thinks only of temporal things, of increasing wealth, of pleasures; he scarcely cares for the moral law and the practice of virtues, and little by little declines toward animal life. - But, on the contrary, if on any week a certain day is prefixed, on which we are held to cease from work and pay praises to God, divine worship already becomes easier. For when servile work ceases, the mind soon ascends to the Lord, becomes solicitous concerning the last end and the means of attaining it, and pays due praises to the supreme Creator and Governor of all. Sacred sermons, which devout Christians hear, pious readings of the Scriptures, prayers recited in church, and especially the celebration of Mass, which vividly commemorates the Passion of Christ and the benefits of Redemption, surely contribute much to this; also the works of charity or beneficence which on these days we perform more solicitously.

1015. (B) Besides, not only internal and private worship is owed to God, but also social worship, n. 859. Now, unless certain days are assigned on which Christians may pray together, social worship becomes impossible: for each one, either alone, or with parents, relatives, and a few friends, will pay praises to God privately. But if on any week, on a prefixed day, all Christians are gathered into churches, and there through Christ, and with Him, and in Him, pour forth prayers with one accord and glorify God; if they devoutly assist at the same sacrifice in which the Most Holy Trinity, in the name of the whole Church, is adored, praised, and receives thanksgiving, all easily understand that they are members of the same body, sons of the same heavenly Father; and they pay social worship to God not only as private men, but as members of the human family.

1016. 2. On the part of man. The celebration of Sunday confers many advantages upon man: bodily, moral, and religious.

(A) Bodily advantages: the physical powers of man, as limited, are easily diminished by continual labor; and unless they are restored by weekly rest, they are soon thoroughly exhausted.¹ This indeed is more true whenever labor becomes more intense, and demands greater application of mind and tension of nerves, as the matter stands today in most industrial workshops. But unless a certain day of rest is assigned, it will scarcely be possible for workers to cease from work. For by force of the unavoidable competition which prevails everywhere, masters do not wish machines, acquired at great expense, to remain unproductive on any day, and therefore often demand from workers that they labor daily; not a few, whether from hope of greater gain or from fear that they be thrown out of the workshop, in reality perform this, and soon, broken in strength, contract long-lasting diseases, or must abstain from work for a long time, not without great detriment to the family. Therefore it is necessary that on certain days servile works be prohibited, with the exception of those which are necessary for the public good. Experience likewise establishes that on any week one day of rest is morally necessary;² and it is altogether fitting that this day be Sunday, since it has already been observed for many centuries among Christian nations.

¹ To the point Heyl de Herrnsheim, in the international congress held at Berlin concerning Sunday rest, in the year 1890 (p. 48, official Paris edition): "For thousands of years, the seventh day has been a day of rest. At all times, it has been recognized as necessary that man periodically interrupt his work in order to repair his strength. If he does not do this, his body wears out rapidly, his strength and his power of work diminish gradually and end by being prematurely

annihilated. It is therefore in the interest of humanity to prescribe one day of rest per week. As for the choice of this day, Germany is of the opinion that it ought to fall for each person on Sunday, which, moreover, by tradition is already consecrated to rest; and, following the example given by England, Austria, and Switzerland, the German authority proposes to extend to adults, by legislative means, the obligation which already exists for minors of interrupting all industrial work on Sunday, except in case of absolute necessity." - In reality, in most cultivated nations, laws have been passed concerning Sunday rest; A. Morel, *Le repos dominical*, Paris, p. 15-32, exhibits a summary of them; and in France a law concerning this matter will soon be promulgated, which the socialists themselves earnestly demand.

² At the time of the French Revolution, it was established by law that on every tenth day the people should cease from labor; but the experiment had an unhappy outcome, and soon it was necessary to return to the observance of Sunday.

1017. (B) Moral advantages. For man lives not by bread alone, but ought to cultivate his intellectual and moral faculties; otherwise, in the manner of acting, he scarcely differs from brute animals. But, once the necessity of laboring daily for sustaining the body is posited, most men would hardly find any opportune time for investigating truth and the moral law, unless on certain days they were held to abstain from servile work: for they would consume all time in temporal affairs, and would postpone the study of truth indefinitely. - But given the opportunity of ceasing from manual labor, man can raise his eyes and mind to higher things, think of the last end, of moral matters, of duties to be fulfilled. He can hear sermons, read the best books, cultivate the higher faculties, and thus become more humane.³ In reality, wherever Sunday is honestly and Christianly sanctified, a greater culture of minds flourishes, more refined manners are formed, and the moral law is observed more perfectly.

³ M. d'Hulst, *Careme* 1893, p. 189-190, explains this excellently: "The day of God frees the worker. It is not for him the day of inaction; it is the glorious day on which the rest of his members sets free the activity of his soul. To shake off the yoke which weighed upon it, to take its flight toward the heights, his thought has no need of the initiations of science: religion has prepared for it a better initiation, higher and more elementary all at once. It is not through the long deductions of reasoning which gropes and seeks; it is by the straight avenues of adoration that it makes its way toward the sublime Ideal. And when it has found Him, it communicates in Him with the thought of the scholar, the philosopher, and the artist; it attains Truth in its source, Good in its substance, Beauty in the hearth from which it radiates; it bathes in a divine atmosphere, and there renews the forces of courage and hope, of resignation and love." - Cf. Gilfillan, op. cit., p. 192-202; 225-236.

Thus also the domestic life of families can be kept intact. The various members of a family often are occupied in different works during the week; especially in industrial workshops, spouses are separated from one another, children from parents, and when in the evening hours they are united, generally, broken in strength, they can scarcely enjoy the consolations of domestic life. But if all cease from manual labor on Sunday, they can come together in the paternal home, converse together, enjoy the society of parents, relatives, and friends, and all the consolations which are found in the family.⁴

⁴ Cheysson explained this splendidly, in an address delivered at Paris, Mar. 9, 1898 (in Morel, op. cit., p. 51-52): "Without Sunday there is no possible family. It is only on that day and in that blessed center of the domestic hearth, of the home, that, together with the tired muscles of the father of the family, his brain, his heart, and his soul relax. It is only on that day that his wife and children possess him, that the family affirms itself and unfolds itself in its moral beauty and beneficent healthfulness, that the worker, bent for six days over his trade and enslaved to the panting work of production, rises upright; that he lays aside cares with his work clothes; that instead of belonging to the workshop, to the employer, he belongs to himself, and he belongs to his dear surroundings; that he becomes again father, husband, finally man, in the magnificent acceptance of this word." Cf. Gilfillan, op. cit., p. 236-249.

1018. (C) Religious advantages. For experience establishes that religion flourishes the more perfectly according as Sunday is more perfectly observed. This is easily understood if the psychological dispositions of each one are inspected. For those who are occupied about material things the whole time, and cling to them unceasingly, easily omit all other things: they think of temporal things, of acquiring wealth, of business, of pleasures, of honors, and thus become earthly and care by no means for heavenly things. Prayers, which from infancy they had been accustomed to recite, duties of religion which they previously paid to God, first indeed are shortened, and soon omitted. But since the virtue of religion, like the other virtues, is little by little diminished and at length thoroughly extinguished unless it is frequently exercised, it is necessary that a certain day be established for cultivating religion especially. Among Christians, this day is Sunday: on this day they can devote themselves to the study of religion, think of God and eternal things, pour forth prayers more abundantly, fulfill religious duties; but if they have performed this, on the other days also they will not be altogether forgetful of God, nor of Christian virtues; but, before they begin the day's work, they will raise their eyes rather easily to God, and will keep in mind that the acquiring of riches and the attainment of temporal things profit little, unless they use these as means for attaining the last end.

1019. Practical corollary. Therefore it must be attempted with all strength that Sunday be sanctified more and more. Two principal means greatly help toward this: (a) private associations, in which those who sincerely promise that they will promote Sunday rest are joined in a friendly league, whether at home and among neighbors, or even among merchants, for example by favoring those who sell nothing on Sunday. It is well enough known that certain societies of this kind have already been instituted in various regions.⁵ Sometimes congresses are held, whether national or international, and often indeed with a happy outcome: for in these practical means are devised and commended for promoting the universal observance of Sunday. (b) The intervention of the State: for since, especially in great industrial and commercial undertakings, it is morally impossible to cease from labor, on account of the competition prevailing everywhere, unless the same law be imposed on all, it is necessary that by an opportune law the day of rest be determined. This has already been performed in many regions, and soon, with all Christians and honorable men favoring it, it will be performed in every region.

⁵ Thus, in France, the societies which are called: *L'oeuvre dominicale de France*, - *L'association pour l'observation du repos du dimanche*, - *La ligue populaire pour le repos du dimanche en France*, etc. - Concerning the practical means hitherto employed for promoting Sunday rest, cf. A. Morel, op. cit., p. 94-116; F. Gibon, *La croisade du Dimanche*.

§ II. CONCERNING THE PRECEPT OF HEARING MASS.

1020. This precept touches all the faithful who enjoy the use of reason, and also priests who are not celebrating, unless they are legitimately excused. It obliges under grave sin, as is clear from proposition 52 condemned by Innocent XI:¹ "The precept of observing feasts does not oblige under mortal sin, scandal being set aside, if contempt is absent." - Hence we shall speak: 1. of the requisites for hearing Mass; 2. of the causes excusing from hearing it.

¹ In Denzinger, n. 1069; cf. Viva on this proposition.

I. CONCERNING THE REQUISITES FOR HEARING MASS.

The precept of hearing Mass on Sundays and feast days comprises three things: bodily presence, - religious assistance, - and indeed in a due place.

1. CONCERNING BODILY PRESENCE.

1021. Since those who assist at the sacred rite, together with the celebrant, in some way offer the sacrifice, that presence is required and suffices which is necessary so that they can be said to be morally united to the priest celebrating, and to follow his actions, during the whole time in which Mass is celebrated.

(A) Presence of this kind is moral, namely that which, according to the estimation of prudent men, suffices so that those assisting are judged to be present at the sacred rite which is offered.

Therefore they satisfy the precept: (a) who are within the church, even if they stand behind the altar, a wall, or a column, - or in a chapel where they can neither see nor hear the priest, provided that from the movements of those assisting, the sound of the little bell, or other external signs, they can notice what is being done by the priest; this holds even if, in a large church, they are very far distant from the altar. (b) Likewise those who are in the sacristy, or in another place from which they can see or hear the priest; and also those who for a short time withdraw from the church to ring the bells or to perform something else connected with the sacred rite. (c) Indeed those who, outside the church, stand near the door, so that they are judged joined with the others assisting; indeed, those who are in a nearby house, from which through a window or door they can see the ceremonies of Mass, provided nevertheless that the house is not far distant from the church.²

² "Not beyond thirty paces," says Lugo, *De Eucharistia*, disp. XXII, n. 21. But the matter cannot be determined mathematically; moreover here one cannot be permitted without a reasonable cause.

1022. (B) Presence ought to be continuous during the whole time of the Mass, that is, from the psalm *Judica* up to and including the priestly blessing. Therefore they sin who, without cause, omit a part of Mass, and indeed gravely or lightly according as the part omitted is notable or small. Moreover, the gravity of the part omitted ought to be judged not only from duration, but especially from its dignity. Generally a third part of the Mass is judged notable, but if there is question of an essential action, a smaller part is held as grave.

1023. The omission of those things which precede the offertory, - the omission of the offertory alone, or of the preface, or of those things which follow Communion, is judged a light sin.

But it is grave to omit all things up to and including the offertory, - the whole canon, or from the consecration up to the *Pater noster*, because it is an essential part, - indeed even the consecration alone, which pertains to the essence of the sacrifice, - Communion alone, according to those who think that it pertains to the essence of the sacrifice, - to omit at the same time all those things which precede the Gospel and those which follow Communion.

He does not satisfy the precept who hears two or more parts of Mass from different priests celebrating at the same time, for example, the beginning of Mass up to the Canon from one priest, and at the same time the rest from another priest celebrating at a nearby altar. This is clear from the

condemnation of this proposition 53 by Innocent XI: "He satisfies the precept of the Church concerning hearing the sacred rite who hears two of its parts, indeed four, at the same time from different celebrants."³ - But if someone hears these parts successively, yet so that he is present at the consecration and Communion of the same Mass, he strictly satisfies the precept, because he hears one whole Mass as regards the essentials, and supplies the rest; but otherwise, if he is present at the consecration of one Mass and the Communion of another, because he is not present at one and the same whole sacrifice.

³ Denzinger, n. 1070; Viva on this proposition.

From these things it is gathered that he who cannot assist at an entire Mass is held to assist at least at the essential and integral part, that is, the consecration and Communion, if he can. But if he can assist only at accessory parts, for example, the prayers which precede the Gospel or follow Communion, he is not strictly held to this. - He who was present at the essential and integral part of Mass, and omitted the rest, is held to supply these things, if he can, by assisting at another sacred rite.

1024. Things to be noted for practice. For judging the sin of those who come to church when Mass has already begun, attention must be paid not only to the aforesaid rules, but also to their mind, namely to the greater or lesser negligence of which they are conscious, and to the more or less clear foresight of the danger of not hearing the whole Mass.

Where many Masses are celebrated, those who have come late are altogether to be exhorted to hear the whole following Mass, if they easily can: Christian piety and the abundance of fruits which are derived from this surely advise it.

2. CONCERNING RELIGIOUS ASSISTANCE.

1025. It is not enough to be corporally present at the sacred rite; but the assistance ought to be religious, since the sacrifice is an act of religion. This involves two things: intention and attention.

(A) On the part of intention, there is required and suffices at least the implicit intention of worshipping God. Therefore he does not satisfy the precept who goes to church for this end alone, that there he may wait for a friend, or hear music, without any respect to divine worship; - but he who is present there from fear of parents or from another human motive, but at the same time wills to worship God, satisfies the precept.

1026. (B) Some attention of mind is likewise required, the notion of which we declared above, n. 870. (a) For satisfying the precept, at least external attention is certainly required, by which every action incompatible by its nature with internal attention is excluded; wherefore he does not satisfy the precept who, during Mass, attentively reads profane books, or writes or paints, plays, converses, attentively considers images or pictures, without religious affection.

(b) As regards internal attention, it is controverted: according to Lugo⁴ and others, it is not strictly required, because an act of divine worship can be performed even by those distracted in mind: for to this it suffices that at the beginning of the action there be the intention of worshipping God, and at the

same time attention to the action which is placed, and that both virtually persevere; this can happen provided external attention is had. According to St. Alphonsus (n. 313) and others, more probably, internal attention is required, at least remiss, extending to the principal parts of Mass: for the Church prescribes an act by which God is worshiped; but God is not worshiped by merely external attention, internal attention having been voluntarily omitted. But according to St. Alphonsus, virtual attention suffices, that is, the intention of attending had at the beginning and not retracted; wherefore if someone is even voluntarily distracted, without nevertheless noticing that he is being distracted from Mass, he satisfies the precept of the Church, although he commits a venial sin. - In practice, serious effort must be made that the mind be occupied with pious thoughts and prayers; but he who has a general intention of worshiping God and strives with common diligence to turn his mind to prayers, or mysteries, or God Himself, ought not be anxious.

⁴ Lugo, *De Eucharistia*, disp. XXII, n. 27-41.

1027. Those sufficiently satisfy the precept who, during Mass, recite the breviary or rosary; read a pious book; perform an examination of conscience; doze a little, provided they notice the principal parts of Mass; indeed probably, according to some, those confessing their sins: this can be admitted if the confession is brief, or cannot be deferred to another time without grave inconvenience.

So that more abundant fruits may be gathered from the sacred rite, the faithful are to be exhorted to unite themselves to the priest, and especially to Christ Himself the high priest, and to pour forth prayers with Him, especially those which are found in the missal; or to think piously of the mysteries of the Passion; or to perform acts corresponding to the four ends of the sacrifice, according to the method of St. Leonard of Port Maurice.

3. CONCERNING THE DUE PLACE.

1028. Although formerly, for several centuries, in many dioceses it was prescribed to hear Mass in the parish church,⁵ today the faithful can satisfy the precept in any church, and in any public or semi-public oratory, and in private cemetery chapels erected by families or private persons for their own burial; and also in the erected oratories of Cardinals and of residential or titular Bishops.⁶ - Nevertheless assistance at parish Mass is altogether to be recommended, so that the sheep may know their pastor and hear the word of God.

⁵ A. Villien, l.c., pp. 575, 578. - From this law there was first derogation through privileges granted to the mendicants (Pius V, Const. *Etsi mendicantium*, May 16, 1567, § 2; n. 8); afterward through contrary custom now in force in the whole world.

⁶ According to the Code, can. 1188, § 2, an oratory is: "1. Public, if it has been erected chiefly for the convenience of some college or even of private persons, yet so that all the faithful, at least during the time of divine offices, have a legitimately approved right of going to it; 2. Semi-public, if it has been erected for the convenience of some community or gathering of the faithful coming together there, and it is not free for everyone to approach it; 3. Private or domestic, if it has been erected in private houses for the convenience of some family only or private person." Moreover, from can. 1189-1190, "Oratories of Cardinals of the Holy Roman Church and of Bishops, whether residential or titular, although private, nevertheless enjoy all the rights and privileges by which semi-public oratories rejoice. - Chapels in a cemetery erected by families or private persons for their own burial are private oratories."

1029. But, excluding a special privilege, they do not fully satisfy the precept who hear Mass in merely private oratories, except those who are expressed in the concession itself of the indult; wherefore the tenor of the indult must be carefully inspected.

Generally, in order that it be licit to celebrate in a private oratory, it is required that one of the persons to whom the indult was principally granted, or to whom the brief is directed, be present at Mass. Moreover, only one Mass can be celebrated on the same day; indeed, unless the indult was granted by reason of infirmity, the celebration of Mass is prohibited on the more solemn feasts of the Nativity of the Lord, Epiphany, Easter Sunday, Pentecost, Thursday in the Supper of the Lord, Ascension, Immaculate Conception, Annunciation, Assumption, St. Joseph, the Holy Apostles Peter and Paul, All Saints, and the feast of the patron of the place.⁷ - In these oratories, the following satisfy the precept: those to whom the indult was principally granted; - their blood relatives and relatives by marriage up to the fourth degree, when they live with the privileged master in the same house; - guests who lodge with the master; - servants and household members who at the time of Mass are necessary for serving the masters.

⁷ S.C. Rit., Apr. 10, 1896, n. 3896, new edition.

1030. Disputed question. When those who enjoy the privilege of a private oratory cannot go to church, it is asked whether they are held to use the privilege, if they can conveniently have a priest. (a) Some deny this, because no one is held to use a privilege, and besides the precept does not oblige one to employ an extraordinary means. (b) Others, with St. Alphonsus (n. 319), affirm this, and indeed more reasonably, as we think: for the privileged are held not by force of the privilege, but by force of the precept, which obliges all who are able to fulfill it without grave inconvenience to hear Mass.

II. CONCERNING THE CAUSES EXCUSING FROM HEARING MASS.

1031. Any grave cause, or any notable harm, whether one's own or that of neighbor, excuses from the precept of hearing Mass: for since there is question of a positive law, which in its determination is merely ecclesiastical, a proportionately grave cause excuses from its observance. Generally a fourfold cause is assigned: 1. moral impossibility; 2. charity; 3. duty to be fulfilled; 4. custom.

1032. 1. Impossibility, not only absolute and physical, but also moral. From this head the following are excused:

(a) The sick and convalescents who, on account of bodily weakness, roughness of the road, inclemency of the air, prudently fear some detriment to health: concerning this they themselves can judge, nor are they strictly held to recur to the judgment of a physician.

(b) Those who are far distant from church, so that they cannot go to church without notable fatigue or expense, all the circumstances of persons, roads, inclemency of the air, etc., being considered; in this matter the judgment of prudent men must be followed, which is diverse for various regions. Those who can easily be conveyed by horse or carriage are not as easily excused as those who must undertake the journey on foot.

(c) Those who cannot be present at the sacred rite without undergoing a notable loss of money; thus travelers who cannot interrupt or defer a necessary journey; those who otherwise incur grave loss, or are deprived of an opportunity of making notable gain; those laboring in workshops in which they cannot abandon work begun: in which case, nevertheless, the master of the workshop ought to order matters so that the workers successively have time for hearing Mass, as often as this can be done.

(d) Those who deservedly fear the loss of honor, for example, women who lack garments suitable to their condition (which today rarely happens, because decent garments are procured for a small price), or those pregnant from a crime, as long as their disgrace is hidden, unless they can be present at the sacred rite very early in the morning or in a church where they are unknown.

(e) Those who are not under their own right, and cannot hear Mass without undergoing indignation or vexations: thus wives, children, servants, soldiers, when they seriously fear that they will be subject to the very troublesome mockeries of husbands, parents, masters, commanders.

But, in all these adjuncts, those who are thus prevented ought seriously to attempt to remove the impediments as soon as morally possible.

1033. 2. Charity excuses those who are held to assist a neighbor in bodily or spiritual necessity, and cannot perform this without omitting Mass; for example, those who assist the sick, - bring help to neighbors who otherwise would suffer grave harm from fire, storm, or another calamity, - settle quarrels and disputes or impede grave sins.

1034. 3. Duty to be fulfilled excuses all those who are impeded by the duties of their state from being present at the sacred rite: mothers and nurses, servants, guards, soldiers keeping watch, who cannot be absent on account of a necessary ministry. Nevertheless servants who are frequently impeded by the bad will of the master ought, when opportunity is given, to seek another position.

1035. 4. Custom, where it is in force, excuses widows within the first month of widowhood; women after childbirth, for a month or six weeks; brides, on those days on which their nuptials are proclaimed, if they cannot be present at another Mass.

1036. Practical admonition. (a) When penitents confess that they have omitted the sacred rite, let the confessor ask about the cause, so that he may be able to judge the gravity of the sin, and also hand down opportune counsels for the future.

(b) If any are legitimately impeded from assisting at the sacred rite on Sundays and feast days, they are to be advised to supply this at home by prayers and good works. But if any are prevented throughout the whole year, they are to be exhorted to hear Mass sometimes on weekdays, lest they be altogether deprived of the most abundant fruits of the sacrifice; indeed, according to those who think that by divine law the faithful are held sometimes to be present at the sacred rite (Lehmkuhl, n. 567), they are obliged to this: and this opinion is not lacking in probability; for, given the institution of the Eucharistic sacrifice, it is very probable that Christ willed Christians sometimes to be present at it.

(c) Although there is no special obligation of assisting at Vespers and of performing the other pious exercises on Sundays and feast days, nevertheless this is earnestly to be commended.

§ III. CONCERNING THE PROHIBITION OF SERVILE WORKS.

1037. So that Christians might more easily sanctify Sunday, the Church at various times prohibited those works from being performed which are morally incompatible with hearing Mass or with the exercise of religion. At the close of the second century, Tertullian testifies that the faithful devote themselves to rest on Sunday.¹ The emperor Constantine, in the year 321, prohibited forensic works and the exercise of mechanical arts on the same day, yet permitted farmers to give their work to cultivation, on account of the intemperate weather often prevailing.² Around the end of the fourth century, the Council of Laodicea established (can. 29): "Let Christians not Judaize, nor be idle on the sabbath day, but let them labor; but let them specially honor the Lord's day, and, if it can be done, not labor on it."³ But among works, servile works were especially prohibited, which are exercised chiefly by the body, and formerly were accustomed to be done by servants; and forensic works, which pertain to market, fairs, and judicial acts: for by these the mind is especially turned away from divine things. But what must be understood by servile works was never determined by a general definition, but must be defined from particular decrees, the custom of places, and the common opinion of theologians.⁴ In this matter, the various customs of times and places and the estimation of prudent men must especially be attended to: for discipline was not the same in all times and places. Moreover, for judging whether some work is prohibited or not, it must be inspected whether it so occupies the mind that it turns it away from divine things.

¹ *Apologet.*, n. 16, and *Ad nationes*, I, n. 13, P.L., I, 371 and 579.

² Cod. Justin., I, II, t. XII, *De feriis*, law 3.

³ Mansi, t. II, p. 569. - From this it follows that the obligation of abstaining from servile work at that time was not altogether strict. But, in the sixth century, Caesarius of Arles taught that the glory of the Judaic sabbatism had been transferred to Sunday, and therefore that from the evening of the sabbath day to the evening of the Lord's day one must abstain from every business and rural work (P.L., t. XXXIX, 2238 and 2274-2275). Yet this excessive severity was wisely mitigated by the Third Council of Orleans (538), whose statutes you may read in Mansi, t. IX, p. 19; cf. Villien, *Rev. du clerge fr.*, t. XLIII, p. 342-344.

⁴ How difficult it is to define servile work is clearly established from the controversy which was debated among various authors in the periodical *Revue du Cl. francais*, t. XXXVII (1903), p. 83; t. XXXIX (1904), p. 194 and 436; t. XL, p. 103.

I. WHAT WORKS ARE PROHIBITED?

1038. On Sundays and feast days, servile and forensic works are prohibited, throughout the whole day from midnight to midnight, and indeed of themselves under grave sin. Matter is judged grave when labor is prolonged beyond two hours.

1. So that it may be better understood what servile works are, theologians are accustomed to distinguish a threefold genus of works: (a) servile, so called because they were formerly exercised by servants, are those which are performed chiefly by bodily labor and are immediately ordered to the utility of the body, such as plowing, digging, sewing; (b) liberal, so called because they were accustomed to be exercised by free men, are those which proceed

chiefly from the mind and regard the cultivation of the soul, such as reading, teaching, singing, playing the organ; (c) common, or intermediate, which were done indiscriminately by servants and free men, and serve either the body or the soul, for example, making a journey, hunting, playing.

1039. (A) But what works are servile in species must be defined not from the intention of the worker, the length of time, or bodily fatigue, but from the nature itself of the work, custom, and the estimation of prudent men.

Thus the following are certainly servile: rural works, such as plowing, sowing, digging, collecting the harvest; - mechanical works, for example, the exercise of the tailor's, shoemaker's, or blacksmith's art; - industrial works in factories, mines; - certain manual works, even if they demand modest labor, for example, making rosaries, scapulars, or artificial flowers, picking roses, peeling apples. - On the contrary, those works are not forbidden which are done daily on account of some necessity, such as cooking foods, making beds, sweeping the house, etc.

But there are many works whose character remains doubtful in itself, and can be determined only from circumstances and custom: - to sculpt is a liberal and licit work if there is question of the final perfection of the work, but is held as mechanical work if wood or marble is first cut. - To paint with a brush is a liberal work when there is question of a truly artistic painting, but a servile work if walls are painted, as is done by ordinary workmen. To embroider can be held as a liberal work if it is done for the sake of recreation, or for avoiding idleness, but as servile if directly for the sake of gain. - To fish is not prohibited if it is done for the sake of recreation, otherwise when it is exercised for gain. - To set type, if it is done privately, seems to certain persons a liberal work, because it does not differ much from writing, but it is servile when in a workshop, for the sake of gain. - To grind is in itself a servile work, but if the mill is driven by wind, water, or steam, with slight labor of man, it is held by some as licit.

In these and other works of this kind, in our judgment, all those ought to be held as prohibited which, from common estimation, are judged to be the exercise of a lucrative art, which of itself turns the mind away from the sanctification of Sunday.

Certainly liberal are works which regard the cultivation of letters, sciences, or liberal arts, even if they are exercised for pay, such as teaching, writing, transcribing, drawing, singing, playing the organ or other musical instruments, etc. - Certainly common, and therefore not prohibited in themselves, are these and similar works: making a journey on foot, on horseback, by carriage, ship, railroad; hunting, bird-catching, fishing with a hook or small nets for the sake of recreation, etc. - These works are licit in themselves, unless from common persuasion they are held as prohibited; but to be occupied in the same for the whole day, so that Sunday is in no way sanctified, is a grave sin.

1040. (B) Forensic works are also prohibited: (a) judicial acts of the forum, whether civil or ecclesiastical, which are done with noise, for example, to cite parties, examine witnesses, exact a judicial oath, pronounce sentence, etc.; but acts which are done without noise are licit, for example, to consult an advocate, inform a judge, dispense, absolve, etc.; - (b) markets, or commercial acts, solemn contracts; thus public fairs, unless they are excused by custom; public sales by auction, unless they likewise are tolerated by custom after divine offices have been

completed; solemn contracts, which are completed by notaries; but not private contracts which are entered privately.

II. CONCERNING THE CAUSES EXCUSING FROM SERVILE WORK.

Five are chiefly enumerated: necessity or very great utility, piety toward God, charity toward neighbor, custom, dispensation. But in all these cases, at least some time should be devoted to divine worship, if this can be done.

1041. 1. Necessity or very great utility excuses from labor whenever this cannot be omitted without grave inconvenience or harm. By this reason the following are excused:

(a) Farmers, who, on account of past or imminent rain or hail, must collect crops or fruits; (b) workmen who cannot interrupt works begun without very notable loss; such are those melting glass or iron, burning lime or bricks; those who, in a case of necessity, repair bridges, public roads, machines in workshops; blacksmiths, if they shoe the horses of travelers or of those who are about to set out very early the following day; those repairing the machines of those who otherwise would not be able to work on the following day; (c) shoemakers and tailors who make shoes or garments necessary for funerals, weddings, or other solemnities which cannot be deferred; or finish garments which they promised to hand over on the appointed day, provided that by their own fault they have not wasted time uselessly, nor are accustomed to undertake more works than they are able to complete;⁵ (d) public bakers and butchers, who in large towns are morally compelled daily to bake bread or kill animals; but not those who in small towns can do this for two days, unless several continuous feast days occur; (e) servants, wives, children, who are compelled to labor by a master, husband, or parent, when they cannot resist without founded fear of grave inconvenience; (f) poor persons, who otherwise are not able to sustain themselves and their own, or would be deprived of extraordinary gain.⁶

⁵ Let the richer also take care not to demand more quickly the garments which they hand over to tailors or seamstresses to be made; otherwise they are the cause why workers are morally compelled to labor at night and also on Sundays even unwillingly.

⁶ Led by this reason, Alexander III (Decretals, lib. II, tit. IX, *De feriis*, c. 3), permitted fishermen the capture of fish which in shoals approach the land at certain times: "We grant that it be licit for your parishioners on Sundays and other feasts (except on the greater solemnities of the year), if herrings have inclined themselves toward the land, to attend to their capture when necessity presses: in such a way that after the catch has been made they provide a fitting portion to the surrounding churches and to Christ's poor." Likewise S. Cong. Prop. Fid., Sept. 30, 1848, by authority of the Sovereign Pontiff, granted to certain apostolic vicars the faculty of dispensing poor Christians, who greatly need their own works, so that they may be able to labor servilely on Sundays and feast days, yet after hearing Mass (*Collectanea*, Paris edition, n. 1232; cf. n. 1226-1227; *Ami du Clerge*, t. XII (1899), p. 246).

1042. 2. Piety toward God excuses those who perform servile works proximately regarding divine worship, such as adorning altars, sweeping the church, covering the walls with tapestries; but it is to be counseled that these things be done the day before, if possible. But those things are prohibited which serve worship only remotely, such as building a church, whitewashing walls, making ornaments, unless another cause accedes, for example, an urgent necessity of worship.

1043. 3. Charity toward neighbor renders licit works, otherwise servile, by which we assist the grave necessity of neighbor, for example, to serve the sick; to plead the causes of the poor; to labor for the poor for whom, by reason of necessity, it is licit to labor, for example, to make garments, when winter is raging, for those who otherwise would perish from cold.
1044. 4. From custom, where it is in force, certain works otherwise prohibited are permitted; thus it is licit for barbers to shave a beard on a feast day; for gardeners to water vegetables; for farmers to turn or separate crops on the threshing floor; for merchants to sell drinks and food, even in public shops, etc. But what is licit from this head in any region depends on the particular usage of places.
1045. 5. To these causes is added dispensation granted by one's proper superior, namely by the Sovereign Pontiff for the whole Church, by the Bishop or capitular Vicar for the diocese, and by Prelates having quasi-episcopal jurisdiction. These cannot dispense without a just cause, which nevertheless can be less grave than that which of itself excuses from the law. - From the Code, c. 1245, pastors can, from a just cause, in individual cases, dispense individual faithful or individual families, even outside the territory, from the common law concerning the observance of feasts.
1046. Practical corollaries. (a) It is asked whether the reason of avoiding idleness excuses from servile work. - This indeed by itself alone does not excuse, since idleness can be driven away by licit occupations. But circumstances can be given in which idleness is a proximate danger of sinning, and at the same time can scarcely be driven away otherwise than by being occupied in servile work for some time: then it is licit to labor as long as is necessary for putting temptations to flight. In this case it can be counseled to girls and women that they make garments for the poor, or ornaments for churches.
1047. (b) It is likewise asked whether it is licit for workmen dwelling in a city to spend some time on Sunday in cultivating gardens which are rented or given to them. - Scandal being removed, this can be permitted, with deference to better judgment, whenever otherwise the workers are exposed to a grave danger of going to taverns and making themselves drunk, or of consenting to other temptations, - or when they are so poor that they need this work for sustaining themselves or their own, - or when the labor is so modest that it can be held as recreation and solace, - but especially when these three motives concur together.⁷ But it must be attempted with all strength that they first hear Mass, and for some time devote themselves to the study of Christian doctrine; nor should they labor longer.

⁷ *Ami du Clerge*, t. XXV (1903), p. 968; *Rev. du Clerge francais*, t. XXVII (1903), p. 83.

But let it never recede from the mind that the virtue of religion is among the most excellent moral virtues, and that God, best and greatest, repays a hundredfold those who, vain cares and solitudes having been put aside, sincerely and devoutly promote divine worship.