ON CHASTITY AND ON THE CONTRARY VICES: A DOCTRINAL AND MORAL TREATISE

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and on the Contrary Vices

A Doctrinal and Moral Treatise

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Dedication

This work, composed in defense of Catholic moral doctrine, in which we are compelled to mention impure things so that pure things may be more pleasing, we wish to dedicate wholly and piously to the Undefiled Virgin. And, relying upon the protection of Mary Immaculate, we now trust that those things which, under Her auspices, we have handed down, whether for explaining the duties and merits of the virtue of chastity or for weighing and healing the contrary vices, may bring some benefit to those for whom these pages are intended, that is, to priests, especially those who by their office ought to draw souls back from sins and advance them toward higher pursuits. That the pious Mother may obtain this for us from her beloved Son, we humbly pray!

Rome, on the feast of the Most Pure Heart of Mary,
28 June 1919.

Preface to the Second Edition

In this second edition, which ought to have been published several months ago, the reader will find most of what was written in the first edition. Some things, however, especially in that part which treats physiological matters, have either been added or set forth more accurately. Indeed, at the end of the work, before the Indexes, several supplements, chiefly of a scientific character, have been added. We have also endeavored to polish somewhat certain arguments in the difficult question concerning the grave malice of all lust, yet by no means receding from our position, whereby we attempt a direct demonstration of a matter which the most approved writers judge to be true, but support more by their authority than they fully prove, while they take refuge in extrinsic reasons drawn from the danger of delusions or abuses. Moreover, we may not and do not wish to omit attesting in this place our grateful affection toward the many friends who aided us not a little by their counsels and by the resources of their learning.

Rome, on the feast of Pentecost,
15 May 1921.

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Anthropological Introduction

§ 1. The Purpose of This Introduction

Why and in what manner we hand down anthropological notions.

1. In the present introduction we intend nothing other than to prepare a surer and clearer attainment of the end which we keep before our eyes throughout the whole work on chastity and the contrary vices. For accurately knowing the material object of any virtue wonderfully assists a man in penetrating into the duties of that virtue. But in a matter which, like chastity and lust, is full of scruples, distinct notions can of themselves either remove or forestall many doubts and anxieties of mind.

It is not expedient, however, that all, or even most, priests should be compelled to draw anthropological notions concerning chastity and lust for themselves and from scientific books; for most could not accomplish this without loss of time, danger of deception, and some detriment to modesty. Accordingly, we have proposed to lighten the burden for them. Therefore, omitting superfluous erudition, we shall endeavor, as far as we are able, to explain clearly those few teachings of anthropological science which illuminate our moral treatment.

We do not propose anthropological notions as though investigated by our own study; rather, just as we have received them from the books and counsels of experts, so we refer them in this introduction to a more perfect knowledge and cultivation of purity.

§ 2. Sexual Love, Appetite, and Copulation

The adequate notion of sexual love.

2. Sexual love can be employed in a fuller or a narrower signification. In the narrower signification, it is the same as sexual desire or venereal appetite; this usage is the more frequent one. Yet it pertains to human dignity that we here recall and affirm its adequate notion, by which it is distinguished from venereal appetite and, at least in part, transcends the senses.

Taken in its full force, therefore, sexual love designates the innate inclination which follows upon the division of the human race into the two sexes, and it embraces all the tendencies by which the one sex inclines toward the other. Among these tendencies, however, there are also found affections which are superior to the sensible order.

In what manner it may be called an instinct.

These propensities are confirmed and perfected by acts and habits. Yet because, being founded in man's organic and psychological constitution, they are present in us from birth and are not first acquired by acts, they can be ascribed to instinct, the term being employed in a metaphorical sense.

For by metaphorical usage, inclinations which proceed from no deliberation and are common to our species are called instinctive.

The proper notion of instinct.

3. Properly speaking, instinct designates that mysterious principle of actions, often wonderful, which animals of the same species perform in a constant and uniform manner without previous experience or training. These acts, as St. Thomas says [1], "are ordered to an end by natural inclination rather than by apprehension." With its utility in view, instinct is defined by R. P. Monaco [2] as "a certain inclination implanted in souls by the very Author of nature, by which animals are more readily able to guard against evil and harmful things and to pursue those things which are good and useful."

[1] *De anima*, book 3, lecture 5.

[2] *Praelectiones metaphysicae speciales*, part II, no. 224.

What instinct truly is, however, is much disputed, and no adequate explanation has yet been found, as His Eminence Cardinal Mercier testifies [3]. Already, commonly and deservedly, the biologists themselves reject a merely mechanical explanation, according to which Spencer offered this simple description of instinct: it is a complex reflex action [4].

[3] *La Psychologie*, p. 251.

[4] *Principles of Psychology*, I, § 194.

The Scholastic philosophers place instinct in the cognitive faculty, or in the sensible judging power which they call the estimative power. Moreover, Cardinal Mercier says that these sensible judgments are, as it were, synthetic *a priori*; and that they cohere with a natural faculty of associating certain images, different ones for different animal species [5].

[5] Op. cit., p. 254.

St. Thomas himself admits that instinct exists in infants, for example, for sucking milk [6]; whether it is also present in the adult human being is disputed [7].

[6] *In I Sent.*, 2, d. 20, q. 2, art. 2, ad 5.

[7] Urraburu, *Institutiones philosophicae, Psychologia*, book 1, disputation 4, chapter 2, article 6, p. 887. On instinct, compare the works cited of His Eminence Mercier and Urraburu. Physiologists dispute whether it is expedient to retain the name itself. Compare Havelock Ellis in Moll, *Handbuch der sexualen Wissenschaften*, p. 173. He names as a defender of the term H. Piéron, *Les problèmes actuels de l'instinct* (*Revue philosophique*, October 1908); but as an opponent, G. Bohn, *La naissance de l'intelligence* (Paris, 1909), and, earlier, *Causes actuelles et causes passées*, in *Revue scientifique*, 1 February 1901, p. 354.

The utilities of sexual love.

4. However this matter may stand, sexual love or appetite thus taken fully is not referred by us, as it is by not a few, to sexual congress alone, nor is it said to possess an order to that alone.

For provident God bestowed upon each sex various qualities proper to it which would produce mutual sympathy. Hence man and woman seek one another not only for propagating human life, but also for leading it better and more pleasantly, indeed for preparing for the future life by present perfection.

We therefore posit a threefold intrinsic end of the union of man and woman: individual, generic, and formally social.

The individual end consists in the mutual completion of man and woman by their combined gifts.

The generic end is in the propagation of the human race.

The formally social end appears in the domestic society which husband and wife establish by their union, especially for educating offspring, while at the same time giving an example to other social friendships and preparing the way for them. For conjugal society gives origin to a manifold community and covenant among human beings.

Accordingly, in Sacred Scripture itself, Eve is said to have been created for this general reason, that Adam might find a helper like himself [8]; St. Thomas approves this statement made by the Philosopher: "Male and female are joined among human beings not only because of the necessity of generation, as in other animals, but also for domestic life, in which there are certain works of the man and of the woman, and in which the man is the head of the woman" [9]; and in Roman law itself marriage is defined as "the union of a man and a woman, comprising an undivided manner of life" [10]. Concerning this definition, commentators observe that the end of generation is not alleged even in express words.

[8] Genesis 2:18.

[9] *Summa theol.*, I, q. 92, art. 2, ad 3.

[10] *Institutiones*, I, 9, *De patria potestate*, § 1.

What of the fact that physiologists themselves, besides individual instincts, which procure the good of individuals, recognize both generic instincts, by which provision is made for the good of the human species, and social instincts, which induce the formation of communities? Nor do they themselves deny the mutual kinship by which some instincts assist and almost penetrate others [11].

[11] Compare Féré, *L'instinct sexuel*, p. 5. Concerning sexual appetite itself he has the following: "The first effect of the sexual instinct is the act of conjunction; little by little it becomes more complex: (1) with instincts relating to sexual pursuit and attraction; then (2) with instincts relating to permanent union and the protection of the young."

A spurious explanation of benevolence.

5. Those who deny a spiritual soul to man labor to explain the love of benevolence which they are compelled to observe mingled with sexual appetite. Having recourse to the tenets of transformism, they think that this love was gradually brought forth from the sexual appetite of those animals from which we ourselves would derive our origin: that this more universal affection was generated from certain instincts which accompany that appetite in animals, by which, for example, the mother patiently nourishes and tends the offspring, while the father protects and guards it. The specific nobility of the human soul, that is, its spiritual nature, frees us from investigations of this kind.

Excessive force assigned to venereal appetite.

6. There are also those who think that in almost every spontaneous movement and pursuit of human beings, not only of adults but even of adolescents, indeed even of infants, beginnings or signs of venereal appetite can be detected. Thus, in the games and fights in which adolescents delight, they perceive the beginning and, as it were, the preparation of the generative function.

The celebrated author of "Psycho-analysis" [12], Professor Freud, assuredly also goes too far, although he excels in ingenuity and sagacity, when he maintains that all so-called "hysteria," and related

nervous disturbances, are to be traced back to sexual impulses, even unconscious ones, and attributes to all infants an intense sexual life of which no trace remains in the memory [13].

[12] That is, of the method of investigation which explores the things hidden in the subconscious.

[13] Compare Gemelli, pp. 9-17 of *Non moechaberis*, where several sources concerning this matter are indicated.

These men also seem to us insufficiently mindful of the proper dignity of human nature, which we wished to acknowledge by a broader notion of sexual love. For unlike beings deprived of reason, man does not exist wholly for the sake of the species; that is, he did not receive life merely in order that as an infant he might grow, as an adult generate, and, once the preservation of the race had been secured, himself perish. Rather, he is a person, existing for a personal end or his own good. Accordingly, even if that were true of other living creatures, which nevertheless we very much doubt, the pursuits and propensities of man cannot find their adequate explanation in the physiological process of generation. Their adequate explanation, I say; for there is no reason for us to be concerned here about a partial one.

Thus far concerning the broader signification of sexual appetite. Before we speak of the narrower one, it seems proper to recall these few things concerning the sexual parts of man.

The male organs of generation. The testicles.

7. The male organs which serve generation are:

1. The two testes or testicles, in which nemaspermata or zoospermata (spermatozoa) are produced. Zoospermata appear to consist, as it were, of a head and a tail and to move themselves after the manner of animals. They are thought, however, not to be animals but merely cells.

These testes are contained in the infant's scrotum from birth. Before birth, they are hidden in the abdomen. It sometimes happens that one or both have not descended into the scrotum; they then remain very small in the abdomen or inguinal canal, and there is what is called ectopia of the testes.

The fluid proceeding from the testes consists by far for the greatest part, or almost wholly, of these nemaspermata, to which a very small quantity of liquid is added. But that which physicians call *sperma*, or male semen, contains, besides these nemaspermata, fluids distilled or secreted through other glands, so that a mixed liquid is obtained which can flow and be ejaculated [14]. Hence *sperma* strictly so called can be defined as the liquid in which nemaspermata swim. When the nemaspermata are absent, what remains is *sperma*, or male semen, in the broader sense.

[14] Compare Antonelli, *Medicina pastoralis*, I, p. 187.

Moreover, not only the nemaspermata destined for external ejaculation are produced in these testes; these glands are at the same time sources of an internal distillation or secretion, which is mingled with the blood and to which are attributed the signs of virility (beard, pubic hair, masculine voice) and the power of nourishing sexual appetite.

The external secretion of the testes is then carried through several (10-15) small canals, which are called efferent canals or cones, to the epididymis, where they terminate.

The epididymis is a canal folded back upon itself many times, so that beneath the exterior skin it appears to be, as it were, an inner coat of the testes. Along this path the same external secretion is conducted to each vas deferens, or deferent canal.

Deferent canals.

2. The two deferent canals, or *vasa deferentia*, which take their beginning from the testes and run through the abdomen and the prostate into the urethra, with which they unite as ejaculatory canals.

Seminal vesicles.

3. The two seminal vesicles, which, being situated between the rectum and the urinary bladder, were formerly thought to be receptacles for the nemaspermata, so that the semen emitted from them was said to flow immediately forth [15]. From this their very name was taken. And it was thought that, by the nemaspermata preserved there, one could explain how, after the testicles had been removed, the faculty of generating could remain for some time. Today, however, they are considered rather as the organ of a certain secretion [16]. This secretion, together with the secretion from the end of the vas deferens, from the prostate, and perhaps from the glands of Littré and Cowper, accompanies the flow from the testes.

[15] They are still so described by Dr. Antonelli, *Medicina pastoralis*, I, p. 142, no. 190, and by Dr. R. P. Gemelli in the work *Non moechaberis*.

[16] "The seminal vesicles do not, as was formerly assumed, constitute a reservoir for preserving the semen." Compare Zuntz and Loewy, *Lehrbuch der Physiologie des Menschen*, 1906 (p. 721).

This does not prevent nemaspermata from often being found in the said vesicles. Whether they are dead or living is uncertain. Many living ones, however, are found in the epididymis, so that they can be extracted from the epididymis for artificial fertilization.

Prostate.

4. The prostate, which is a gland hidden in the abdomen beneath the urinary bladder and the seminal vesicles, through which the ejaculatory ducts and the urethra pass.

Cowper's glands.

5. The two glands of Cowper, which, situated beneath the prostate, also discharge into the urethra.

Urethra.

6. The urethra, or urethral canal, which is the lower part of the male member and emits both semen and urine.

Penis.

7. The male member (*penis*, rod, virile organ, male organ), which is constituted of two joined cavernous bodies, beneath which is the urethra. When it is filled with blood, it becomes erect.

The extremity of the member is occupied by the highly excitable glans, which is covered by the prepuce (which adheres to the glans very little). Under the prepuce, at the root or corona of the glans, there is collected from the sebaceous glands and from cells continually shed from the epithelium of the glans what is called preputial smegma, which among many persons must sometimes be removed, lest it become foul-smelling or even impel toward masturbation.

The female organs of generation. The vulva.

8. The female organs of generation are:

1. The vulva, by which name are understood the exterior parts of the female genitals: the large labia (*large lips*), which are two folds of exterior skin; the small labia or nymphs, that is, two smaller folds situated between the large labia, where smegma of the same nature as preputial smegma is produced and must frequently be removed; the clitoris, or very small penis without a urethra, which is the instrument of pleasure and becomes pleasurably erect; and the urinary meatus, or opening through which urine is emitted.

Vagina.

2. The vagina, which is the organ of copulation in the female and is destined to receive the male member. It has a cylindrical form and consists of three coverings, by which it is always closed. In virgins its opening is regularly covered by a membrane which is usually fashioned like a half-moon, so that it does not cover the whole opening.

In the vagina are glands named after Bartholin, which, during very intense arousal, emit a fluid almost as men do in seminal emission. When the vagina is suffused with this fluid, it is better suited for copulation, and by it the pleasure of contact is also increased.

Through the vagina are emitted uterine secretions and the menses, and the fetus passes out. And since it is situated between the urinary bladder and the rectum, so that it opens between the urinary meatus and the anus, the saying of Augustine is understood: "I was born between excrement and urine."

Uterus.

3. The uterus or womb, which, rather like a small flask in shape, is as it were inserted into the vagina by its lower part, which is called the neck, while the upper part, or body of the uterus, has a triangular form. In the middle of the neck, the interior part of which is called the tench's snout, is a small opening through which the uterus communicates with the vagina.

Fallopian tubes.

4. The Fallopian tubes, or oviducts, which are two canals about 10-12 centimeters long, and which communicate with the uterus through what is called the uterine opening.

Ovaries.

5. The ovaries, which are, as it were, female testicles. For they are two glands, at the right and left of the uterus, in which ova are produced.

Ovulation.

Although the oviducts do not adhere to the ovaries, at the time when mature ovules fall from the ovaries out of the so-called Graafian vesicles, the oviducts are applied to the ovaries by a part which, like the end of a tube, is not unlike a shell, so that they may receive the ovules and conduct them toward the uterus. This time recurs almost every month.

Extrauterine gestation.

It happens, however, for various reasons, that a fertilized ovule adheres in the oviduct or in the ovary itself, or, not having been received by the tube, falls into the abdomen and is there developed as though in the uterus. There is then an extrauterine gestation, which, being dangerous to the mother, gives only a slight hope that the fetus will be brought forth alive.

Breasts.

6. The breasts, or udders, which are destined for producing and giving milk.

Seats of pleasure.

9. The organs which belong to generation are not at the same time, throughout their whole extent, seats of venereal pleasure. Nor must a seat of this kind be confused with a place from which excitation, even manual excitation, can originate (compare no. 17). In a woman, the parts by which venereal appetite is satisfied are the clitoris, the vagina as far as the uterus, and to some extent the nipples of the breasts; whereas in a man it is the male member, especially the glans, at which it terminates. Hence they judge the woman's venereal satisfaction to be greater than the man's [17].

[17] On these notions compare Antonelli, *Medicina pastoralis*, vol. 1, chapter 12, nos. 183-200.

The essential elements of fertilization.

10. Moreover, the essential elements of fertilization are the semen in which nemaspermata are contained and the female ovule. For fertilization requires that some zoosperm penetrate the ovule either in the ovary itself or before the ovule, having fallen from the ovary, has reached the uterus through either oviduct. Since it proceeds slowly, the ovule seems to require about seven days (indeed, 10-15 days, as others maintain) to complete that short journey. The zoosperm, however, enters the oviduct within the space of a few hours, where it can live for several days and await the ovule: for several days, that is, for seven or eight, whence there appears a wonderful concord of the organs of each sex.

In view of that period of days, there are some, for example the physician Capellmann, who affirm that fertilization is improbable unless it results from intercourse which occurred a few days (three or four) before the menstrual flow, or within fourteen days from the beginning of that flow [18]. But because ovulation, or the release of the ovule, does not always occur simultaneously with the

menstrual flow, and because, in addition to the principal or ordinary ovulation, another, secondary or accidental one can arise, for example from carnal arousal in copulation itself, this rule is shown to be subject to exceptions [19].

[18] Capellmann, *Medicina pastoralis* (11th edition, or 4th Latin edition, p. 139).

[19] Compare Albertoni, *Fisiologia*, p. 946.

Dr. Foekiston, who constructed a table in which, relying upon statistical calculations, he assigns to each day its own probability of fertilization, declares that the least probability is present on the twenty-third day after the menstrual flow has ceased, and estimates it to be no more than a sixty-second (1/62) part at most.

Whence the actuation of carnal appetite proximately arises.

11. Now, by sexual appetite in the narrower signification is understood the propensity by which a man loves and seeks in a person of the other sex a companion and helper in the carnal operation which nature instituted principally for generation. For the union itself of the two sexes exists primarily for the sake of generation.

But whence does the propensity toward carnal commerce proximately pass into act; or, what is the same, what proximately impels a man toward copulation, to accomplish generation through itself?

Formerly, not a few thought that man was immediately excited by the desire or necessity of pouring out the semen which had accumulated, almost as a full bladder and full bowels arouse the desire to evacuate them. Thus Montaigne used to say, and Féré says even today [20]. But this explanation cannot account for the vehemence of libido; moreover, it seems always to fail in a woman and frequently in a man, since a woman regularly does not pour forth semen during carnal arousal, while a man, as experience testifies, is frequently agitated by libido without any sense of fullness. Rather, it happens that aroused libido accumulates the semen and produces the sensation of a full little vessel.

[20] "Sexual appetite has at its base a sensation of fullness, a kind of need for evacuation." *L'instinct sexuel*, p. 6.

In truth, however, the existence of this appetite is principally connected with the sexual glands; but its vehemence and excitation are to be attributed to various causes and occasions. Some are involuntary and material, others voluntary and moral; some are present in man from birth, others from a subsequent event, whether culpable or not. The causes which, besides the physical constitution of the body, stir carnal appetite will be discussed shortly below.

The physiological process of complete sexual arousal.

12. Carnal arousal is accustomed to comprise two intimately connected parts: the excitation of the organs and their collapse.

A man who indulges in venery is first impelled by his venereal appetite, which we here suppose to be normal, to seek in physical and psychic union with a person of the other sex the organic excitation which he carries through to orgasm. Orgasm is then immediately followed by the collapse of the organs which serve generation. The physical union, or carnal copulation, is this: that the man introduce his turgid penis into his wife's vagina and, in the very release of the arousal, emit semen there. That semen is thus emitted and received so that it may tend toward penetration of the female

ovule, if a mature one has fallen from the ovaries. Sexual union is useful in this manner for the end of human generation.

How, both in the organic constitution and in carnal arousal, each sex is equal.

13. Because it helps to elucidate the moral argument, it is worthwhile here to set forth according to the account of physicians or physiologists the distinct parts of each sex in carnal copulation, and at the same time to show how equal man and woman have been made by the Creator in the generative function.

In the organic constitution.

1. As regards the organic constitution, or the remote preparation for copulation: in the sexual parts of both the man and the woman there is observed a system capable of erection (erectile apparatus) which, in carnal arousal, is filled with blood and dilated. For the female and male organs are furnished with nerves in a similar manner; the vagina and uterus, no less than the penis, are spread throughout with many veins, in which blood can be contained and remain.

In the process of carnal arousal.

2. As regards the process of carnal arousal:

In each sex, it begins with the swelling of the genital parts.

Next, in the man, there usually appears what is called distillation, that is, before the expulsion of the semen itself, the production of a thinner fluid from the glands which discharge into the penis and have their names from Littré and Cowper. This distillation is called by another name urethrorrhea from libido.

In the woman, however, the glands which are called Bartholin's are then accustomed to render the vagina moist, as it were, with an abundant distillation. This distillation was regarded by the ancients as female seminal emission. It is not necessary for generation itself; it is beneficial to the woman, however, insofar as her nerves, thus moistened, are less affected by venereal excitation.

This discharge is sometimes designated by the name *female pollution*. It rarely flows outward, but rather into the cavity of the uterus. The flow itself is then often not noticed, although it brings pleasure. Hence most women can be judged to have been polluted only from libidinous satiety. And already for some time before puberty they are capable of this pollution. Compare Noldin, *De Sexto*, no. 30.

There then follows a rhythmic movement of the male member, to which rhythmic contractions of the sides of the vagina seem to respond.

Nemaspermata then swim in the emitted male semen, seeking for several days (seven or eight) the female ovule, which itself, having previously fallen from the ovary, descends at a slow pace to meet the nemaspermata.

Moreover, when the female vagina is relaxed from orgasm, it draws the spermatic fluid into itself as if by suction, in this way complying with and, as it were, going to meet the motion of the nemaspermata, which, as has been said, seem to seek the interior parts of the vagina and uterus.

By this suction and, as it were, attraction of the vagina, it is also explained how semen deposited at the opening of the vagina could provide occasion for fertilization.

In the secondary phenomena.

3. As regards the secondary phenomena which accompany the complete use of the genital organs:

In each sex, during arousal, there are observed more frequent and interrupted breathing, stronger and more frequent palpitation of the heart, perspiration, secretion of the glands, and other things of this kind.

At the termination.

4. As regards the subjective feeling of the outcome:

Both sexes experience pleasurable satiety and a certain peace and repose: in a general manner, each party feels well (a sensation of general well-being).

Accordingly, in truth, by carnal union man and woman have been made one out of two; they have produced one action with two similar parts, just as though one organ had been composed from each body.

§ 3. Various Causes of Sexual Arousal

The three things which concur in normal excitation.

14. The first thing to be observed is that, in the normal excitation or action of sexual appetite, not only the genital parts but also the nervous centers of the spinal cord and brain have a part [1]. Hence, in order that this appetite may obtain its full act, these three things must be developed, intact, and joined by suitable communication: the sexual organs, the centers of the spinal cord, and the centers of the brain [2].

[1] This was already being handed down in the age of St. John Chrysostom, who wrote: "Some say that orgasm arises from the brain, others from the loins." Homily 62, otherwise 63, on Matthew (*M.P.G.* 57, 600).

[2] Compare Havelock Ellis, in Moll, *Handbuch*, etc., p. 189 ff.

A psychological cause of venereal arousal, or a cause in the mind.

15. Love, even of a higher order, which someone cherishes toward another person, can bring about or assist carnal arousal through the general disposition which such affection is accustomed to induce. Compare what is to be said below, nos. 24-26.

Conversely, aversion of mind can close the way to every libidinous excitation, so that even a physical effort becomes fruitless.

A cause in the internal sense.

16. How much the internal sense, or imagination, can do to excite, moderate, or allay venereal appetite is evident to everyone. According to the various manner in which the imagination is affected, the same exterior handling will be ineffective or most effective in arousing the venereal sense.

By the power which the brain possesses in these matters, they also explain how infants, the aged, and castrated persons experience libidinous affections, although they are more or less deprived of their proper organs.

A cause in the exterior senses.

17. I. The other senses also cooperate directly with sexual appetite, if one excepts the sense of taste. Taste, being assigned to its proper office of nourishing the body, does nothing immediately upon the venereal sense.

In what manner taste cooperates; concerning various drugs.

The quantity and quality of foods can nevertheless dispose the body physically toward venereal excitations. Thus it happens that certain libidinous persons procure for themselves certain drugs (for example, "Spanish fly," tamarind) in order to increase the abundance of generative excitation. The power of certain foods, such as cultivated celery and asparagus, is certainly less, but is not always to be disregarded.

And although no one today puts confidence in the so-called "liquor of the monks" and "syrup of chastity," it is useful to know that there are drugs suited to tempering libido, or which assist spontaneous emissions, such as are sometimes required by nature, to occur more easily. Thus pills made from "lupulin" can be bought and used without danger; thus, upon the indication of a physician, hyoscine and bromide are not to be thought ineffective. Nor is the prudent use of hypnotism to be condemned in this matter. Adalin has been recommended fairly recently for treating masturbators [3].

[3] On this argument compare R. P. Gemelli, *Non moechaberis*, chapter 5, pp. 145-166. Although he does not deny the power of camphor, he nevertheless calls false the Salernitan proverb: "Camphor, by its odor through the nostrils, castrates males."

II. Come now, so that we may hand down a few things concerning each of the senses:

What touch effects.

1. Touch and handling can do very much when they are exercised either upon the sexual organs or even upon neighboring parts which possess a nervous affinity (a connected innervation) [4], although touch alone cannot immediately bring about venereal arousal. Compare below, no. 22.

[4] So too the anus itself. Compare Féré, *L'instinct sexuel*, p. 913 [printed page reference; the cited book has only 346 pages and the intended page has not been established].

Indeed, even in more distant parts, secondary centers are observed where touching the surface can induce or increase venereal arousal. Of this sort are the mucous openings of the body (for example,

the lips), which are seats of very subtle touch. By the contact of these parts, whether mutual or with the genital parts, appetite is greatly sharpened. Hence kisses upon the lips are less modest than kisses impressed upon the cheeks.

In a woman, moreover, there are more secondary centers than in a man.

Sight.

2. Sight is at once the principal and the more spiritual sense of man. A man is attracted and captivated much more than a woman by the sight of a beautiful person, especially if grace of movement, for example in dancing, is added. For a woman is attracted more by strength than by beauty.

Yet do not for that reason think that it can be said that the more absolutely beautiful a person is in himself or herself, the greater is that person's faculty of arousing sexual affection toward himself or herself. For particular enticements seem to reside in certain forms of the body; and the particular suitability of two persons must also be considered.

Hearing.

3. Upon hearing a male voice, a woman is more affected than a man is sexually pleased by her own feminine voice, which scarcely differs from a boyish one.

Song and melody, however, arouse nobler affections rather than sexual ones, although the body can also be disposed toward lasciviousness by a certain kind of music.

Smell.

4. Finally, smell, by which not a few animals are especially governed, is usually effective enough for very few human beings, so that bodily odor rather repels affection. That some seductive power is nevertheless not absent from perfumes, and indeed from strong ones, women testify by their perpetual use of them.

Not being ignorant of this participation of the senses, an author of the fourth century, more probably Basil of Ancyra [5], treats at length of the manner in which each of the senses is to be guarded by a virgin.

[5] *De vera virginitatis integritate*, no. 5 (*M.P.G.* 30, 669-809). Compare Cavallera, *Rev. d'Hist. ecclés.*, 1905, pp. 5-14.

The equivocal signification of several acts.

Many of the things which we have passed through by enumeration, such as kisses and embraces, are suited to signify or foster other affections of piety and spiritual love. These acts must therefore be called equivocal, and their signification and force must be determined from the intention and circumstances. In this matter a man must also guard very carefully against self-deception, lest under the appearance of piety or spiritual affection he cover demonstrations and acts which ought in truth to be attributed to sensuality or carnal libido. The less readily an honorable explanation presents itself, the more suspicious is the cause which the matter possesses.

A cause in the cultivation or manner of life itself.

18. A manner of life itself is not without its own power. Those who study anthropological matters observe that, in the cultivated life which we lead, sexual appetite is intensified much more than in the life of barbarians, because of less bodily labor together with richer food and the softness of luxury, so that it is almost always ready for act. At the same time, however, the more cultivated mind is distracted from libido by more numerous concerns and cares, and is taught by a stronger command to subdue the blind impulses of the senses.

A cause in the temperature of the air.

19. At the beginning of the mild spring weather and of the autumnal cold, the venereal propensity is seen to increase. Accordingly, the time appointed by the Church for the Lenten fast has been aptly selected for restraining the insolence of the flesh.

Indeed, many suspect that there is a monthly cycle in which venereal appetite increases and decreases by varying degrees, so that it reaches its maximum twice [6].

[6] Compare Ellis in Moll, pp. 183-184.

§ 4. Modesty. Clothing

The notion of modesty.

20. I. In this place we are not treating of the moral virtue of chastity, but of the natural affection and sense of modesty, of which anthropologists undertake the analysis, while philosophers and theologians seek the higher reasons.

This is certain. Venereal appetite at once produces a certain shame and promises a certain happiness, so that it can be said of man: he is ashamed to manifest, indeed to some extent to do, that which delights most carnally. He blushes at that from which he rejoices! This affection, sufficiently strange at first sight, is shown to pertain to the nobility of human nature, so that contempt falls upon the person who has cast modesty aside. Modesty can therefore be described as a certain intimate hesitation and reluctance of the soul, which opposes to venereal appetite a certain difficulty to be overcome, whence it happens that consent is granted to it less openly and less promptly [1].

[1] Thus Buchan and Ellis, in Moll, also think that sexual repugnance is signified by modesty at first.

Joubert [2] describes the same thing beautifully, especially in the age of adolescence: "Modesty is one knows not what fear attached to our sensibility, which causes the soul, like the flower which is its image, to fold back and conceal itself within itself, so long as it is delicate and tender, at the slightest appearance of that which might wound it by impressions too vivid or by illuminations too premature."

[2] *Pensées*, pp. 80-83.

In truth, modesty signifies a restraint, rather than opposition, lest one proceed without consideration; it by no means extinguishes or diminishes carnal libido, but imposes a certain measure and rule upon it.

The elements by which the spontaneous affection or instinct of modesty is constituted or composed must be drawn chiefly from the mutual relations of the sexes, since modesty pertains to the order of sexual union.

Anthropological investigation.

Moreover, an anthropological investigation of modesty then reveals these things:

1. Sexual union requires a mutual surrender of bodies; hence, in the reluctance of modesty there is discerned a certain defense and guardianship of individual ownership.

2. The sexual parts are not very becoming in themselves and are found near the organs of the lowliest functions. Hence, in their first exposure, which is demanded by sexual commerce, a certain loss of esteem and enticement is to be feared. Consequently, natural timidity obtains some place in modesty.

3. A person's own estimation of himself also impels him not to surrender himself to just anyone as cheap merchandise, but to choose a worthy lover. Modesty therefore contains a certain care for one's own dignity.

4. And since whatever lies open to all becomes cheap, the difficulty first opposed also manifests a desire to increase the value of the thing afterwards conceded.

Natural modesty is demonstrated.

Thus the instinct of preservation, timidity, care for one's own dignity, and the desire for reputation and honor appear in the sense of modesty; and since these are natural or innate, the modesty resulting from them must likewise be called natural.

The causes of modesty according to St. Thomas.

St. Thomas [3] demonstrates these two further causes of modesty in the mind, or higher part of man: the one, common to both sexes, namely, the vehemence by which the ardor of pleasure is accustomed to occupy and absorb the mind; the other, proper to the male sex, namely, that manifest rebellion of the flesh which obeys the command of reason only imperfectly, so that even against our will we experience various movements of the flesh.

[3] *Summa theol.*, II-II, q. 131, art. 4.

St. Augustine had already rendered this reason in these words: "Hence they were both naked and were not ashamed, namely, the first parents. For now, by natural shame, the rational soul is ashamed that in the flesh, into whose servitude it received the right of power, it cannot, through some weakness I know not what, bring it about that these members not be moved when it is unwilling and be moved when it is willing. Because of this, in every chaste person they are deservedly called the shameful parts, because against their mistress, the mind, as though they were of their own power, they are aroused as it pleases them; and the restraints of virtue have only this right over them, that they do not permit them to proceed to unclean and unlawful corruptions" [4].

[4] *De peccatorum meritis et remissione*, book 2, chapter 22 (*M.* 44, 172-173).

Why modesty is greater in a woman.

Since, moreover, in fulfilling sexual appetite, a woman exercises the passive part, while a man rather sustains the role of the aggressor, a woman is more inclined to modesty than a man and, having laid modesty aside, she loses the special ornament and comeliness of her sex. Nature itself, by the manner in which it conceals the woman's shameful parts within the labia, seems to invite her to greater modesty.

The utilities of modesty.

These utilities of modesty at once disclose themselves. It causes sexual relations to be entered upon more cautiously, which contributes not a little to mutual happiness and man's social good; through the selection of persons it favors a better multiplication of the human race; it teaches man a certain victory over himself, whence he himself becomes stronger; and it provides for the dignity of man.

The origin of clothing.

21. II. Sacred Scripture ascribes the first origin of clothing to modesty [5]. Hence St. Augustine said most beautifully: "He who, clothed with grace, had nothing in his naked body of which he was ashamed, when stripped of grace perceived what he ought to cover" [6].

[5] Compare Genesis 3:10-12.

[6] *Contra Iulianum Pelagianum*, book 4, chapter 16, no. 82 (*M.* 44, 781).

Students of anthropology, however, dispute concerning this origin. Not a few today, with very little basis, deny that it is to be traced back to modesty. This tenet of theirs coheres sufficiently with the denial of a spiritual soul which is created immediately by God. For they hold no affection of the moral order to be primitive.

Moral utility.

They nevertheless by no means call into controversy the assistance which clothing affords to modesty.

And in truth, clothing in itself diminishes sexual enticements. The natural sense of modesty seems to demand that at least the strictly sexual parts be covered by clothing. Certainly, a greater immediate power of attraction is present in extensive nudity than in the particular exposure of those parts; the latter rather inspires horror. But obscenity, immodest boldness itself, seems to invite toward libido as if psychologically, while care for covering the parts of the body inculcates and proclaims human dignity and the restraint to be imposed upon appetite, and thus indirectly restrains libido.

Which clothing is to be approved, and which condemned.

Clothing can nevertheless also increase enticements when by its elegance it supplies beauty, or when it turns the eyes toward the sexual organs or the forms of the body.

Moreover, in judging the quality of clothing, not only the power of direct seduction must be considered, but also the formal signification of boldness or modesty, to which signification many circumstances can contribute. Clothing which, in concrete circumstances, manifests wanton boldness

is to be condemned, while we shall approve that which displays the sense of modesty in a reasonable manner.

Custom can do much here; it is one thing among civilized nations, another among barbarians, and even among civilized nations it possesses a real, though lesser, variety.

§ 5. Various Pleasures. Venereal Movement

What pleasure and joy are.

22. *Special pleasures.* Sensible enjoyment, according to itself, is more precisely called by the name *pleasure*, while the name *joy* is better reserved for the pleasure which follows reason and which can also be perceived concerning a sensible thing [1].

[1] St. Thomas, *Summa theol.*, I-II, q. 31, art. 3.

Various species.

Provident God is accustomed to join subjective satisfaction to useful acts, which sweetly invites one to exercise the action.

Hence this saying received among theologians: pleasure is for the sake of operation.

Sensible and venereal pleasure.

There is therefore a pleasure proper to each sense: to sight, hearing, touch, taste, and carnal appetite. The former pleasures are called purely sensible, while the last is called venereal and has its proper seat in the sexual parts.

Observe, in this place, that the venereal sense does not have its seat on the surface of the skin, nor can it, any more than taste, be reduced to any form of touch. Rather, with blood flowing into the sexual organs, it passes into act in a reflex manner, as if of its own accord, after bodily or mental excitations.

Hence, when these parts have been removed, venereal pleasure can no longer be felt properly. A place nevertheless remains for its affection, its imaginative image, and pleasure.

Mixed, or sensible-carnal, pleasure.

23. *Mixed pleasures.* As we saw above, nos. 16-17, the individual senses, except taste, have very great power to excite venereal arousal. It thus easily happens, because of the nature of the object, or the agent's intention or moral disposition, that an object pleases insofar as it is seen, heard, touched, or smelled, and at the same time, often through the imagination or an association of ideas, begins to excite venery. A man then experiences a pleasure which can be called mixed, insofar as venereal appetite intervenes there in addition to another sense. Hence this pleasure is deservedly called sensible-carnal.

More general sensible pleasure.

24. *More general sensible pleasure.* Besides that distinct cooperation of the other senses with some special sense, the wonderful concord of human nature brings it about that the whole body participates in the proper operations and pleasures of the individual senses by a certain harmonious disposition.

One might say that there is a certain diffusion of each of the senses through the rest of the body.

Hence students of physiology, besides the special sensations of the individual senses, recognize a certain general attunement to the individual sensations of the body, or a less definite and more general sensation (general somatic, visceral, and kinesthetic sensations). For with every human thought or intellectual representation there is that which in French they call an affective tone or emotional index. This affection consists of various bodily changes, whose particular form and intensity partly depend upon the nature of the thing represented. These changes are approximately the following: a more or less forceful and frequent palpitation of the heart; varying local pressure of the blood, through vasomotion; more or less ample and frequent breathing; more intense or more relaxed muscular tone; varying distribution of electrical potential throughout the body; varying affection and activity of the nerves, or differences of innervation; and so forth.

Concerning this change of the body it is useful, moreover, to note the following two things.

"Coenesthesia."

25. 1. This cooperation of the body can accompany a specific operation and can even, for example, if that operation has been foreseen and expected, precede it. What precedes, moreover, prepares the specific sensation.

Thus we all observe how, through hunger and a more abundant production of saliva, the satisfaction of taste is prepared. So also, for the contemplation of a beautiful spectacle or the hearing of a sweet harmony, the body disposes itself in a suitable condition. And in our matter, does not the mere hope of carnal commerce seize men, as it were, with venereal tendencies, so that they are able to do or contemplate nothing else? Indeed, it happens to not a few that, if for even a just cause, for example to care for or wash the body, they must do, indeed see or read, something unusual, they already beforehand, even against their will, impatient of delay and almost wholly affected toward the matter, feel and manifest venereal inclinations. They perhaps do not yet experience venereal pleasure, and they will remain apart from it, but they suffer a grave venereal "coenesthesia."

The physiological law of association.

2. Properly spiritual love and carnal love are prepared and assisted, as though by a sympathetic companion, by a similar and related, though not strictly identical, condition and affection of the body (an analogous coenesthesia, not a strictly identical one). Thus there is a certain more general affection and attunement of the body almost common to both affections.

This physiological law of association then obtains: two affections which have a similar repercussion in the body can be excited by that repercussion itself, just as the one can also induce the repercussion of the other. Hence it is not so surprising that a man, especially a male, while fostering a spiritual,

indeed a religious, affection, suffers against his will certain movements of the flesh, such as even the saints have sometimes experienced during prayer.

Intermediate sensible pleasure.

26. Since these things are so, this general disposition of the body, insofar as it is pleasant, gives place to a pleasure which:

a) is less defined by its object, and thus merits the general name of sensible pleasure;

b) according to the varying intention of the mind and the image depicted in the soul, must lead proximately to carnal pleasure or remain of itself apart from it. Hence, according to itself, it can be called intermediate and, according to the varying intention and thought, the same pleasure will deservedly be called sensible-carnal or sensible-spiritual;

c) is nevertheless shown, according to itself, to be more proximate and akin to carnal pleasure. Hence, unless the mind positively draws it upward with itself, of itself it rather prepares the way for sexual libido: one who deliberately adheres to it for its own sake will soon experience the flesh aroused.

Hence it happens that physicians and physiologists simply refer this general pleasure to sexual appetite. For theologians, however, this sensible pleasure is that intermediate pleasure which they sometimes seem to labor to describe or explain.

How Palmieri distinguishes sensible pleasures.

27. Let Palmieri be heard on this matter, as quoted by Ballerini [2]: "Nevertheless, the distinction of sensible pleasure, which is other than venereal pleasure, into the purely sensible, the spiritual, and the sensible-carnal is not displeasing.

[2] *Opus theol.*, vol. 2, no. 961.

"The first is that which the very aptitude of an object for a sense produces. The second is interior, arising from an honorable affection, for example toward one's mother, indeed even toward God, with a certain movement of the blood or spirits around the heart; to excite this, although sight and touch sometimes concur, a certain vehement thought or apprehension alone nevertheless suffices. The third is, with the same movement, determined by a less honorable affection, although not a venereal one, generally on account of the beauty or comeliness which pleases in some person; and it is accustomed to be perceived both with touch and by sight alone, and frequently by thought alone bringing the object back; this thought, although not obscene in itself, is nevertheless suited gradually to pave the way toward venereal arousal. The author, Busembaum, calls this sensuality."

In what twofold manner sensible-carnal pleasure is said.

In this description of his, Palmieri seems sufficiently to confuse the more general or intermediate pleasure, which, because of a connatural tendency, can be called sensible-carnal, with the special pleasure which, because it is mixed from sensible and carnal enjoyment, is also called sensible-carnal. What the "movement of blood around the heart, etc." represents can be gathered from our fuller description of coenesthesia. It is a certain notable part of that more general affective state.

Sensible-carnal pleasure is therefore of two kinds, namely, mixed and more general. In the mixed pleasure there is already carnal pleasure, but not it alone; in the other, carnal pleasure of itself stands proximately at hand.

What venereal pleasure is.

28. Venereal pleasure is the proper pleasure of generation begun or perfected.

What venereal movement is.

Venereal movement is a physical change of the body which brings about that pleasure.

We prefer this definition to the more common one, by which venereal movement is described as a pleasurable change of the exterior sexual parts. For this definition at once calls for these observations: not too much attention must be given to whether that very change is perceived as pleasurable. If anyone obtains from an imaginative representation both a change of the sexual parts and a pleasure distinct from the purely sensible, let him not doubt that he undergoes venereal movement or experiences venereal pleasure.

Conversely, however, if the proper pleasure is lacking, a simple erection of the male member is not yet to be called a movement strictly carnal or venereal. Experience, moreover, testifies that it often happens that the penis becomes erect at length because of causes disconnected from sexual appetite or related to it. A mechanical erection differs more from venereal arousal than does one which depends upon a center of the brain.

That which proceeds from a sexual image or sexual affection, however, even if it is not yet pleasurable in itself, is proximate to venereal pleasure.

Therefore, in the man, venereal movements will be the pleasurable erection of the penis and its movement, by which the emission of semen is prepared; in the woman, however, the pleasurable erection of the clitoris and contraction of the vagina.

§ 6. Defects of the Instrument or Sexual Sense, or Sexual Pathology

Division of the argument.

29. Since the full use of the sexual function requires that the sexual organs, the nerve centers, and the sexual propensities themselves all be intact, sexual pathology pertains to the very structure of the organs, to the state of the nerves, and to psychic affection. Hence we have distinguished structural defects, sexual neuropathy, and sexual psychopathology.

I. Structural Defects

30. These things in particular seem to us to require mention.

Defects in the man.

1. In the man:

The penis is either wholly absent; or, whereas it is usually 8-10 centimeters in length, it is so small that it can scarcely be perceived by touch; or, conversely, it is too long, up to 30 centimeters, or too large.

The meatus of the penis opens not at the end of the glans but in the upper or lower part of the canal (epispadias or hypospadias).

The testes are either absent (anorchidia); or both or one of them are hidden, for example, in the abdomen or the inguinal canal (cryptorchidia); or, as though not nourished, they are present only in a diminutive state (atrophy of the testes).

In phimosis, the glans cannot be uncovered because of an excessively narrow prepuce. Paraphimosis is present when, after the glans has been uncovered, the prepuce so constricts the corona that it can no longer be drawn forward.

In the woman.

2. In the woman:

The vagina is absent, or has no opening, at least no exterior one, or has one which is too narrow.

The hymen is too firm, so that it cannot be penetrated.

The uterus is absent or closed.

The ovaries are absent.

Do hermaphrodites exist?

31. It can be asked here whether hermaphrodites exist or not.

During its uterine life, the fetus for some time possesses female organs together with male ones, so that it must truly be called bisexual. Afterwards, however, one or the other set of organs no longer develops, and one sex prevails.

But an adult human being who is fully and truly a hermaphrodite, that is, who so combines the marks of each sex that he can exercise the parts of each and thus have a choice of either sex, is today relegated to empty fictions. There are nevertheless human beings who, in the sexual parts themselves or in the rest of the body, or even in the propensities of the soul, bear, together with their proper sex, signs or traces of the other. Hence androgynes are men with certain marks of women; gynandrous persons are women with marks of men. There are also persons who are rather of neither sex, so that there is doubt concerning their true sex, and errors have sometimes been committed. Compare *A.S.S.*, vol. 21, pp. 480-501, the Ferentina case, 1888, in which a supposed wife was assigned to the male sex by the best physicians.

II. Sexual Neuropathy

Irregular pollutions.

32. I. Pollutions that are too frequent or too laborious. In a man, pollutions regularly occur during sleep without any cooperation of the will; when they are not too frequent, they do no harm to health. Their frequency varies according to age, bodily temperament, and manner of life: that they occur twice or three times in a month is entirely normal; that they are repeated for a few successive days, with a longer interval then intervening, is to be considered nothing strange; nor is a weekly pollution to be feared.

In sleep, however, they are generally, not to say always, produced with the imagination excited and with bodily pleasure.

There are nevertheless men who experience them too frequently at night, or during the day because of a slight cause or together with heaviness of the head.

Others also are truly tormented by an excessive difficulty of pollutions.

Spermatorrhea.

Finally, others suffer from what is called spermatorrhea; that is, without orgasm and ejaculation, they emit semen, often with urine or even while relieving the bowels.

These things, unless they take their origin from a defect, can be signs of various illnesses, especially especially to be attributed to the nervous system. (Compare Gemelli, *Non moechaberis*, p. 68.)

Priapism.

33. - II. Priapism designates a permanent erection of the male member without libidinous arousal.

Sexual neurasthenia.

34. - III. Sexual neurasthenia, in general, is accustomed to combine an excessively easy excitation with a sense of fatigue and debility. Its notion is variously handed down. It can be called sexual insofar as it variously disturbs the sexual state or sexual excitation.

Leaving aside involuntary causes, such as bodily debility itself or heredity, this nervous erethism can be produced or rendered more serious by venereal excesses, especially frequent masturbation, unnatural intercourse, and especially interrupted intercourse, but not by sexual abstinence [1].

[1] Ellis and Moll, *op. cit.*, p. 699.

In the man it prevents either erection alone, or ejaculation, or both; or it permits only an incipient erection with a discharge of semen.

It also induces excessively frequent nocturnal pollutions, which leave behind heaviness of the head and dejection of spirit [2].

[2] Ibid., p. 697 ff.

Even a slight cause is sufficient for the sick to have diurnal pollutions, or to suffer from spermatorrhea.

Sometimes they have pains of the penis without an exterior cause, or experience heat and itching; they feel themselves filled with semen that is to be emitted, ready for carnal arousal; nor is their false hunger allayed by the venereal act.

We can also refer here an excessively prolonged erection of the penis, with a sense of pleasure, by which mark it is distinguished from priapism.

Neurasthenia in the woman.

Sexual neurasthenia has been less explored in the woman. It is manifested in a similar manner by excessively easy excitation and more frequent pollution.

III. Sexual Psychopathology

The notion of sexual psychopathology.

35. Under the name *sexual psychopathology* many defects are numbered which appear to affect sexual appetite itself. Accordingly:

Origin.

In origin, these defects are not infrequently innate, that is, received from parents; but sometimes they are also due either to one's own sins or even to an accidental and inculpable event.

Various forms.

Moreover, they vary in manifold form and character. Let us enumerate the principal ones in a certain order:

36. In the first class we comprise defects which disclose a perverted subjective force of appetite. They are:

Paradoxism.

Paradoxism, when the appetite begins to rage at an unusual age; either it is too precocious - *infantile paradoxism*, before puberty and especially before the organs are developed - or it is too late - *senile paradoxism*.

Anesthesia.

Anesthesia or hypesthesia, when the appetite is shown to be either wholly absent or excessively weak. This defect occurs more frequently among women.

Hyperesthesia.

Hyperesthesia, which signifies excessive force of appetite. The insatiable fury of the man is called *satyriasis*, and that of the woman *nymphomania*.

The abuse of masturbation is often connected with excessive appetite; yet this abuse also often corrupts morals without a perverted appetite.

We can also refer to hyperesthesia the defect of those who are aroused by a very slight cause, or who, often because of depraved habits, think and speak about shameful things on almost every occasion and at every time. Forel also condemns this eroticism, *La question sexuelle*, pp. 127-128.

Paresthesia. Inversion.

37. In the second class are comprised defects by which a man is so inclined that he is affected toward an object contrary to nature. This class of paresthesia or perversion is properly called *inversion*.

Narcissism.

They either take delight only in their own body - these are rare - and are called *narcissists*.

Or they are lovers of their own sex: they are called *homosexuals* [1], or *tribades*, according as men or women are in question. The men are also said to be devoted to Greek love; the women, to be affected by Lesbian or Sapphic love.

[1] There are some, for example Dr. Gemelli, who apply the name *homosexuality* to the more benign forms of this perversion, and call *pederasty* the affection which reaches all the way to sodomy.

Sodomy.

The common name of sodomy, or also of uranism, falls upon this vice.

Those, moreover, who strive to fulfill their lust with boys are properly called *pederasts*; while the adolescent males themselves who permit the turpitude upon themselves are strictly called *molles* ("soft ones"; *mignons*, "favorites").

Bestiality.

Or they are affected toward animals and have a bestial appetite.

Vicious excitability.

38. In a third class, which is also one of paresthesia, we comprise unusual manners which either suffice for fulfilling lust or are extraordinary means of exciting the normal or irregular appetite.

To these forms of vice we ascribe:

Symbolism.

Symbolism, which uses, as it were, symbols for fulfilling lust. That is, rather than the person, it seeks a sign or indication, sometimes wonderfully selected.

Fetishism.

Thus *fetishism*, which finds libidinous pleasure in cutting and preserving a woman's hair, in contemplating the legs of infants or another's impurity, or in possessing certain things, for example shoes, and rests in it, desiring nothing further.

Exhibitionism.

So also *exhibitionism*, which impels one to exhibit obscene things to the other sex.

Sadism.

To a similar class we ascribe *sadism*, which joins a certain cruelty with pleasure;

Masochism.

and *masochism*, which, as if contrary to sadism, seeks humiliations and pains of one's own [2]. It is sometimes called passive algolagnia or painful lubricity [3].

[2] *Sadism* is named from the famous Marquis de Sade, who indulged in it and described his own turpitudes; Krafft-Ebing invented the name *masochism* because the writer Sacher-Masoch had described this vice.

[3] Gemelli, *Non moechaberis*, p. 236.

Fetishism of another kind.

Here also belongs fetishism of another kind, in which the one who suffers from it needs certain things to be seen or handled in order that his sexual appetite may be aroused. Akin to him is the one who is aroused by smell alone.

One suffers from an almost contrary defect who is calmed by a touch by which others would be aroused [4].

[4] On these matters, compare Krafft-Ebing, *Psychopathia sexualis*; and Moll, pp. 192, 197, 198, 605-607.

Confusion to be avoided.

39. - Note well. 1. Confusion must be avoided here. For often either masturbation is practiced, or a person of the same sex or even an animal is sought, because an opportunity for the other sex is not available. No corruption of appetite is then contained or manifested in these defects.

Multiple appetite.

2. There are not wanting vicious persons who join homosexual appetites with ordinary ones. Hence fornication does not free one from pederasty.

§ 7. Comparison of Friendship and Sexual Love

Occasion and utility of the comparison.

40. Love produced by sexual passion regularly joins persons of different sex, and of itself is directed toward copulation. Sometimes, however, a certain quasi-separation occurs whereby, when the will for the sexual act has been laid aside or omitted, two persons of the same or even of different sex pursue one another with an affection similar to that of spouses.

Often in colleges and girls' boarding schools these excessively tender affections join two adolescent males or two girls. Concerning these flames, it is useful to ask in what manner love of this sort can be distinguished from the noble affection of friendship [1].

[1] On this argument one may consult *Le amicizie di collegio,* by Obici and Marchesini.

Love implies the mutual possession of two persons, by which one seems to be made, as it were, from two. Hence it excludes others and is easily afflicted with jealousy; it claims a certain right of stability and fidelity; and, because of the moral fusion of the persons, while one shows himself benevolent toward the other, he seems at the same time to love himself, almost as parents procure the cause and interests of their children as their own. Hence love has been called "an egoism for two."

Friendship, on the contrary, permits the causes to remain separate; it does not repel others, though they must be few and select, as associates in friendship; nor does it think or allege that it possesses a certain right to perseverance distinct from the natural effect of constancy; but it shows to the friend a purer benevolence, more free from self-love.

Regard for age is much less in friendship than in love.

Since love ought of itself to exist between persons of different sex, it is accustomed to seek a different rather than a similar disposition: it is wont to arise between two persons, one of whom, the stronger, dominates the other, the weaker and softer.

Love demands physical compatibility, whereas physical endowments are neither necessary to friendship nor can they suffice for it.

Friendship arises gradually from moral qualities that have been perceived, while love sometimes bursts forth from a sudden and unforeseen cause, as if from the touch of lightning.

While friendship preserves one and the same placid tenor, love is solicitous and anxious; it repeatedly seeks declarations of affection; it has various alternations of suspicions, quarrels, and then restored peace [2]; it seeks sight, embraces, kisses, and touches; it delights to act secretly, to speak in a low voice, and to cover itself with mysterious veils. They also observe that the lover, but not the friend, is prone to express affection in letters, or rather in little letters, and to write the name of the beloved person everywhere.

[2] Compare Cicero, *Ad Atticum*, 2, 24, 1; *Tusculanes*, 4, 35, 75.

Finally, concerning a love which prepares no way for marriage, a certain scruple is conceived as concerning a thing less honorable and less fitting, which lovers strive to dispel by various excuses, sometimes very subtle ones, whereas friendship is fostered with serene countenance and quiet conscience.

§ 8. Hygiene (*Hygiène Sexuelle*)

Manner and utility of the discussion.

41. By the various teachings which, prudently collected chiefly but not exclusively with respect to health, we report in this place, we intend in the first place to cut away or refute several errors harmful to morals, and to provide for the moral order by observing it. We hope besides that we shall furnish more than one priest with an abundance of useful counsel.

Various counsels concerning the conjugal act.

The conjugal act, when not too frequent and practiced by healthy persons, benefits health more than it harms it. Those, however, whose nerves are badly affected either by illness or by intemperance can suffer harm from it, sometimes grave harm [1]. For love, that is, sexual ardor, has been called a brief epilepsy.

[1] Ellis, in Moll, p. 181. Compare especially Féré, p. 319.

Anthropologists say that it matters greatly for the happiness of life together that the husband begin to approach his wife not fiercely but rather gently, as befits a man, and thereafter use his right discreetly [2].

[2] Moll, pp. 446-447.

The wife, in turn, so that she may please her husband, should be rather yielding and ready in rendering the debt.

Frequency.

But how often, after the fervor of the first weeks, is it expedient for spouses to exercise the conjugal act? Luther established the celebrated rule for men of more vigorous age that intercourse should regularly be had twice or three times in a week. Vigorous age, moreover, is said to flourish between 25 and 40 years. Many physicians still approve Luther's norm.

Others, however, more prudently deny that a general rule can be handed down, and say that one's own experience and one's varying strength must be consulted. Artificial excitations are to be avoided; rather, spontaneous desire is to be obeyed ("to drink according to one's thirst"). But he who from the use of marriage has for a sufficiently long time felt himself weaker and of disturbed health is by that very fact invited to greater moderation [3].

[3] Compare Féré, chapter 10.

Physicians and anthropologists are to be read cautiously on these matters. Often ignorant of and unconcerned with principles, deceived by incomplete experience or induction, they sometimes give enormously depraved precepts or counsels with serene countenance, which more accurate observation is later compelled to refute even under a merely scientific aspect. But let us trust more in provident God, so that we may be persuaded that infinite wisdom lies hidden in the natural order, in such a manner that the holy observance of this order must be held of itself most salutary not only for the souls of individuals but also for their bodies, and besides for the family and society.

With a pregnant or nursing wife.

Thus, while there are some who say it is desirable that a man abstain from his wife when she is pregnant and even when she is nursing [4], others think that a moderate use of marriage during the same time is in no way harmful, and indeed is commendable, for healthy persons. "A gentle embrace, from time to time (during pregnancy), will restore calm and gaiety to her (the wife), by proving to her that she is not disdained. It is good to add that gestation, because of the state of irritation in which the genital apparatus finds itself, is not without sometimes provoking erotic desires which it is very legitimate to satisfy.... A man has no greater reason to distance himself from his wife during

lactation. Nature so little commands it that she gives a new radiance, a fullness of form, and an increase of freshness to the woman intelligent enough to have the coquetry to nurse.... It is wrongly believed that the excitement produced by sexual union is sufficient to give milk qualities harmful to the child. On the contrary, it is the complete prohibition of venereal pleasure which often has the effect of diminishing the quantity of milk [5]."

[4] Indeed, Gemelli, *Non moechaberis*, p. 65, appears to demand this. Yet that position affords little support to the right use of marriage and to monogamy itself.

[5] Dr. Bourgas, *Le droit à l'amour pour la femme*, Paris, n.d.

A manifold utility.

Finally, this is to be observed: just as the affection of love itself impels one toward the intimate union of copulation, so in turn the use of marriage strengthens and increases the affection of love. Copulation therefore fulfills a threefold office: multiplying human beings, remedying incontinence, and fostering the mutual love of the spouses.

Does a chaste and continent life harm health?

42. That a chaste and continent life of itself harms health in no way is attested by so many who have the greatest name among physicians and physiologists that the few who think otherwise can be disregarded; those, however, who condemn continence in the name of bodily health or give immoral counsel, as happens far too often, must be reproved from true science itself.

Authorities.

It is enough for us to cite two most expert writers whom no religious scruple could have led to less sincerity. They not only state what they think but also report the opinions of learned men: Féré, *L'Instinct sexuel*, p. 25 ff. and especially p. 315 ff.; and Moll, *Handbuch der Sexualwissenschaften*, p. 887 ff.

The latter, even in the rarer cases in which, because of the nervous condition of persons, he judges continence to be accidentally harmful, cannot approve a physician who therefore advises an illicit use of venery. For besides the moral consideration, which he admits cannot be neglected in this matter, he affirms that greater harms are to be feared from illicit intercourse. "It can indeed happen that a physician does not too hastily dissuade one from seeking forbidden pleasure and refrains from an untimely admonition; yet such cases are so rare that they cannot establish a rule."

The former, moreover, writes: "In the discussion which took place at the Medical Society of Lyon concerning the book of Dufieux, which made the defense of religious celibacy, his opponents found nothing to object to the denial of the maladies attributed to continence.

"Mantegazza, who is not distinguished among the apostles of continence, nevertheless recognizes no inconvenience in it. Physiologists, on the contrary, have found advantages in it.... Continence realizes a reserve of forces.... It is generally favorable to psychic activity as well as to physical activity.

"Somatic continence can be harmful only if it coincides with psychic excitation. Impotence is not the product of abstinence, but very often of abuse.... It is not necessary to rely upon religions in order to bring to light the moral merits of chastity in general, and, in particular, of chastity outside marriage.

It is enough for us to take utilitarian morality exclusively into consideration.... From this point of view one can affirm without hesitation that the lack of chastity is immoral" (p. 116 ff.).

Forel himself (p. 251) has this: "The man who, for one reason or another, cannot procure normal coitus for himself ought to content himself with nocturnal pollutions, and the woman with voluptuous dreams, both abstaining from active and voluntary excitations." Dr. Löwenfeld [6] concludes the argument thus: "A normal man who has not diminished his power of resisting libido by sexual abuse, and who leads a sufficiently active and hygienic life, can persevere in abstinence without notable distress; moreover, the more consistently he cultivates it in all circumstances, the more easily he will preserve continence of itself." Finally, he altogether rebukes physicians who, when the opportunity for a useful marriage is lacking, advise fornication with a prostitute in order to prevent or avert the harms of continence. "This cannot suffice for a young man: it will excite libido, far from being able to calm it."

[6] *Sexualleben und Nervenleiden*, p. 54.

At another *International Conference for the Prophylaxis of Syphilis and Venereal Diseases*, Brussels, 1902, physicians of great name approved this conclusion by unanimous vote: "Above all, the male youth must be taught that not only are chastity and continence not harmful, but also that these virtues are among the most commendable from a medical point of view."

Explanation of the matter.

Nor is the reason obscure. Spontaneous emissions during sleep sufficiently prevent a chaste man from having organs excessively filled with semen; and experience in turn testifies that it is, as it were, proper to the sexual organs that they preserve their power without use. "From puberty to old age, the testicles continue to secrete sperm without stimulation and no more lose their function than does the ovary, from puberty to menopause, or the uterus, or the breasts, which can remain at rest for long years without losing the faculty of responding to the call. Those who are capable of psychic chastity can preserve continence without having anything to fear for their testicles and their fecundity; and neither do they have anything to fear for their health, which does not depend upon the satisfaction of the sexual instinct. And feeling runs no more risk than do the organs; love never dies of need, it often dies of indigestion.... Beale, professor at the Royal College of London, says that it cannot be repeated too often that abstinence and the most absolute purity are perfectly compatible with physiological and moral laws [7]."

[7] Féré, p. 25 ff.

Accidental detriment in women.

In the female sex alone, concerning which this question is much less accustomed to be raised, a prolonged rest of the uterus can bring this inconvenience, that internal tumors, fibromyomas, are produced more frequently.

Concerning counsels in this matter.

Although an honorable life is to be commended to all, the counsel of perfect continence nevertheless is not positively to be given to all. In this matter it must be well noted that, in order to advise

marriage to some, psychological or moral powers and tendencies must be considered more than strictly physical ones. Nor is marriage itself to be rashly counseled to the vicious.

What is to be thought concerning marriages of blood relatives.

43. - 1. In marriages of blood relatives there is this force, that peculiar traits (*les caractères propres*, "proper characteristics") are confirmed more and more in the offspring. Accordingly, insofar as an entirely healthy family or a family infected with certain defects is in question, such marriages, under this aspect, will have to be held harmless or harmful.

Certainly, if for several generations marriages were celebrated only among blood relatives, the danger of degenerate offspring could not be denied; but foreign elements are assumed sufficiently and more than sufficiently that this inconvenience need not be feared (Bushan, in Moll, pp. 908-915; Forel, pp. 179-180).

Concerning persons of the same or different color.

2. They say it is desirable that spouses not be separated by an excessive difference. Hence marriages between persons of the same skin and color are physiologically preferable to mixed marriages.

3. By marriages between persons of the same race, the national type will be strengthened; by marriages between various races, defects or faults proper to a certain race can be corrected.

Modes of masturbation.

44. *Masturbation*, or solitary onanism, which is a very frequent defect common to both sexes, can be procured by exterior touch or contact, friction, compression of the legs, suspect flagellations, for example upon excitable parts by means of nettles, and finally by obscene phantasms themselves. Manual masturbation, therefore, which is obtained by an exterior action, can be distinguished from spiritual or mental masturbation, which is obtained by the power of the imagination.

Not so rarely, those who indulge in this vice, especially women, introduce into the body various things suited to assisting their intention; likewise, some masturbators injure the penis with a needle or knife.

Various motives.

This vice is often practiced to supply the pleasure of the normal act; sometimes it also discloses or induces an inverted sexual appetite; and not so rarely it can be of doubtful signification. In estimating the intimate character of the vice, we can be assisted by the fantastic image which is accustomed to accompany the act.

Harms.

Although far lesser harms are customarily imputed to that vice today than formerly, it can nevertheless never be despised as a thing of small importance.

For since the moral satisfaction of mutual love is lacking, the solitary use of venery, taken in itself, exhausts the powers of the body more than normal copulation [8]. Furthermore, from acts which are very easily repeated there arises a habit and an ever-growing propensity, which prepares excesses harmful to the nerves. These harms can be immense in a subject whose nerves are badly affected; and they sometimes so disturb the sexual appetite that physical arousal is separated from the affection of love, and one has a man who is easily aroused and at the same time impotent for normal copulation.

[8] Forel himself admits this, p. 250. On the harms of incontinence compare also Gemelli, *Non moechaberis*, pp. 85-91.

In some habitual practitioners, mental debilitation is also observed, especially in memory.

Mental or psychological masturbation is especially harmful as being exhaustive.

Moreover, these psychological effects more frequently accompany or follow this vice: arrogance, melancholy, affectation of solitude, and finally and especially neurasthenia.

To the production of these effects there contribute not a little: consciousness of the injury inflicted upon the will; the mark of turpitude with which the habitual practitioner is branded in the common estimation [9]; remorse of conscience; religious anxieties; and the subjective persuasion or fear of a life diminished and exhausted before its time.

[9] Gemelli, *Non moechaberis*, p. 93, thus beautifully describes the moral diminution of an adolescent after his first sin: "He thinks his guilt known to everyone; he imagines that his father and mother, while kissing and embracing him in their accustomed manner, perceive something new and read the truth, as it were, upon his forehead."

In sum, the pathological harms are more of the psychic than of the strictly bodily order.

Causes of the harms.

Moreover, the causes of the harms are: native infirmity of body, excessive frequency of the excess, humiliation of the will after a fruitless struggle, human respect, religious consciousness of sin, and subjective fear of injuries.

What the Neo-Malthusian arts are.

45. The Neo-Malthusian arts [10] are the various manners by which spouses endeavor to procure for themselves a sterile conjugal act.

[10] The theory is treated below, in the treatise itself.

Their various arts.

The principal arts are:

1. *Interrupted intercourse.*

2. *Mechanical arts of preventing the male semen from being able to penetrate the uterus.*

The instrument which a man employs for this end is called a *condom*, by which either the whole male member or only the glans is covered. It is made from elastic gum (*caoutchouc*), from a fish bladder, or from the intestine of an animal, for example a sheep (*peau de baudruche*, "goldbeater's skin"). Since, however, people complain that pleasure itself is diminished because of the interposed covering,

human ingenuity endeavors so to perfect the instruments that they permit the sense of pleasure to be almost full.

3. *An interior vaginal washing*, by which, after copulation, the semen is expelled from the washed vagina. A washing done for the purpose of sterility is not rarely rendered more effective by antiseptic substances.

Because vaginal washings are sometimes justified by another cause, we note that the interval after which they can no longer prevent the effect of the preceding copulation is, according to some, six hours and, according to others, twelve hours.

A few years ago these washings were often recommended and were practiced as a kind of cleanliness. Today the popularity of the practice has begun to decline. For it is difficult for them to be done by private persons in such a manner that the rules of perfect asepsis are observed. Hence they often do more harm than they bring relief. Therefore, they are not to be employed without a special cause and the counsel of a physician.

These washings must carefully be distinguished from uterine washings, which for the most part are not done without the assistance of an experienced person, although some women know how to take counsel for themselves even in this matter.

4. *The sprinkling through the vagina of a chemical substance by which the sperm is killed.*

5. *The placement within the vagina of a sufficiently thin membrane like a false vagina*, in which the semen is received. This is then drawn out together with the semen. This method is rather recent.

6. Less recent is the use of introducing various things into the vagina to close the mouth of the uterus: for example, a sponge, cotton, or threads of linen. The instrument which a woman employs for an end of this sort is called a *pessary*.

These various arts are practiced either separately, or several are joined together, by which fertility is more certainly prevented. Thus they advise that, when a pessary is used, the vagina also be washed.

The efficacy and harms of the frauds.

46. Come now, full security from the generation that is feared is obtained by no artifice. Moreover, the gravest authorities all hold that the health of the spouses and their happiness are harmed.

"The risks of sexual relations from the point of view of fertilization cannot be avoided without being compensated by other risks. In reality, there is no sexual reserve which leaves no risk to be incurred; there is no assured means of preventing fertilization." Thus Féré, *L'Instinct sexuel*, pp. 321-323. "Whenever it appears necessary to abstain from generating offspring, whether for a long or a short time, the physician acts best by recommending true continence. For all precautions by which sexual pleasure is procured while generation is prevented cannot be practiced without more or less grave harm; and most are also not very safe." Thus Gruber, in the work *Krankheiten und Ehe*. "An art and manner of sexual relation contrary to nature, such as interrupted intercourse, the use of a condom, and similar instruments... do far more harm than the frequent but normal use of marriage." Thus the

distinguished American investigators of nervous disturbances, Beard and Rockwell. (Cited in Moll, pp. 954-955.)

The injuries which this condemnable excess brings with it are set forth fully and excellently in Antonelli, *Medicina pastoralis*, II, nos. 236-237. Compare also Capellmann, p. 303.

The harms which the nerves suffer are explained both by the incomplete satisfaction which these arts procure for one or both spouses together with burning libido; by the useless orgasm which, when concern for offspring has been laid aside, is procured with excessive frequency; and by the diminution of mutual esteem because of consciousness of the sin and of the impure egoism to which one yields.

"Fraudulent relations leave those devoted to them sad; they do not proceed without a shadow of remorse; whereas relations honestly effected maintain good humor. The man... gives... the measure of himself with respect to morality.... The woman, constrained to participate in fraudulent acts contrary to nature, feels herself gravely wounded in her dignity.... Love is killed by disgust, and adultery is near" (Bourgas, *Le droit à l'amour*, etc., pp. 107-110).

On the contrary, from fertility itself the harmony of the spouses becomes firmer and more intimate. Compare, in *Honnêteté conjugale*, the dissertation of Dr. Desplats, p. 39, ss. 65, rendered into Italian by Advocate Marconsini in *Matrimonio e Maltusianismo*.

Among these arts that must be condemned, interrupted intercourse is pronounced the more harmful [11], and even the condom greatly harms the wife [12]; washings or chemical arts harm health less directly. The condom appears to afford greater security from offspring.

[11] Compare Féré, p. 322.

[12] Compare Antonelli, *Medicina pastoralis*, no. 237.

The offspring, however, which is born contrary to expectation is often weaker.

But this abuse practiced at the beginning of marriage is especially opposed to the happiness of the spouses.

The procuring of temporary sterility.

It sometimes happens that remedies are celebrated for procuring sterility for several days. But such things do not appear to exist: these drugs are either abortifacient, or belong to the frauds of charlatans. Temporary sterility can nevertheless be obtained by ligating the canals of the oviducts.

§ 9. Venereal Diseases

Three principal venereal diseases are numbered, which are propagated by contagion from an infected person.

Blennorrhagia.

47. - I. Blennorrhagia (*gonorrée*; *chaude-pisse*, "hot piss"; and, if it has become chronic, *goutte militaire*, "military drop") is due to the microbe called the gonococcus, by which the urethra is inflamed in a purulent manner. Neighboring organs in both sexes are easily infected, so that the disease becomes general. This disease can indeed be cured in a sufficiently short time, but not without pain, for

example by the electrolytic method of Dr. Virghi; and, although it is not hereditary in the strict sense, it is easily transmitted to the infant during birth itself. It can bring very grave harms upon the body.

For the wife to whom it is communicated, it is a frequent cause of perpetual sterility. Infected offspring is born wretched, often blind.

Syphilis. Name and kind of wasting disease.

48. - II. Syphilis, which, because it raged among the forces of the French while Charles VIII was besieging Naples in 1490, is also called the *French disease* - in Italian, *celtico* - is most properly called a venereal disease; and because it easily invades the whole body and corrupts it in manifold ways, it is regarded as a universal wasting disease.

Genesis.

Recently, after the studies of Schaudinn in 1905 and Metchnikoff in 1906, a proper name was given to the microbe to which this pest is due: *treponema pallidum* (*spirocheta pallida*).

Moreover, a sort of threefold stage is observed in the course of this disease, so that primary, secondary, and tertiary syphilis are distinguished.

A certain period of incubation precedes for two, three, or four weeks, during which the virus lies hidden. Then a *hard ulcer* (*chancre dur*) appears, concerning which Antonelli has this [1]: "At the place of infection there appears a small vesicle, which is easily ruptured by friction and gradually extends. This ulcer is the first sign of syphilis, and can arise on the prepuce, at the mouth of the urethra, and at whatever place the virus was received. A little later, the lymphatic vessels of the member harden and the glands of the groin swell."

[1] *Medicina pastoralis*, vol. 2, no. 780.

After a new preparation or incubation and a struggle between the *treponema pallidum* and the leukocytes, which lasts ten to eleven weeks, there follows another stage in which syphilis becomes general from being local: it breaks out through the whole body; besides various interior disturbances, the skin is infected with small red spots. In this stage syphilis is most contagious. And thus it remains contagious for three or four years.

Finally, in the third stage the phenomena are less universal, but more grave for the victim. Let us note tabes dorsalis, or locomotor ataxia. In that period the danger of contagion is much less, unless phenomena of the secondary phase recur. Moreover, tertiary syphilis is cured with the greatest difficulty, and perhaps is to be called incurable.

This disease brings every kind of harm, sometimes horrible, and can lie hidden under almost every species or appearance of disease [2].

[2] "It can be said that there is no disease or stage of a disease which syphilitic infection cannot at least temporarily simulate." Dr. Pontano, *Sul valore clinico della reazione di Wassermann*, *Il Policlinico*, practical section, 1915, p. 42.

Harms and contagion.

He who, not having been perfectly cured, at least before tertiary syphilis, contracts marriage exposes his innocent spouse to the greatest danger of contagion, and consequently the fetus also [3], which will

either be aborted, or brought forth dead, or will be born an idiot, blind, deaf-mute, or affected by other infirmities of this sort.

[3] For the offspring is infected through the mother, not through the father. Compare Dr. Carle, cited by Dr. Piccardi, *La profilassi della sifilide con gli arseno-benzoli*, *Il Policlinico*, practical section, 1917, p. 454.

Since the infant is already infected, nothing prevents its taking milk from an infected mother; but it cannot be entrusted to a healthy nurse, any more than an infected nurse is to be permitted to suckle a healthy infant.

Propagation.

Would that this pest were rare! But, if *The Times* is to be believed, in January 1919, throughout England, two persons out of a hundred were infected; every year several thousand infants die from hereditary wasting disease before completing their first year of life; of the blind and insane in England, more than half were deprived of sight or the use of reason because of syphilis. In Paris, in 1912, fifteen men out of a hundred were estimated to be infected, and several thousand succumbed to death each year. In Italy, as the Reverend Dr. Gemelli reports, almost 16,000 persons infected with this disease are received into hospitals each year; in 1900 there were more than 82,000 who sought remedies at the places of distribution, the syphilitic dispensaries [4]. And how many others bear the evil in secret!

[4] *Non moechaberis*, p. 90.

Recent discoveries.

Nevertheless, we are not permitted wholly to ignore recent studies and the progress of the medical art.

Accordingly:

For detection.

1. For detecting syphilis, the so-called Wassermann test [5], abbreviated Wr., is very helpful.

[5] *Épreuve de Wassermann, Reazione di Wr.* The method was invented by Drs. Wassermann, Neisser, and Bruek.

For treatment.

2. For treating the disease itself, more effective remedies than those sought from mercury, which was formerly employed, have been sought from arsenic in the "arsenobenzols," although nothing prevents both kinds of remedies from being employed together. Let us mention Salvarsan, or 606, which Ehrlich discovered in 1909 and afterwards perfected under the name Neo-Salvarsan, or 914; and Galyl, or 1116 [6], which appeared in 1915.

[6] These numbers indicate the sum of experiments which were necessary for the invention.

From these remedies, according to Dr. Piccardi [7], there is a greater probability of a perfect cure, of a more prompt cure, and of a more general and stable efficacy, so that the contagious period becomes

much shorter, treatment is useful in every stage of the disease, and the further progress or evolution of the wasting disease is cut off.

[7] *Il Policlinico*, practical section, 1917, pp. 448-455, *La profilassi della sifilide con gli arseno-benzoli*.

Hence, although physicians still deny that marriage can safely be contracted before four or five years have elapsed since the disease was observed, account must be taken of the progress of the medical art. The moral theologian will more prudently abstain from copying assessments which can vary from day to day; rather, he will counsel that an upright and experienced physician who is diligent in medical studies be approached for consultation.

For preventing the disease.

3. For preventing the contagion of the disease, ointments have been discovered [8], with which one who anoints the member immediately before intercourse or immediately afterwards is rendered immune from contagion. They assert that immunity is certain if the use precedes intercourse, but less certain if it follows within the space of one or two hours after infection.

[8] Drs. Metchnikoff and Roux of the Pasteur Institute prescribed this formula: "Calomel: 33 percent; lanolin: 57 percent; vaseline: 10 percent."

Soft carcinoma.

49. - III. Soft carcinoma (*chancre mou*, "soft chancre") is more confined to the place, namely, the sexual parts, and is more benign; but it occurs more rarely.

§ 10. Surgical Operations

Various operations in the male sex.

The uses of the scalpel which chiefly pertain to our subject are especially these in the man:

Circumcision.

50. - Circumcision, which cuts away an excessively narrow prepuce, or phimosis, is very useful for removing excessive irritation arising from various things gradually collected under the skin. The less good habits of boys are often to be imputed to phimosis.

Castration. Its effects.

51. - Castration consists essentially in the removal of both testicles.

Sometimes, as among the Turks, the penis itself is removed from those who serve in the "harem." These were called *carsamatia*. The effects of the cutting short vary according to the age at which it was done.

Those who are castrated before the seventh year of age retain a body greatly altered physically; they are impotent for completing copulation, and generally, though not always, remain immune from sexual libido. They are also affected not a little morally as a result, and are not accustomed to possess a virile spirit. In adulthood, however, this mutilation has little influence upon the exterior appearance

of the body; at least for a long time, if the penis has been preserved, it permits the faculty of copulation to remain. Nor is libido quieted by this operation. Sacred Scripture itself testifies to the libidinous affection of eunuchs when it says, "The lust of a eunuch shall deflower a young maiden" [1]; and to their impatient impotence when it adds, "Seeing with his eyes and groaning, like a eunuch embracing a virgin and sighing" [2]. The comic poet Terence also reports it in this verse: "But, by Pollux, I had heard that they were the greatest lovers of women, but could do nothing" [3].

[1] Ecclesiasticus 20:2.

[2] Ibid., 30:21.

[3] *Eunuchus*, act 4, scene 3.

Castrated boys are also deprived of the secondary signs of virility: beard, hair, and masculine voice.

Wherefore, since a stable sexual depravity can scarcely be established before adulthood, since the operation is otherwise gravely harmful, and since its very efficacy upon venereal appetite is uncertain, castration cannot be recommended as a remedy for perverted appetite [4].

[4] Compare Féré, *op. cit.*, pp. 9-11; Forel, *op. cit.*, p. 24; Moll, *op. cit.*, pp. 154, 156, 157, 673.

When it must be done because of disease, physicians are accustomed to supply artificial testicles, lest the castrated man be too greatly afflicted by a visible sign of impotence.

Vasectomy.

52. - Vasectomy or deferentectomy resects the vas deferens above both testicles, by which the sperm properly so called is conducted to the urethral canal. Since only the exterior secretion of the testicle is removed, sexual appetite remains, so that the faculty of intercourse by no means ceases; but, since nemaspermata are lacking, copulation necessarily becomes sterile.

There are some, especially in America, who proclaim this operation most effective for tempering an excessively burning libido; and they declare at the same time that it can be brought about without great difficulty that the canal is afterwards restored. But a true demonstration of its efficacy is still lacking [5]; and other physicians entirely deny that the separated parts of the vessel can easily be joined well again. Compare the Reverend Father Ferreres, *De vasectomia duplici*, etc.

[5] Because of the things which we noted above concerning the twofold secretion, a diminution of sexual libido, if there is any, would have to be explained by a certain hidden alteration of the testicles.

In the female sex. Dilation of the opening.

53. In the woman, moreover, besides:

1. Certain operations which pertain here, so that the opening of the vagina may be dilated or opened; or, contrariwise, that the labia dilated by intercourse may be contracted and virginity apparently restored, even with the hymen repaired; we must mention:

Castration.

2. Castration, by which the ovaries are removed. Observe, however, that the perfect excision of both ovaries can be established with certainty, at least when a certain manner of operating has

been employed.

"Porro."

3. Sometimes the uterus itself is excised together with the ovaries; this operation is called *Porro* from the physician who originated it.

Circumcision.

Note well. Among uncultivated peoples, incisions are sometimes made in the exterior labia of the sexual parts, which, because they imitate male circumcision, are called by the same name of circumcision.

Laparotomy.

4. By the general name *laparotomy* are designated operations by which the abdomen is opened.

Bruising or ligation of the ovaries.

5. To obtain sterility, some physicians merely bruise the ovaries, or ligate the oviduct, so that it can no longer communicate with the uterus.

Caesarean operation.

6. Conversely, so that a living fetus can be brought forth by another route than that of the uterus, the Caesarean operation is available, namely, a longitudinal section of the abdomen; while by

Symphysiotomy.

7. *Symphysiotomy* the very space through which the fetus can emerge through the opening of the vagina is enlarged.

Diminution of the clitoris.

8. A part of the clitoris can sometimes be cut away with sufficient usefulness for diminishing libido.

§ 11. Fitness for Marriage and Generation

What is puberty?

54. - Puberty in the man signifies the production of nemaspermata in the testicles. These testicles at the same time produce the element essential to fecundity, or sperm strictly understood, and possess an internal secretion whose fluid, mingled with the blood, fosters sexual appetite; and, as we have seen, induces the secondary marks of virility: beard, pubic hair, and changed voice.

In the woman, puberty is had from the time of ovulation, which is customarily revealed by menstrual flow, occurring almost every 28 days and following the discharge of a mature ovule.

Maturity for marriage?

55. Yet a man is not fully mature for marriage, nor is a woman to be judged fully marriageable, before they have fully matured, or have perfectly attained strength.

It is therefore desirable of itself that, in our regions, a daughter not marry unless she has passed the twentieth year of age, and a son unless he has passed the twenty-third year.

Hence the Code of Canon Law also wisely distinguishes, in canon 88, the age at which someone is deemed pubescent, namely, the completed fourteenth year for males and the twelfth for females, from the age at which one can validly contract marriage. Canon 1067, moreover, requires the completed age of sixteen years in males and fourteen years in females for the validity of the nuptials themselves. As is evident, dispensations will frequently have to be granted in warmer regions, for example African ones, especially since the exception "unless malice shall have supplied the age" is no longer in force.

Fitness for generation: when does it cease?

56. "In the woman," thus the Reverend Father Gemelli [1], "ovulation ceases in the twenty-eighth or thirtieth year after puberty; at that time the ovaries and adjoining organs undergo the process of involution; the menstrual flow ceases, and thereafter the whole organism also is subjected to the process of involution."

[1] *Non moechaberis*, p. 20.

The age at which the woman is thus changed is customarily comprised between the forty-fifth and fiftieth year; and it is called critical because the woman then has dangers of health to overcome. Observe, however, that perfect degeneration of the ovaries, upon which conception becomes impossible, is not had until some years, from two to four, after the menstrual flow has ceased. In practice, scarcely any woman can conceive after completing fifty years of age. But the customary order of nature is that, at least a few years after the menstrual flow has been suppressed, the ovaries are deprived of their function.

The man, however, probably produces living nemaspermata up to sixty years of age. Thereafter the probability decreases, and at the age of eighty years it becomes minimal.

Compare Lawson, Tait, and Peuch, cited by Luciani, *Fisiologia*, vol. 2, p. 770; Mangiagalli, *Ann. di ostetr. e ginecol.*, 1895.

§ 12. The Question of Impotence and Sterility

Opportunity and place of the question.

57. We conclude this introduction with a question which, being fairly recently disputed, affects the validity of marriage and its connected rights and duties too greatly for it to be capable of being ignored by a moral theologian. Hence it also obtains a place in the moral treatise on chastity and marriage, although it pertains properly to the anthropological elements which ground and prepare the moral treatment.

I. On the Genuine Nature of Impotence

A. Presentation of the Opinions

What twofold impotence is distinguished.

58. - The distinction received formerly and today. To begin from the common judgment of the present and preceding age, from antiquity even to our own day a twofold impotence of the sexual order is distinguished: impotence for intercourse and impotence for generation. Hence a grave suspicion of falsity falls upon the opinion which abolishes this distinction or preserves it only apparently.

Come now, the impotence which obstructs a valid marriage is called, in law and by the best authors, impotence for intercourse; and the name *impotence* is more properly reserved for it.

Thus it is done in all the chapters of C. XXXIII, q. 1, of the *Decree of Gratian*, which, moreover, in its dicta, inquires into the impossibility of the office, that is, of rendering the debt. Thus also in the chapters of title XV of the fourth book of the *Decretals*, which is inscribed *Concerning the Frigid, the Bewitched, and Impotence for Intercourse*. In the other books of the *Corpus of Law*, however, the argument is no longer touched upon.

Now to call upon the authors, Tancred, in his celebrated *Summa de matrimonio*, has this: "Among the other impediments of marriage, the impossibility of intercourse obtains the greatest place." The same words occur in St. Raymond, the author of the *Decretals*, in his *Summa*. St. Thomas [1] calls the power for carnal copulation essential. "Natural impotence for intercourse," says St. Bonaventure, "if perpetual, then impedes contracting and invalidates the contract, namely, marriage... because... it is necessary to consent to mutual power over the bodies; but this consent is null, nor is there such an obligation in one who does not have the power to exercise that act" [2].

[1] *Supplementum*, III, q. 58, art. 1.

[2] *In IV Sent.*, art. 2, q. 1, conclusion and ad 1.

"The twelfth impediment," says Cajetan in the *Summula*, "is impotence for intercourse." Laymann uses these explicit words [3]: "One impotence is for generating offspring, which is called sterility; and this, if it exists alone, brings no impediment to marriage. Another, however, is impotence for carnal copulation, concerning which let this be the assertion: perpetual impotence for perfect copulation renders a subsequent marriage invalid." From contemporary authors we shall cite Feije of Louvain [4], who has this: "Impotence for intercourse by perfect copulation... must be distinguished from impotence for generating, or sterility: the former obstructs the validity of marriage, but the latter does not." The Most Illustrious Doctors Freisen [5], De Becker [6], and the Most Eminent Cardinal Gasparri [7] speak in an entirely similar manner, so that the Reverend Father Ojetti [8] could propose these two things as certain: "Antecedent and perpetual impotence for intercourse by the very law of nature invalidates marriage.... Impotence for generation, which is sterility, does not invalidate marriage."

[3] *Theol. mor.*, book 5, tractate 1, part 4, chapter II, no. 1.

[4] *De impedimentis*, etc., no. 538.

[5] *Geschichte des Kanonischen Eherechtes*, 30, 7, p. 330.

[6] *De Sponsalibus et Matrimonio*, pp. 165-169.

[7] *De matrimonio*, no. 573.

[8] *Synopsis*, no. 2389.

Note well. Congenital impotence for intercourse in the man is also called frigidity.

The doubt concerning the castrated man was resolved by Sixtus V. Hence the new formula of impotence.

59. - Origin of the confusion and obscurity. Roman law granted marriage to the *spado*, or to him who was incapable of copulation through natural infirmity, but denied it to him who had been castrated by the hand of men: "In the castrated man there is no marriage" (L. 23, 1, D. 23, 3; compare l. 26, D. 28, 2; l. 14, D. 4, 2).

Thus it came about that, concerning those who lacked both testicles, it was disputed in the Church herself whether or not they could contract a valid marriage. Ledesma [9] reports this controversy, which Sixtus V resolved by the celebrated motu proprio *Quod frequenter*, June 27, 1587, to the Apostolic Nuncio in the kingdoms of Spain, in which he at the same time relates that there were several eunuchs who, "boasting that they were capable of intercourse, had celebrated nuptials." The Pontiff then commands not only that those marriages be prohibited in the future, but also that those previously contracted be declared null; which appears to disclose quite clearly a conviction of nullity from the law of nature.

[9] *De magno sacramento matrimonii*, q. 58, art. 1.

In order to take away from eunuchs the argument which they had drawn from the customary definition of impotence and sterility, several authors, after this act of Sixtus V, but not before it - which must be well noted - began to require, in order that marriage be valid, the power for "perfect copulation, that is, with the emission of true semen into the female vessel" [10]; or even "for copulation apt for generation." Thus, for example, Gonzales Telles [11] and St. Alphonsus [12], at the place of Busembaum, where the latter says: "Marriage consists in the mutual handing over of bodies physically apt for generation."

[10] Laymann, *loc. cit.*, no. 3.

[11] *In decret.*, book 4, title 15, no. 9.

[12] Book 6, tractate 6, no. 195.

Therefore, words of this sort, which are frequently employed today, take their origin from the motu proprio of Sixtus V and were employed by writers so that, by the very manner of speaking, they would exclude eunuchs from marriage.

But at the same time they introduced a new manner of understanding impotence, as though the formal reason why eunuchs cannot validly marry a wife were to be sought from their unfitness for generation.

The ancient doubt concerning a woman who cannot emit seed.

With the matter thus conceived, this further question was consequently raised, whether or not this rule was to be transferred to the woman. In the middle of the seventeenth century Busembaum affirmed this in these words, which at the same time prudently reserved the factual supposition: "Impotence in the woman is judged to exist when she cannot emit seed, if it is true that the seed of women is required for generation." At that time the monthly production and emission of the ovule were unknown, and that abundant distillation which a woman is accustomed to experience in carnal copulation was held to be emission of seed. Concerning this emission, therefore, it was doubted whether it was required for generation or whether, as not a few judged, male semen was sufficient for generation.

The present question concerning a woman deprived of her ovaries.

This antiquated account now being omitted, at the end of the nineteenth century and in our own century the question returned under this new form: Since the furnishing of an ovule is altogether necessary for a human being to be able to generate, must not the woman who lacks ovaries, or whose ovaries have been excised, be called impotent rather than sterile? If we are not mistaken, Busembaum would have judged this to be conceded by logical necessity; and most today would have conceded it, unless the wise rescripts of the Holy See counseled a different response.

Replies of the Holy See.

For four replies of the Holy Office exist concerning this matter. First, on February 3, 1887, and then on July 23, 1890, it declared that the marriage of a woman whose two ovaries and uterus had been removed was not to be impeded; third, on July 31, 1895, when questioned concerning a woman whose ovaries had been excised, it confirmed its former reply [13]. Finally, in 1902, it gave a similar reply, but this was after it had asked the physician by what method he had excised the ovaries, and he had replied that their perfect absence could not be established with certainty [14].

[13] *Coll. P. F.*, no. 1907.

[14] In Wernz, *Ius Decr.*, vol. 4, no. 345, note 34.

Thereafter the Sacred Congregation of the Sacraments resolved a similar case in the same manner on April 2, 1909. Moreover, concerning this last case it will be helpful to note, in order to forestall an evasion, according to the testimony of the Reverend Father Ferreres [15], that, in the physician's opinion, the complete excision of the uterus and both ovaries had been indubitable in the case, and the Congregation was not concerned about that matter. Furthermore, as the Reverend Father Ferreres excellently observes [16], the fact that the matter was concluded no longer through the Holy Office, but through the Sacred Congregation of the Sacraments, and indeed in a simple "Congress," not in a plenary Congregation, demonstrates that the solution appeared plain.

[15] *Razón y Fe*, vol. 26, no. 1, p. 101, or the pamphlet *De vasectomia duplici, necnon de matrimonio mulieris excisae*, nos. 253-260.

[16] In the praised pamphlet, nos. 250-251.

60. - Opinions. A threefold opinion concerning impotence and sterility is proposed today.

The first opinion concerning impotence and sterility.

1. Some, the stricter authors, contend that marriage is inaccessible not only to those who cannot complete copulation, but also to those, whether of the male or female sex, who, because of a physical defect of the organs, suffer from a certain and perpetual incapacity for generation. Let the Reverend Dr. Antonelli be heard, who most sharply and with many arguments defends this opinion both in separate pamphlets and in the otherwise praiseworthy book *Medicina pastoralis*: "Impotence is an absolute and necessary inability to obtain offspring because of the absence of organs essential to generation, or because of their atrophy, or because of any other defect which renders copulation either impossible or, by its own nature, necessarily infertile" (vol. 2, no. 537).

Patrons and adversaries of this opinion.

This opinion, at least insofar as in some application of it it excludes from marriage women who lack or have been deprived of their ovaries or uterus, has obtained not a few eminent patrons. For Bucceroni [17], the Most Illustrious Dr. Rosset [18], Santi-Leitner [19], Lehmkuhl [20], Noldin [21], and Wernz [22] can be cited for it; yet canonists or theologians no less approved contradict them: Eschbach [23]; the Most Eminent Cardinal Gasparri [24]; D'Annibale [25]; Laurentius [26]; Sebastianelli [27]; De Smet [28].

[17] *Institutiones Theol. mor.*, vol. 4, no. 958, with the note on pp. 487-490.

[18] *De matrimonio*, vol. 3, no. 1408 ff.

[19] *Prael. iur. can.*, book 4, title 15, no. 1, note.

[20] *Theol. mor.*, vol. 2, no. 975.

[21] *De Sacramentis*, no. 577.

[22] *Ius Decr.*, book 4, no. 345, note 34.

[23] *Disp. phys. theol.*, disputation 2, part 2, chapter 3, *De novo quodam sterilitatis conceptu*.

[24] *De Matrimonio*, nos. 510-515.

[25] *Summula*, vol. 3, no. 413, note 9.

[26] *Instit. iur. can.*, no. 619.

[27] *Prael. iur. can. De Rebus*, no. 65.

[28] *De Sponsalibus et Matrimonio*, no. 278.

It is defended especially by these arguments:

1. Matrimony and human intercourse have an essential order toward generation, which order cannot be present in the proposed case.

2. For a valid marriage, copulation of itself apt for generation is required. But copulation with a woman who lacks ovaries or a uterus is unfit for generation.

3. No less is required on the part of the woman than on the part of the man. But the man, in order to be potent, must make a true semination. Therefore the woman, in order to be potent, must be able through her ovule to contribute to the commingling of the bloods.

4. There must be submitted to the consent of the contracting parties an object which can at least be presumed substantially apt for generation. But a woman without a uterus or ovaries is not such. Therefore.

5. If these marriages were permitted, excisions would be performed deliberately so that a marriage immune from the danger of offspring might be contracted; nor would there any longer appear to be a reason why congresses against nature should be prohibited (thus Dr. Antonelli, *De conceptu impotentiae*, pp. 110-111).

6. The Sacred Congregation of the Council four times declared invalid the marriage of a woman who had been deprived of her uterus: in the *Salernitana*, August 9, 1862-March 21 and June 27, 1863; in the *Verulana*, January 24-June 22, 1871; in the *Albinganensi*, August 17-September 7, 1895; in the *Monasteriensi*, March 18-December 16, 1899. (Compare *Thesaurus Resolutionum S. C. Concilii*, vols. 121, 122, 130, 154, 158.) "These decisions," says Wernz [29], "of themselves have greater authority, since they are not rendered by the Cardinals unless certain proofs of the facts and of the law, whether canonical or divine, have first been obtained."

[29] *Loc. cit.*

Refutation.

Nevertheless, omitting for the present the direct and intrinsic argument which will be proposed below, it seems that this opinion must already be departed from because of reasons drawn from without. For:

1. It corrupts the formal rationale of the impediment of impotence received for centuries. The classical authors carefully distinguished impotence for generation from impotence for intercourse; they said that the latter, but not the former, obstructed validity. "A woman," says St. Bonaventure [30], "cannot be separated from her husband because of a defect of the power for generation, but of the power for intercourse." In vain, moreover, does one have recourse to later authors to explain these words, especially to Pichler [31], who, living at the close of the seventeenth century, especially since writers, because of the decree of Sixtus V, had adopted a new mode of speaking, as we noted above. But the opinion under criticism recognizes the true root of the diriment impediment not only in the incapacity to perform the act which of itself is ordered toward generation, but in the very inability to generate. Compare the definition of Dr. Antonelli given above. And although others, for example Wernz, retain the classical definition, nevertheless in reality they place in unfitness for generation the formal cause why an excised woman is to be called impotent.

[30] *In IV Sent.*, dist. 34, dub. 2, concerning the letter of the Master.

[31] The renowned Antonelli does this in *Pro conceptu impotentiae*, etc., no. 31.

2. In order to avoid certain consequences of this opinion, the notion of *presumption* must be perverted. For, lest they be compelled to declare impotent a woman who is more than fifty years old, the patrons of this opinion take refuge in a presumption of capacity for generation, by which a woman of every age would be permitted to enter marriage without any other proof.

But, since what is at issue here is not an arbitrary presumption of positive law, but a natural one, that must be presumed which is generally or of itself the case. Now from about the age of forty-five there occurs a process of involution which ends in the natural atrophy or inactivity of the ovaries (compare no. 56). Hence in the year 1885, in the whole city of Berlin, not even one woman could be found who had married at fifty years of age and either had or had had offspring [32]. Is not the natural presumption, therefore, against potency; and consequently would not the potency for generation (if it were necessary for the validity of marriage) have to be demonstrated, just as, under the law before the Code, those below puberty, in order to marry validly, had to prove the maturity which supplied for age? "In these women," as the Reverend Father Ojetti writes most excellently [33], "impotence ought to be presumed; wherefore, in order to permit the marriage of these women, it ought to be proved that the presumption does not hold in the case."

[32] Compare Moll, *Handbuch*, etc.

[33] *Synopsis*, no. 2417.

Nor can recourse be had to doubtful impotence, with which marriage is permitted. For, in order that one who doubts may lawfully contract, an inquiry intended to remove the doubt must have preceded, which demonstrates him to be at least probably fit. "He who doubts concerning his impotence cannot enter marriage before he has diligently investigated the matter and has at least probably laid aside the doubt." Thus St. Alphonsus, book 6, no. 902. But nothing of this kind is demanded even of a sixty-year-old woman.

Will you say with a certain author that the impotence of an old woman is accidental? Rather, it is to be called natural in the highest degree, while it is more accidental that a woman be deprived of her ovaries. And to what purpose is this distinction here? She who is impotent accidentally is accidentally unable to enter marriage.

Moreover, what of the fact that, from Holy Scripture itself, the conception of an aged wife, although miraculous, is held out in these most familiar words of the Angel: "And behold Elizabeth, thy kinswoman, she also hath conceived a son in her old age; and this is the sixth month with her that is called barren, because no word shall be impossible with God" [34]?

[34] Gospel of St. Luke 1:36.

3. While a certain impotence essential to marriage endures, copulation would logically have to be prohibited, as Bucceroni concludes [35]. But during pregnancy, impotence for a new generation is morally certain. Therefore, during pregnancy, the use of marriage would logically have to be prohibited by the patrons of this opinion; yet no one has previously prohibited it. Palmieri admits the consequence [36].

[35] *Institutiones theol. mor.*, vol. 4, no. 1065.

[36] *Opus theol.*, vol. 6, no. 865, note.

Note well. In a moral matter, a slight doubt is disregarded. Hence even the death of a former spouse must be established only morally.

4. This opinion seems capable of being reconciled only with difficulty with the five replies of the Holy See cited above.

The evasions that have been attempted instead generate a presumption contrary to that same opinion.

For some say that the reply was given in this way because, since the cause had not yet been decided, the Holy Office judged that the impediment was only probable. "If it is sufficiently probable that a diriment impediment does not exist, it is not established that a woman does something prohibited by divine and natural law if she enters and uses marriage; but if it is not established, it will be lawful for her to enter marriage." In the work *De mulieris excisae impotentia* (appendix), Antonelli borrows these words from Father Lehmkuhl, written in an article in the *Ecclesiastical Review*, 1902.

Let this explanation pass. For although Palmieri [37], with several others and with Father Lehmkuhl himself in his *Moral Theology* [38], wrote: "If that which is doubtful is an impediment of natural or divine law, it is clear that it is not lawful to contract with such a doubt; for the marriage would always remain doubtful, nor could the spouses in good faith ask for and render the debt; and the sacrament would be exposed to the danger of nullity"; although several affirmed that this held for doubtful impotence (compare Rosset, no. 1437), nevertheless in canon 1068 of the new Code the opinion prevailed which then permits marriage. For the sacraments are for men, and the common good requires that men not be compelled, without evident necessity, unwillingly and without a voluntary cause, to observe perpetual continence. But those who reply in this way at the same time admit that the opinion opposed to them appeared solidly probable; and that the decisions of the Sacred Congregation of the Council which they themselves adduce are ineffective for their own opinion.

[37] *Opus theol.*, vol. 6, no. 600. Compare also St. Alphonsus, book 6, no. 902.

[38] Vol. 2, no. 956.

Note well. When it is a question of impotence whose fact is doubtful and otherwise incapable of resolution, this other rationale can be adduced for permitting the marriage, after the other party has been warned: for then the very experience of marriage becomes a means of resolving the doubt. Compare also Rosset, no. 3037.

Others reply: The answer was given in this way because it was not altogether established that the ovaries had been completely excised. By this reply the patrons of this opinion again abandon received principles and customary rules in a remarkable manner. For the potency essential to marriage must be at least probably present [39]; an impediment is not doubtful unless the doubt is prudent [40], unless there is good reason to doubt [41].

[39] St. Alphonsus, *loc. cit*.

[40] Wernz, *Ius Decretalium*, book 4, no. 216, VIII.

[41] Ballerini-Palmieri, vol. 6, no. 887.

Moreover, the moral law is constant, which St. Alphonsus recalls in the place cited and in the question of impotence, that doubt obliges one to investigation, to diligent examination.

Come now, in the five cases resolved, the Holy Office asked about the manner of the operation only once; and it was content with the simple assertion of one physician. Therefore, unless you say that the accepted rules of prudence were neglected by the Sacred Congregation, it cannot be that, because of a doubt of fact not seriously examined, it decided these most grave causes. Furthermore, in the last

case proposed, according to Father Ferreres, who adduces the authentic letter of the physician-surgeon, the total removal of the uterus and of both ovaries was certain.

But the arguments which they adduce to defend this opinion are not so difficult to answer.

To 1. When they say that matrimony and copulation have from nature an essential order toward generation, they speak either of the institution of matrimony or of the marriages which follow upon the institution. If they speak of the institution, it can be conceded that the order toward generation is essential to such a degree that without that relation matrimony would not have been instituted; although, in Genesis itself, Eve is read to have been given to Adam more as a helper than as the future mother of offspring (compare Genesis 2:18).

Yet this end is not the only one, although it remains the principal one. But if it is a question of individual marriages, I deny that this order is essential otherwise than in its own material beginning, which is present in every copulation performed according to nature. By the material beginning of generation I mean copulation precisely considered, abstracting from the further relation which it has of itself, but not always, toward generation. But because, besides the primary end, there are other ends of matrimony, copulation, when a further relation toward generation is lacking, terminates honorably in some secondary end. This cannot be denied unless you prove that the primary end of matrimony is such that it must be obtained or sought in each of its particular applications. But no one contends this, for it would utterly overthrow the received conclusions concerning the use of marriage. They will indeed insist that the primary end must at least be possible. But why, in the individual applications, must an end be possible which is not to be obtained or sought in each one? On this matter we await an effective proof, which is lacking.

And the different manner in which the ancient authors solve the difficulty drawn from the marriage which the aged can contract demonstrates that they in no way patronize the opinions of the more recent authors.

In order to permit marriage to the aged, the more recent authors appeal to rare cases of fecundity, and then discuss presumed capacity for generation and doubtful incapacity in the manner we rejected above.

The ancient authors, on the contrary, St. Thomas and St. Bonaventure, simply admit this incapacity of the aged. To the aged, as St. Thomas says, "marriage is granted insofar as it is a remedy, although it is not competent to them insofar as it is in the service of nature" [42]. "To that which is objected concerning the good of offspring, that matrimony was instituted on account of this, it must be said that it was instituted not only on account of this, but also as a remedy and as a sign; and therefore, although this good is not present there, other goods can nevertheless be present" [43]. By these words St. Bonaventure proposes the matter to us more fully and more according to truth. The other goods which are present in marriage are honest ends of marriage. And first of all, even if consideration of concupiscence is excluded, there occurs that mutual completion and assistance which spouses find in their union, by which Christians also signify the union of Christ with the Church. Moreover, by the very use of marriage that love is strengthened.

[42] *Supplementum*, III, q. 58, art. 1, ad 3.

[43] *In IV Sent.*, dist. 31, art. 1, q. 3, at the end. Furthermore, it is in vain that Dr. Antonelli objects that the remedy of concupiscence is not a natural good of matrimony, since it would not have existed without original sin. It is in vain, I

say, both because it would have existed in the state of unelevated nature, and because it is enough that it is now truly present in matrimony, and because even without fecundity there remains in every state of nature a good connected with matrimony, namely, the good of union and mutual perfection.

That regard must be had only for the potency for intercourse is proved also by the interpretation, proposed by St. Thomas [44] and St. Bonaventure [45] and received by the Gloss, of the woman's words: "I wish to be a mother, I wish to procreate children," which are read both in chapter *Requisisti*, 2, C. XXXIII, q. 1, and in chapter *Accepisti*, 1, *Concerning the Frigid*, etc. (IV, 15). According to them, the woman, because of modesty, used these words to signify this: "I wish to be known by a man." "For a woman," says St. Bonaventure, "cannot be separated from her husband because of a defect of the power for generation, but of the power for intercourse."

[44] *In IV Sent.*, dist. 34, in the exposition of the text.

[45] Ibid., in dub. 2.

To 2. The formula by which copulation *of itself apt for generation* is required would create a difficulty unless, as we noted above, it were explained historically by the intention of denying marriage to eunuchs after the decree of Sixtus V. On that occasion, and for this end, the words "of itself apt for generation" were added. Therefore, they cannot be proposed as though they contained a general principle for arguing in this matter. Compare also the Reverend Father Ojetti, *Synopsis*, no. 2395. Besides, since ovulation is not part of copulation, it can be answered, in an argument *ad hominem*, that even with an excised woman copulation itself remains of itself apt for generation, while generation is prevented only by the subsequent defect of ovulation.

To the third difficulty, by which a certain parallelism between the man and the woman is urged, we observe that, in our explanation of the decree of Sixtus V, the parity of the man and the woman can be conceded or passed over. For we call eunuchs impotent because they do not possess a perpetual faculty for copulation.

But those who, with the more common opinion, require semination strictly so called on the part of the man experience some difficulty here. The adversaries seem to speak more consistently when they demand from each party the things essential to generation. Yet it can be answered to them that the proof of the major, "No less is required on the part of the woman than on the part of the man," is lacking, especially since the man and the woman intervene in different ways, and only the intervention of the man affects copulation itself, for the sake of which the mutual handing over of the spouses is made.

To 4. I deny the necessity of an object which can be presumed substantially apt for generation, and consequently I deny the major, unless by that aptitude you understand the aptitude possessed by anyone who can exercise copulation. The difficulty would prove too much, since aptitude for generation can no longer be presumed in a woman who has passed fifty years of age.

To 5. Nature has prevented frequent malicious mutilation, as the Reverend Father Ojetti also observes, no. 2424, both by the grave prohibition of that mutilation and by the sufficiently common horror of the scalpel. Furthermore, this abuse is less to be feared before marriage than after marriage has been contracted [46]. But once legitimate nuptials have been celebrated, most of our adversaries permit the use of marriage to an excised woman.

[46] That is, when a physician forbids the use of marriage because of the dangers of childbirth, the spouses and the physician are then tempted by the plan of preparing harmless copulations by the removal of the ovaries. We know that this has in fact been done more than once.

The reason, moreover, why even then "congresses against nature" are prohibited is precisely that they are contrary to nature. As will be explained more fully later, we must be less solicitous about the end than about preserving the order of nature. The rightly performed copulation of those who cannot generate preserves, as the Reverend Dr. De Smet says [47], its objective ordination toward the end insofar as it is an act which is generically ordered toward that end, although it is not ordered in the individual case; and, even in the individual case, it preserves an order toward the secondary ends: copulation is a conjugal act [48].

[47] *De sponsalibus*, etc., no. 278.

[48] Ojetti, *Synopsis*, no. 2411.

Whether, moreover, by this difficulty, which contends that this permission would be pernicious, sufficient regard has been had for reverence toward the Holy See, which has now granted it five times, let others see.

To 6. The decisions of the Sacred Congregation of the Council which are adduced are only apparently contrary to the recent replies of the Holy Office and the Sacred Congregation of the Sacraments. For in the four cases the woman was deprived also of the uterus. Hence they have no bearing on a woman in whom only the ovaries are lacking. Furthermore, in the first cause (*Salernitana*) the vagina itself was absent; in the second (*Verulana*) the vagina was too short and very hard and was closed by an imperforate membrane; in the third (*Albinganensi*) the greatest part of the vagina had been destroyed; in the fourth (*Monasteriensi*) the vagina was abnormal and insufficient for completing coitus. The decisions of nullity can therefore be readily explained by the very defects of the vagina, which is necessary for copulation. Compare Ferreres, *De vasectomia duplici, necnon de matrimonio mulieris excisae*, nos. 269-273.

Note well. In the pamphlet *De mulieris excisae impotentia*, p. 162, Dr. Antonelli notes that the copulation itself of a woman who lacks a uterus is only imperfect. This rationale could be a more serious ground for doubting the potency of a woman from whom not only the ovaries but even the uterus itself has been removed. Nevertheless, frigidity in the woman during copulation does not impede even the consummation itself of matrimony. And already in antiquity it was written: "The frigidity which makes a man impotent would not make a woman impotent" [49].

[49] Ferreres, *op. cit.*, nos. 209 and 240.

The second opinion.

2. The patrons of the other opinion contend that, besides the faculty for copulation of itself apt for generation, no other potency is essential.

And they indeed formally preserve the rationale of the impediment of impotence as it has been proposed for several centuries in the Church, and they agree perfectly in their statement with the replies of the Holy See. Furthermore, since the woman's ovulation is altogether distinct and

independent from copulation, they easily show also how, in an excised woman, provided she possesses a vagina, copulation of itself apt for generation can be had.

The difficulty of this opinion, unless you change the formula.

Yet do they seem to speak very consistently when they require copulation of itself apt for generation and dispense the woman from possessing ovules which are no less necessary for generation than male sperm? We very much doubt it. On the contrary, when two elements are required for generation, it seems that either both or neither must be required for the validity of marriage. Why, finally, should manifest impotence for generation have been an impediment to matrimony only in the man? This is objected, not without reason, against the other opinion on the basis of the former opinion, which thus seems more consistent with itself. They reply indeed that there is this difference between the man and the woman: the man's impotence is known through a manifest defect of an exterior organ, whereas the ovaries of themselves lie hidden in the body; and the emission of semen belongs on the side of copulation, from which ovulation is wholly independent [50]. Although we think this reply not devoid of all force, must it not nevertheless be admitted to be subtle and far-fetched?

[50] Ferreres, *op. cit.*, nos. 209 and 240.

The true reason why castrated men cannot validly marry a wife.

But by another and better rationale, as we think, this difficulty can be removed. We judge that formula by which, after the edict of Sixtus V, copulation of itself apt for generation is required to be not very felicitous, and we suspect that it has given occasion to obscurity and difficulty in the present cause.

That eunuchs cannot validly marry a wife is altogether certain after Sixtus V, and no Catholic theologian will deny it. The Supreme Pontiff confirms this conclusion by a twofold argument: because eunuchs cannot emit true semen; and because "from marriages of spadones of this kind and of eunuchs no utility proceeds, but rather the allurements of temptations and incentives to lust arise."

Adhering especially to the former rationale, most theologians understood it in such a way that they required in the man, as a condition of valid marriage, the necessary capacity to pour forth prolific semen, that is, a true potency for generation. For, to use the commonly received words, they required the capacity for "copulation of itself apt for generation"; formally, therefore, they began to require a relation toward generation. This seems very difficult to us, to disclose our mind sincerely, both because in this way there is a departure from the opinion which before Sixtus V was received among the classical authors - which required only the potency for intercourse for a valid marriage - and because, compelled by logical consequence, they would then also have to require in the woman, as it seems to us, the element essential to generation and, in this respect, go over with Dr. Antonelli to the new opinion; and because very many causes why copulation is unfit for generation are hidden from us in such a way that they themselves must logically admit that not a few marriages exist which are merely putative; and because they permit the use of marriage to persons whom they affirm to be impotent in this manner, provided the impotence supervened upon a marriage already validly contracted.

Therefore, since there is always greater liberty of opinion in weighing and proposing arguments than in a conclusion, and since we are occupied with the argument in question, from which, as Cardinal

Gasparri says, "grave difficulties arise," and its theory appears subject to doubt, it will be lawful for us, and we judge it fruitful, to adhere modestly instead to the other rationale which Sixtus V drew from the uselessness of such marriages and more closely connected with his decree, and to defend the opinion more common today, with a formally somewhat different rationale, in this manner:

Eunuchs lack not only the external secretion of nemaspermata which are elaborated in the testicles, but also the internal secretion which, as we saw in no. 7, produces the signs of virility and the power of nourishing sexual appetite, and of itself confers the perpetual potency for intercourse.

Therefore, by the excision of both testicles the eunuch is radically vitiated in his very virility and in the potency for copulation itself. Certainly, unlike one who is born a eunuch or is castrated as an infant, one who is mutilated in adulthood remains capable of copulation for a certain time, and indeed, because the nemaspermata are preserved, can perform some fecund copulations.

But this precarious virility is to be compared with the leaves which an uprooted tree produces for a certain time, although by common judgment it is nevertheless held to be dead. These vestiges of potency do not suffice for a eunuch to be able to hand over the essential object of matrimony, or a body truly apt for copulation, especially if you consider the necessary perpetuity of marriage. Hence "from marriages of spadones of this kind and of eunuchs no utility proceeds," as Sixtus V used to say; but because of the faculty for copulation, decreasing from the beginning and afterwards suppressed, these marriages truly serve no end, either primary or secondary.

Therefore, because matrimony, indissoluble and perpetual of itself, demands a perpetual handing over of the bodies for carnal copulation, eunuchs, according to our opinion, are formally incapable of valid matrimonial consent. This opinion is confirmed by these advantages: a) It accurately preserves the most ancient rationale of the impediment of impotence, which it places wholly in impotence for intercourse. b) It accords perfectly with the replies of the Holy See concerning the marriages of women whose ovaries have been removed. Nor must we take refuge in strange hypotheses of an excision perhaps incomplete, etc. c) It most easily explains the marriages permitted to aged persons of both sexes. d) It no less easily explains the use of marriage permitted to those who pour forth only aspermatic semen or who were mutilated after marriage. e) The capacity to effect a true marriage in no way depends upon facts which are customarily hidden. f) It is perfectly consistent with itself. Since it does not even formally require in the man an element necessary for generation itself, the patrons of the more recent opinion of Dr. Antonelli are wholly unable to oppose to us an arbitrary distinction between the case of a eunuch and that of an excised woman.

Nor let it be said that in this way a new impediment to matrimony is introduced which would be not of antecedent impotence but of subsequent and future impotence. For the impotence is to be called antecedent because of the mutilation already performed, which radically takes away the potency for copulation such as is required in matrimony [51]. Besides, no one among the adversaries will dare to remove from the number of the impotent eunuchs so recently cut that they remain precariously capable of fecund copulation.

[51] Indeed, if Eschbach is to be believed, *De novo quodam sterilitatis conceptu*, p. 57 ff., with Ferreres approving, *De vasectomia duplici*, etc., no. 36, eunuchs never preserve copulation perfect under the aspect of copulation itself.

Just as those who are foreseen to become potent for copulation can now, according to natural law, validly marry a wife in expectation of the presently absent potency for copulation, so, on the contrary,

those who, because of a cause already present and certain, are foreseen to become perpetually impotent for copulation, are to be called incapable of matrimony even now, according to natural law.

Lest we seem to have given an entirely unusual explanation, Godfrey of Trani already in the thirteenth century appears to have given a similar one in his *Summa* in these words: "Castrated men cannot contract matrimony, nor does a contracted marriage have force, because, since they cannot know wives, they are likened to boys" [52]. And the Reverend Dr. Eschbach also adduces this rationale for the pontifical decree: because, after a certain time, the castrated are unable to attain "the summit of satiating venereal pleasure" (*Disp. phys. theol.*, p. 196; compare p. 150).

[52] In Ojetti, *Synopsis*, no. 2397, p. 233.

The third opinion with its arguments.

3. The Reverend Father Arendt, S.J., attempted a new way, not devoid of plausibility or usefulness, of resolving the difficult question, in the pamphlet entitled *Relectio analytica super controversia de impotentia feminae ad generandum*. As is evident, he attempted this with his mind so disposed that, until an authentic definition of the matter had been given, he would indeed try to illuminate the truth, yet in practice would adhere to the replies of the Sacred Congregations.

Accordingly, a) he retains the classical *definition* of the impediment of impotence, that is, impotence for intercourse. Yet for that reason he does not say that all women who can naturally complete copulation are capable of matrimony. For since sterility in some arises from a functional disturbance, but in others from an organic defect, he would not call the latter simply sterile, but impotent for generation. Accordingly, he places sterility where there is no impotence, but holds it as a matter of fact that sterility is presumed not to arise from a substantial defect. Yet where impotence for generation "has become of itself knowable before the matrimonial contract," he denies the woman the capacity to consent validly to matrimony. For generation, according to him, is the *end of the work*, toward which, when it is strictly impossible, the woman's consent cannot be borne. And thus the praised author, although by another rationale, arrives at the same conclusion as the Reverend Dr. Antonelli. Yet he permits a wife who has been excised after marriage the use of marriage for secondary ends.

The difficulty and refutation of this opinion.

In his mode of reasoning, the Reverend Father Arendt imitates the manner in which St. Thomas, Laymann, and others establish the impediment of impotence itself.

But they are separated by this difference: one who is incapable of copulation cannot promise the conjugal act itself, while one who labors under impotence for generation alone can promise and perform that act. Nor is that conjugal act devoid of every intrinsic end. For although it was instituted primarily on account of generation, nevertheless by its nature it strengthens the mutual love of the spouses and tempers concupiscence. But positive cooperation toward the primary end of the institution is not required in every marriage; indeed, it cannot even be seriously offered, as when two aged persons join in nuptials with each other. Wherefore, that necessity of consenting to generation from which the Reverend Father draws his argument would also be fictitious.

Certainly, in order to avoid the deception of the other party, a woman deprived of her ovaries is held by a most grave obligation to disclose that defect if it was hidden, just as she ought to reveal any other grave and harmful defect of the body. Furthermore, while St. Thomas infers from a physical impotence for congress a defect of the object of the contract and thence a defect of consent, the praised author asserts that the object is lacking where the potency is not lacking.

We also admit that we cannot grasp how the praised author demands a true or real relation toward generation itself in every valid marriage and consequently requires that the foundation from which the relation of conjunction belonging to marriage arises actually be found in both relative terms; and how he nevertheless declares valid those marriages in which this foundation is truly lacking, provided the defect remained unknown. Whatever is transcendental in matrimony, whatever pertains to its essence, cannot be supplied by any ignorance. The author indeed perceived the difficulty and tries to dispel it, but the efficacy of his explanation escapes us.

Moreover, the other objections which we raised against the first opinion recur; this opinion too is reconciled only with the greatest difficulty with the replies of the Holy See, which, without making any distinction of potency and consent, simply permit nuptials to the excised woman; and with the indubitable faculty of contracting nuptials even at a most advanced age, so long as, as Sanchez says (book 7, disputation 103, no. 8), they have not become altogether incapable of copulation. But that this practice of the Church rests upon the very possibility of generation would have to be demonstrated.

B. The Conclusion and its Proof

Conclusions.

61. We therefore think that the doctrine more consonant with the classical authors and more coherent with certain facts should be proposed in this formula of the conclusion:

Thesis I — The first conclusion, concerning impotence for intercourse.

I. Impotence for intercourse, if it is perpetual, constitutes a diriment impediment to matrimony.

What copulation requires.

This notable point must first be observed: for true copulation it is not sufficient that the virile member should have penetrated the vagina in some manner; but it is necessary in addition that, in the female vessel, orgasm should terminate in an effusion of semen. The potency for intercourse therefore supposes the capacity for this effusion. Otherwise, true carnal commingling would be lacking. But since human semen flows into the urethra partly from the testicles, partly from the seminal vesicles, and partly from the prostate gland, it can be doubted and is controverted whether or not it is sufficient that the seminal vesicles and the prostate should have fulfilled their parts. Compare Moll, p. 702 ff.

Proof of the conclusion.

We establish the conclusion in this way.

In the judgment of all and at first appearance, matrimony is perceived to be an institution in which two persons, in a manner worthy of man, join themselves to each other as principles of an action which of itself is generative. And because only a stable union is worthy of man and is alone adapted to the primary end of nature, or to the due multiplication of human beings, matrimony contains a mutual handing over of bodies for exercising this operation. Therefore, in one in whom the ability for this operation is perpetually lacking, the very object of the matrimonial contract is lacking, so that the attempt at this covenant can only be fruitless.

The same can be confirmed by this broader consideration. Man and woman, taken separately, are human beings imperfect and incomplete to a certain extent, but so constituted that each can supply by his or her own qualities what is lacking to the other. Physicians themselves, assiduous in physiological matters, testify to this. "What are man and woman taken separately? Imperfect beings. The complete social and physiological being is the couple formed of two dissimilar individuals, whose faculties and aptitudes, as well as their sexual organs, are complementary to one another." Thus most excellently Dr. Bourgas [1].

[1] *Le droit à l'amour pour la femme*, p. 191. Kant, *Rechtslehre. Das Eherecht*, § 24, can also be compared.

Whither, then, does the inclination of sexual love tend? What does each spouse seek for himself or herself? Each seeks to complete and perfect himself or herself with the other, to make one with the other, to be mingled with the other. But just as the body is the principle of division and plurality in the one human race, so it becomes the principle of the conjunction and commingling of two persons in matrimony. In what manner? Through bodily commingling, which is, as it were, a symbol and material expression of the desired unity. Hence, again, by this more general will for completion, man and woman are impelled to hand themselves over to each other for the action by which the two become one flesh. Therefore, when the ability for this action is lacking, there remains only friendship between souls, which demands no natural institution. For no rationale of the common good can be assigned why such an institution should be founded.

Wherefore, for one who lacks a perpetual ability for true sexual intercourse, no access to the natural institution of matrimony lies open.

The argument for the conclusion can also be set forth in this form, which pleases Laymann [2], following St. Thomas himself [3]. Since the immediate object of matrimony is the mutual handing over of bodies for the conjugal act, each spouse obliges himself or herself to admit copulation when the other reasonably requests it. Hence this act is also called the conjugal debt. But one who is altogether incapable of this copulation can in no way validly undertake an obligation of this kind. "There is no obligation to impossible things" [law 185, Digest, *De regulis iuris* (50, 17)].

[2] Book 5, tractate 1, part 4, chapter II, no. 1.

[3] *Supplementum*, III, q. 58, art. 1.

The second conclusion, concerning impotence for generation.

62. - II. Impotence for generation, if it exists alone, does not constitute a diriment impediment to matrimony.

The brief rationale is that generation is neither the immediate object nor the sole or necessary end of every marriage. Wherefore, marriage can exist without a promise of generating, so that one who is incapable of this promise is not for that reason to be called incapable of matrimony.

Its proof.

1. Generation is not the immediate object of matrimony. For that object is the mutual handing over of bodies for an action which, although of itself it tends toward generation, nevertheless is often exercised without that efficacy, even by spouses who can generate, and has the other utility of fostering mutual love. And this ability is supplied by nature in such a way that nature itself appears to have invited human beings to seek in it another good, not contrary to but besides generation. For nature gave perpetual sexual appetite to man alone.

Since its force is most vehement, unless you say that an excessive temptation to evil pertains to the intention of nature, we must gather one of two things from this: either the man is destined to be polygamous, or, when joined in matrimony, he is also destined to have sterile copulations. But that the man is not destined to be polygamous is already evident from the fact that men and women exist in nearly equal number. In the very regions where polygamy prevails, the excess of women, which seems to be attributable to the excessively exhausted powers of the men, does not exceed one twentieth of the population.

Furthermore, the causes by which fecundity is impeded are so hidden of themselves that by the very mystery we are admonished that the faculty of fecundation is not to be regarded by us formally.

By these things we do not deny that matrimony was instituted by nature for this primary end, that provision might be made for the due propagation of the human race [4]. That this end is primary is already evident from the fact that it regards the good of the species, while the good of the species is to be preferred to every private good of the present order.

[4] In this matter Kant agrees with Catholics. Compare *Rechtslehre. Das Eherecht*.

Wherefore spouses are also forbidden positively to do or attempt anything against this primary end.

2. But this end is not the only one. For the very manner in which persons of diverse sex complete one another already indicates another immediate end of matrimony independent of the generation of offspring. St. Thomas also adds this third end, in the present order secondary but immediate: that excessive concupiscence be remedied in an honorable manner.

There are therefore other goods on account of which spouses can legitimately seek nuptials (compare also Ojetti, *Synopsis*, no. 2418; De Smet, *De Sponsalibus*, etc., no. 278).

3. Generation is not the necessary end of every marriage. For even the primary end of an institution is not necessarily the primary end of the individual instances in which that institution is found.

If you now consider the natural propensities of human beings, a wife is accustomed to desire children, but a husband is shown to be less eager for future offspring.

There is, however, no moral obligation to pursue this end, since sufficient provision is made for it without that obligation, and marriages contracted for other ends are not devoid of social utility. Indeed, it matters little to the primary end whether individual marriages generate offspring or are even able to generate, provided that they undertake nothing positively against the end of generation.

The true notion of matrimony.

Therefore, this must be well noted, for it is something principal which not a few today seem to have missed: matrimony is not entered immediately for the sake of having children in such a way that, with generation excluded, it lacks an object and is not worthy of love; rather, it is such an institution by means of which nature wisely provides for the propagation of the human race, yet in such a way that, in the intimate and individual union of two persons completing one another, it possesses the immediate rationale why it exists. And sexual libido can in some manner be compared with hunger, which immediately impels one to eat; once food has been eaten, nature then employs it for furnishing various utilities to the body through the suitable digestion and distribution of food, which are so little voluntary that they largely escape consciousness itself. Thus, through a satisfaction of the venereal appetite which accords with its laws, nature procures various goods, both private and common and public, the intention of which it does not command and the knowledge of which can be absent from the spouses themselves.

Confirmations sought: from direct reason.

63. - Our conclusion is confirmed:

1. By an argument which, drawn from His Eminence Cardinal Gasparri, the Most Illustrious Dr. Sebastianelli praises [5]. In human generation a twofold action has place: human action and the action of nature. "Human action consists in the penetration of the virile member into the vagina and the effusion of true semen into it; then the action of nature begins, whose functions are the passage of the sperm toward the interior, the descent of the ovule into the uterus through the fallopian tubes, the fecundation of the mature ovule, the development of the fetus in the uterus, and birth. Now, since matrimony is a human contract, it is fitting that it be ordered toward a human action which of itself and according to the common species of the act is fit for generation, although it may perhaps be unfit *per accidens* because of a defect in the female organs beyond the vagina."

[5] *Praelectiones iuris canonici: De rebus*, no. 65.

2. By the fact that, as the Reverend Dr. De Smet says, the matrimonial contract is a *social contract, subject to the governance of the ruler of society*, by whom consequently its existence and validity must be capable of being adjudged. "Hence the nature of the conjugal contract requires that only such impediments be established concerning whose presence it can be ascertained regularly and from commonly occurring things, namely, those which rest upon an evident and regularly perceptible fact.

"From this it is clear that impotence, insofar as it is an impediment to matrimony, cannot consist in a defect of perfect aptitude for generation, or in the absence or defect of any organ whatsoever necessary in every respect for fecundation. A defect of aptitude arising from the absence or defect of an organ whose absence or defect cannot be ascertained in the ordinary way must be excluded; and only a defect of aptitude on the part of copulation is to be regarded, insofar as this copulation cannot be exercised in the manner proper to its nature and, on the part of the act, fit for generation" [6].

[6] *De sponsalibus et matrimonio*, no. 554. In a note, the Reverend Doctor most excellently observes that accidental knowledge of the defect is irrelevant, since natural law is adapted to those things which occur of themselves and commonly.

From authority.

3. By the authority of St. Thomas and St. Bonaventure, who, in the places cited above, simply grant matrimony to the aged as a remedy for concupiscence.

Will you say that the inability of the aged to generate appeared accidental to St. Thomas, and will you adduce his words: "That act is said to be against nature in the genus of lust from which generation cannot follow according to the common species of the act, but not that from which generation cannot follow because of some particular accident, such as old age or infirmity" [7]? But to an attentive reader it is evident that that accident is not the sterility of the old man [8], but old age itself, so that the meaning is not: it happens to an old man that he cannot generate; but rather this other: it happens to an act that it is performed by an old man and therefore is fruitless. For in no way does he correct in his reply the words of the objection: "It is manifest that from intercourse with a woman who is old... offspring cannot be generated." And in the same manner it happens that an act is performed by a woman who lacks a uterus.

[7] *De malo*, q. 15, art. 2, ad 14. In this place, St. Thomas condemns the lust which, conjugal copulation being omitted, is contrary to nature.

[8] Contrary to what Bucceroni thinks, *Institutiones theol. mor.*, vol. 4, no. 994.

4. By the authority of other Doctors, for example, Tancred, who writes: "But since matrimony takes place either for the sake of receiving offspring or as a remedy for incontinence, impossibility for intercourse removes both" [9].

[9] *Summa matrimonii. De impotentia*, at the beginning.

By these words he clearly indicates that it suffices for matrimony to be undertaken as a remedy. St. Raymond, in his *Summa*, and, in the fifteenth century, the Abbot Panormitanus, *De frigidis et maleficiatis*, chapter 4, speak in the same manner.

Sanchez also, with us, places the *essence* of matrimony "in that bond by which the spouses are formally united, which arises from the mutual handing over" [10]. Previously, in no. 2, when enumerating the elements of matrimony, besides consent itself and the external contract, he indicates the mutual handing over of bodies as the immediate effect of that contract; and, as immediately following it, the mutual obligation to render the debt. But he is silent concerning offspring.

[10] *De matrimonio*, book 2, disputation 1, no. 6.

There is added also the authority of the men of our age whom we indicated at the beginning.

From the consistency of the assertions.

5. By the simple and perfect *consistency* of our assertions, both among themselves and with the points which are altogether clear in this matter.

a) After we have said, with the ancients, that regard must formally be had for the potency for copulation, we immediately gather this perpetual norm: Whoever labors under perpetual impotence for copulation is incapable of entering matrimony. But the adversaries, who think that potency for generation must also be considered, cannot speak so coherently or establish a rule of this kind: "Whoever labors under perpetual impotence for generation is incapable of matrimony."

But they take refuge in an obscure distinction between the *per se* and the *per accidens*. In vain indeed, as it seems to us. For in whatever manner a necessary condition is lacking, in the same manner the thing conditioned must be lacking. One impotent for generation *per accidens* will have to be called incapable *per accidens*. What of the fact that every impotence is accidental to a human being?

b) Our opinion accurately preserves the objective rationale by which sterility is distinguished from the impotence which invalidates matrimony, whereas in the adverse opinion every incurable sterility would have to be equated with impotence, so that sterility would often be nothing but hidden impotence.

c) Our opinion easily explains why matrimony is permitted to the aged and why spouses may use marriage during pregnancy. Indeed, it is understood better why those who have been emasculated after valid nuptials are permitted to use marriage. For so long as the ability for copulation is present, this use, in our opinion, is regular, whereas in the opinion of the adversaries it seems that it ought to be called unnatural.

From divine Providence.

6. By the fact that it seems repugnant that the validity of a natural institution such as matrimony should depend upon an element whose necessity was discovered only in the nineteenth century. Compare the Reverend Father Ojetti, *Synopsis*, no. 2399.

To the difficulties.

64. - How the difficulties opposed to the thesis may readily be satisfied, we judge has already been said by us sufficiently and more than sufficiently, so that there is no need to dwell upon them.

We observe only this, that difficulties which are merely verbal are proposed. Let this be an example. Since the procreation of children, writes Bucceroni [11], is the primary, indeed the most especially essential, end of matrimony, it cannot be contracted "by intending its secondary end, while positively excluding the primary end." This statement, which in its beginning concerns the *intended* end, in order to cohere with itself, must also be understood in its positive exclusion by an *intention*. But thus it can be fully approved by us. If, however, you understand its latter part of a simple and involuntary impossibility, you introduce another element, and then, for the reasons given, we deny the

consequence. And the rationale of the distinction is manifest. Exclusion through an opposing intention, but not exclusion through impossibility, signifies contrariety with this primary end.

[11] *Institutiones theol. mor.*, vol. 4, no. 994.

C. Corollaries and Scholia

The distinction of impotence and sterility.

65. - 1. From the demonstrated thesis we have the means of knowing who are to be called impotent and who sterile. But because of the importance and use of the matter, we shall give a distinct paragraph to this corollary. From here we now turn aside to a few scholia.

The goods of matrimony are essential in different ways.

66. - 2. The three goods by which the nuptials of the faithful are said by St. Augustine [1] to be rendered honorable are essential in very different ways. For the sacrament, or indissolubility, is so essential that you strive against it in vain, for a valid dissolution is impossible. The positive duty of *fidelity* cannot be cast off, but it can be physically violated by sin. Spouses can, however, legitimately abstain from generating *offspring*; yet spouses are prohibited from using marriage in a manner which is opposed to this positive good. In a not dissimilar manner St. Bonaventure [2] wrote: "One, namely the sacrament, is of the necessity of matrimony... but the other two goods belong in one manner to being, and in another manner to well-being."

[1] *De Genesi ad litteram*, book 9, chapter 7.

[2] *In IV Sent.*, dist. 31, art. 1, q. 3.

The customary formula concerning capacity is ambiguous.

67. - 3. The formula sufficiently customary today, by which, for the validity of matrimony, they require the capacity for copulation which *of itself is apt for generation*, seems to us to suffer from some ambiguity.

What the canonical Code holds concerning impotence.

68. - 4. The canonical Code wisely abstains from defining impotence and sterility.

Canon 1068 teaches these things concerning this argument: 1. Any antecedent and perpetual impotence invalidates matrimony by the very law of nature. 2. "If the impediment of impotence is doubtful, whether by a doubt of law or a doubt of fact, the marriage is not to be impeded." 3. "Sterility neither invalidates nor impedes matrimony."

What the Code of France holds.

The Code of France, which is still in force in Belgium, is silent concerning impotence. The authors of the Code judged this proof too difficult and scandalous to admit this impediment formally. A difficulty of this kind can have some force in the civil forum, but none in the ecclesiastical forum, which touches conscience more closely: for difficulty of investigation and danger of scandal do not dispense from the natural law.

But does impotence furnish a legitimate cause for civil divorce? This is controverted. Nevertheless, there are some who think that, where impotence for intercourse is manifest, the marriage can be civilly invalidated as lacking its object or vitiated by substantial error. Compare Aubry and Rau (*Droit civil*), who embrace the stricter position, vol. 5, p. 100 ff.

What other Codes hold concerning impotence.

The Codes of Germany, Switzerland, and Hungary are also silent concerning impotence. Nevertheless, since the Code of Germany grants annulment on account of error in articles 1333 and 1334, it offers a means of invalidating a marriage which was contracted with an impotent person in ignorance. And in this indirect manner there is restored the opinion, abandoned today, which was held by many, for example the Master of the Sentences [3] and St. Thomas [4], and which equated the impediment of impotence with the impediment of servile condition, insofar as marriages contracted in ignorance with an impotent person or a slave, and those alone, would be null. But when the ability to use marriage is excluded, the very handing over of bodies is at the same time excluded, so that a covenant of common life can in no way be called matrimonial. Compare Sanchez, *De Matrimonio*, book 7, disputation 97.

[3] *In IV Sent.*, dist. 34, chapter 1.

[4] *Supplementum*, III, q. 58, art. 1, ad 4.

The Code of Austria, § 60, recognizes the impediment of antecedent and perpetual impotence for performing the conjugal debt. A suit can be brought only by a spouse. Impotence is not presumed. In a doubt concerning perpetuity, the spouses must cohabit for a year (§§ 96, 99, 100).

The Code of Spain places among the diriment impediments physical impotence for procreating, absolute or relative, which is antecedent, manifest, perpetual, and incurable (article 83).

The Code of Italy, article 107, permits one spouse to petition for a declaration of the nullity of marriage because of manifest, prior, and perpetual impotence.

The Code of Portugal, although it does not itself mention this impediment, nevertheless holds valid the decisions of the ecclesiastical forum by which the marriage of Catholics is invalidated. Compare articles 1086-1088.

Defects in the argumentation.

69. The argumentation of those who deny the potency of an excised woman seems to us to be vitiated by this twofold error. And since each is frequently committed in moral matters, we note them both briefly here.

Greater care for the end than for the order.

1. They transfer to the *end* of nature the care which human beings ought to exercise concerning the preservation of the *order* of nature.

Abuse of the distinction between per se and per accidens.

2. They abuse the distinction between *per se* and *per accidens*, as the Reverend Father Ojetti also shows [5].

[5] *Synopsis*, no. 2419.

When all requisites concur, then indeed the effect will be impeded only *per accidens*. Thus it happens that the good intended through the order of nature - for example, the right formation of offspring - is frustrated *per accidens*, with that order preserved, as for example in conjugal copulation. But if an element required for validity or lawfulness is lacking, the act deprived of that element is *per se* null or prohibited, although it happens *per accidens* that the element is lacking. Nor does this assertion hold: the act is lawful because an element required for me is lacking *per accidens*.

In a similar manner in the present cause, if one who can never generate is to be called impotent, one who is now unable to exercise a copulation which is expected to be fecund labors under temporary impotence; nor can one who is unable to generate for a time be held merely sterile. And if the formal rationale of the impediment is the frustration of the primary end of nature, whenever that frustration is certain, the same conclusion ought to hold. Wherefore the distinction by which Dr. Antonelli separates organic or "constitutional" causes from others seems arbitrary to us.

Indeed, if impossibility of generation takes away the faculty for marriage, it also takes away, so long as it lasts, the faculty for truly conjugal copulation.

The Matter Briefly Summarized

The matter does not appear capable of being defined a priori.

69 bis. To contract into a few words the things which it has pleased us to debate sincerely, from the sole pursuit of truth, we judge that the question concerning the natural capacity for marriage of those who labor under perpetual sterility, or in whom there is a perpetual cause why they lack offspring or why their copulations are infertile, can be resolved only with difficulty *a priori*, as they say, or by mere reasoning. If the end, not only primary but sole, of the institution of matrimony or of conjugal copulation were the procreation of children, every copulation of those who are unable to generate offspring would have to be called disordered (or referable to no honorable end), and consequently, as the Reverend Father Arendt says most excellently, the matrimonial contract would lack an essential object, almost as between two persons of the same sex. But now, since matrimony and its use complete the individual human being and are also a remedy for concupiscence, it is not repugnant to reason that matrimony be admitted between those who, capable of copulation but not of generation, can direct its use toward secondary ends. Yet it can also be conceived that access to matrimony is reserved only to those who, by using marriage, can also seriously intend the primary end. Who, then, will decide the dispute? Unless we are mistaken, only proven tradition. Now this has led us to our conclusions: a) the replies of the Holy See, which, to say the least, favor the marriage of an excised woman; b) the classical Doctors, who, almost down to our age, excluded from matrimony only those impotent for copulation; c) the marriage of aged persons of every age. Now the presumption in favor of capacity for copulation remains at every age; but the presumption of capacity for procreation is destroyed by a contrary natural presumption. The process of natural involution is such that: a) at a certain age, especially on the part of the woman, there is certainty, morally speaking in the strict

sense, of impotence for generation - for example, a woman who marries at eighty years of age; b) even earlier, there exists a natural presumption against capacity. And what use is it to adduce the rarest cases in which conception has happened at an advanced age? Even if they are true, moral laws are founded upon those things which occur *per se*, not *per accidens*. Hence, if you object that a natural presumption is not destroyed except by contrary certainty, we shall deny it: it is destroyed also by a contrary natural presumption. c) The easier explanation of the use of marriage permitted at every time and granted also to those who are called impotent.

The advantages and disadvantages of the various opinions.

If we wish to compare the opinions with one another in the order in which we proposed them: a) In favor of the first, or more recent and stricter opinion, there is the perfectly logical process, or consistency in principles; but against it there are the perversion of the classical notion of sterility and the impediment of impotence, and opposition to the replies of the Holy See. b) The second opinion, which becomes more common day by day, can allege perfect congruence with the centuries-old notion of the impediment of impotence and with the replies of the Holy See. Against it can be objected a defect of consistency, since it dispenses the woman, but not the man, from an element which is essential to generation.

The opinion of the Reverend Father Arendt has this advantage, that it joins the fidelity of the traditional notion of impotence with the logical process of the first opinion. But it too labors in explaining the recent replies of the Holy See and the ancient Doctors, none of whom, certainly, thought to add to the words by which St. Bonaventure declares that a woman can be separated from her husband because of a defect of potency for intercourse, but not because of a defect of potency for generation, this distinction:

"I suppose the defect to arise from an accidental, not an organic, cause."

Nor can several practical opinions which are admitted by the supporters of Dr. Antonelli's system be approved by us. They call a eunuch impotent because he cannot supply sperm; but they call sterile a man who is not a eunuch and who can pour forth only fluid without sperm. They affirm that interruption of the vas deferens produces impotence if it results from section, but only sterility if it results from obstruction by which it is occluded. Gasparri, *De matrimonio*, I, no. 586, establishes the principle of sterility very differently.

Wherefore, all things having been considered, we think it must be said simply in this way, with every other distinction suppressed: All those who can truly perform natural carnal conjunction are capable of marriage on the part of the body. For through this conjunction performed in stable matrimony, sufficient provision is made for the fitting multiplication of the human race, although in some this effect is lacking. Bodies apt for copulation are the remote matter of the contract and of the Sacrament.

II. The Various Kinds, Causes, and Examples of Impotence

Various kinds of impotence.

70. - Various kinds. Impotence is:

1. *Perpetual*, which cannot be cured at all, or only through extraordinary means, such as a grave operation joined with danger to life. If, however, an extraordinary means has been employed, the person, once the impediment has been removed, is now capable of contracting nuptials; or *temporary*, which can cease of itself or with the aid of an ordinary means.

2. *Absolute*, which excludes copulation with every person; or *relative*, which excludes copulation only with a certain person or certain persons.

3. *Antecedent* or *consequent*, according as it existed before or after matrimony.

Causes.

71. - II. Various causes. Causes:

Can be physical or psychological, according as they have their root in the body itself and its vegetative life, or in sensitive or rational life.

Physical.

Physical causes in turn are called some *organic*, others *functional*. Organic causes are manifested by a visible defect of the apparatus and are manifested; functional causes, without a manifest lesion, disturb sexual function in a more general or more particular manner.

Functional causes often cohere with diseases. Thus tabes dorsalis, several diseases of the brain, diabetes, malaria, syphilis, several forms of tuberculous phthisis, alcoholism, and morphinomania can render someone impotent.

Sexual neurasthenia can also be ascribed to functional causes of this kind.

From functional defects it happens that only a weaker erection remains, or that paralysis impedes erection and the effusion of semen, or that an erection is produced without the effusion of semen (*aspermatism*), or an effusion of semen without erection (*spermatorrhea*) [1].

[1] Dr. Antonelli, vol. 2, nos. 320-324, warns that a physician must take measures against those passive emissions which often occur during the day without pleasure, and which sometimes accompany urination or defecation, lest a grave danger to health and life arise.

Psychological causes.

Psychological causes consist in various anomalies of the sexual appetite, and also in affections and persuasions.

Thus there are those who can be excited only by persons of a certain form, a certain complexion, or a certain quality, or who have need of certain things, for example garments of this or that kind or color, etc. The very apprehension or persuasion of impotence can take away the capacity for excitation. Various fears produce the same effect: lest the woman become pregnant, lest love be, as it were, profaned by the carnal act. An excessive incursion of diverse anxieties, or even a certain disappointment of sight in a body which a phantastical image had fashioned as more beautiful than it truly is, can take away the faculty of excitation. Aversion of the mind from a definite person produces the same effect. Indeed, conversely, it can happen that someone is affected by so great a force of love

for a certain person that he can be sexually excited only through that person. This occurs especially in noble and chaste love, whether before or after marriage; and this is certainly a certain desirable perfection of conjugal chastity.

A note on organic causes.

Organic causes are more easily shown than others to be perpetual or temporary; and almost they alone must be attended to in a woman, since her act is not required for copulation. I say *almost*. For vaginismus must be mentioned, that is, a painful contraction of the vaginal passage from any contact whatsoever. Vaginismus itself has nervous or psychological causes which can be rendered worse by bodily lesions, even those which are slight.

III. Various Examples — Examples of impotence in a man.

72. - I. A man is impotent who, because of excessive heat, is excited too quickly and loses his semen before copulation, or who, conversely, is impeded from copulation by frigidity.

He also must be held impotent who cannot deposit semen except at the opening of the vagina, for he is incapable of copulation. Compare Wernz, no. 347, where he rightly opposes Scherer, vol. 2, p. 273 ff., and C. d'Annibale, vol. 3, no. 431, note 10, who deny this impotence because such apposition can be fecund.

He is impotent whose passage opens not at the end of the penis but in its middle or lower part, or, to use other words, who labors under such hypospadias or epispadias and cannot pour semen into the vessel [2].

[2] We employ these words deliberately, because, as the Reverend De Smet observes, *De sponsalibus*, etc., no. 551, note 3, "impotence from hypospadias is sometimes cured merely by a change of position in coitus."

He is impotent who has lacked testicles from birth. He whose testicles were afterwards removed is already bound by the impediment of impotence, although he becomes incapable of copulation only gradually.

He is relatively impotent whose penis is thicker than can be accommodated by a vagina of small capacity.

What of a man who has undergone vasectomy?

73. Most recent authors [3] assimilate a man who has undergone a double vasectomy to a castrated man, except that, according to the ease or difficulty of repairing the canal, they will pronounce the impotence temporary or perpetual [4]. And thus, indeed, it seems that one must respond according to the common rationale by which the decree of Sixtus V concerning the impotence of eunuchs is explained.

[3] Compare the authors cited by the Reverend De Smet, op. cit., no. 550, note, where he names as defenders of sterility alone Donovan (hesitantly), Labouré, the Reverend Father Gemelli, and O'Malley. Compare also Ferreres, S.J., *De vasectomia duplici*, etc., where he discusses the question learnedly, although passing too lightly over the force of the preserved internal secretion.

[4] And, the difficulty of repair having been considered, the Reverend Dr. De Smet, op. cit., no. 276, p. 371, note 1, reckons vasectomy as a cause of perpetual impotence. But compare no. 84.

Looking solely at the natural law, the matter is not so certain to us; indeed, we think it must be decided a little differently. If, because the internal secretion is preserved, the regular venereal appetite seems likely to remain together with the faculty of copulation, we would call this man, with the physicians, sterile rather than impotent [5]. But if it should happen that the testicles are thereby weakened after some time and rendered incapable of both internal and external secretion, then indeed, but only then, shall we equate the effect of an irreparable vasectomy with the effect of castration.

[5] Moreover, a man who, with his testicles intact, pours forth an aspermatic emission because his vasa deferentia are obstructed is held sterile by many today. How does he differ from one who has undergone a vasectomy?

What of one who labors under sexual paresthesia?

74. What must be said of a man who, because of sexual paresthesia, has need of unusual means in order that he may be excited?

If those means are honorable in themselves, the man is not impotent. This seems evident of itself and, moreover, is confirmed by an allegation from Sanchez [6], in which he hands down as most certain that the greatest difficulty in copulation is not sufficient for impotence. Before such a marriage has been consummated, this will sometimes be a cause why a dispensation from a ratified but non-consummated marriage is sought.

[6] *De matrimonio*, book 7, disp. 92, no. 6.

Examples in a woman.

75. - II. A woman is impotent who lacks a vagina, or who has one that is impenetrable, whether because of the absence or narrowness of the opening, or because of the hardness of the hymen; the latter defect is cured fairly easily.

She also will be impotent who, because of vaginismus, cannot suffer penetration.

III. Examples of Sterility

In a man.

76. - 1. We must call that man sterile who emits semen devoid of spermatozoa (*azoospermia*), whether because the testicles are affected by disease or because they cannot communicate with the urethra, or whose spermatozoa do not live (*necrospermia*) because of disturbed testicular function or disease of the seminal vesicle or the prostate. Compare Antonelli, vol. 2, no. 650, who discusses the causes in the following numbers.

In a woman.

2. A woman will be sterile who supplies no ovum, or who, because of a defect of an organ or disturbed functions, gives no place for the union of ovum and sperm, or whose ovum cannot mature. Dr. Antonelli enumerates various causes (vol. 2, nos. 661-678), where he also observes that causes of sterility are far more frequent in a woman than in a man.

Useful counsel.

N.B. It will be helpful to have recalled that it happens not so rarely that marriages remain without fruit because of some cause of sterility which can be removed fairly easily by a skilled physician. Useful counsel, therefore, will be given to spouses who grieve that they lack children, that they approach an upright and diligent physician.

§ 13. The Question of the Consummation of Matrimony

The occasion for the question.

77. The connection and importance of the argument urge us to join the question of the consummation of matrimony to the question of impotence and sterility.

The received principle.

We proceed from a formula received in the Catholic schools when we say: Matrimony is consummated from the time when both spouses have been made one flesh, according to Genesis 2:24, which is also inculcated in 1 Corinthians 6:16: "They shall be two in one flesh." Now already from antiquity, according to the received opinion, as the commentary on chapter 1 of Genesis long ascribed to St. Thomas proves, spouses can become one flesh both by reason of carnal commingling and by reason of offspring. Therefore:

The most perfect consummation.

78. - 1. When, after ordinary copulation, a spermatozoon has penetrated the female ovum, the marriage has been consummated most fully. For then the spouses have become one flesh not only in the conjugal act but also in the new flesh composed from them. There is, in the strictest sense, the *commingling of seeds* which the ancients seem to require [1].

[1] Compare Bucceroni, *Institutiones theologiae moralis*, at the end of vol. 4.

Moreover, offspring conceived explains very well why a marriage thus consummated becomes perfectly indissoluble.

Nevertheless, no one simultaneously requires both of these things, copulation and conception, for consummation [2]. And that requirement would be excessive is shown by the consequences themselves. For then the marriage would be consummated not from the hour of copulation but from the uncertain hour of conception; one who married a pregnant woman could not consummate the marriage before she gave birth; sterile persons would never consummate a marriage.

[2] Nevertheless, this seems to be required in *Ecclesiastical Review*, 1919, pp. 246-247.

2. The latter two consequences also show that it is not sufficient to temper the severity of this requirement by a presumption according to which copulation rightly performed is presumed fecund. For the presumption can have force neither with a wife who is married while pregnant, nor among sterile persons.

Whence does the perfect indissolubility of matrimony arise?

79. But at the same time we are taught that the absolute indissolubility of a consummated marriage must be formally derived from somewhere other than offspring. Whence, then? From the complete handing over of bodies through the conjugal act, almost as formerly, in Roman law, transfer of ownership was perfected not by agreement alone but by true or symbolic delivery. After the conjugal act, the matter is no longer intact: the husband has used the body of his wife, and has not only deposited something of his own in her but has communicated with her by that mysterious communication by which a certain physical assimilation of the wife to the husband is procured through conjugal relations [3].

[3] Compare, in the work *L'Honnêteté conjugale*, the dissertation of Dr. Desplats, placed between the pastoral epistle of His Eminence Cardinal Mercier and our essay, *La peur de l'enfant dans les classes dirigeantes*. The work appeared in Italian at Turin under the title *Matrimonio e Maltusianismo. Saggio religioso-medico-morale*, the sole translation by the attorney Federico Marconsini.

The opinion of Sanchez.

80. On what is, as it were, the opposite side, Sanchez [4] sets forth as undoubted that it is required and sufficient for the consummation of matrimony "if the male semen, by whatever art, or with the female womb drawing it, should enter into the female vessel." According to this opinion, no copulation is required: an artificial, prodigious, or miraculous introduction of the husband's semen into the wife's vessel consummates the marriage. Sanchez cites very many authors in favor of this opinion, which pleases us because it is simple and coheres with the rationale just given for firmer indissolubility. For the reception of the male semen implies that use of the wife's body, that communication of the husband's substance with his wife.

[4] *De matrimonio*, book 7, disp. 64, no. 15.

Today, however, I do not know whether it has no patrons.

The opinion of Lehmkuhl.

81. - 4. The consummation which, in the age of Sanchez, they placed in the reception of the male semen, Lehmkuhl [5] places in conception, at least partially, insofar as "if conception has taken place, however much something may be said to have been lacking in the very act of the conjunction of man and woman," he holds the marriage to be consummated, "for they have truly been made one flesh, since offspring is conceived from the flesh of the man and of the woman." Nevertheless, he likewise admits the other mode of consummation, through copulation.

[5] *Theologia moralis*, vol. 2, no. 998. The same is also proved by Wernz, vol. 4, no. 432, note 51.

The opinion of several today.

82. - 5. Turning to copulation, as many as judge a woman without ovaries incapable of matrimony require, in order that a marriage may be consummated, copulation performed in such a manner that the concurrence of the male semen with the ovum can occur, the constitution of each person having been considered. Thus these authors, although they require copulation, formally attend to offspring, not indeed actually conceived but possible. "Spouses, by marital copulation, become *one flesh* not actually in offspring, but potentially in relation to offspring" [6].

[6] Bucceroni, *Institutiones theologiae moralis*, vol. 4, p. 496.

We cannot approve this opinion, both because the general possibility of conception effects nothing toward the present consummation, and because it brings forward no rationale why a marriage should thereby become more indissoluble, and because its patrons ought logically to deny that a marriage is consummated through copulations which are foreseen to be necessarily sterile. We confess with His Eminence Cardinal Gasparri [7] that we do not see what the nature or perpetuity of the obstacle contributes.

[7] *De matrimonio*, no. 777.

The present-day opinion of others.

83. - 6. Therefore, very many others today declare perfect copulation, that is, copulation performed with the effusion of true semen in the natural vessel of the woman, to be necessary and sufficient. They require copulation because it is the act to which matrimony is ordered; they are content with this copulation because "the commingling of seeds or blood among the ancient writers is matrimonial copulation" [8].

[8] Cardinal Gasparri, ibid., no. 570.

For the commingling of seeds required by the ancients supposed in the woman only that pseudo-semen which, since it is not necessary for generation and is in no way communicated with the man, in truth has little bearing upon the cause: several of the ancients already did not require this emission of the woman except insofar as it might be essential. Moreover, from St. Thomas [9], we clearly have that spouses become one flesh through carnal commingling alone, without regard to offspring. "They shall be two, namely the man and the woman, in one flesh, that is, through carnal commingling they are made one flesh, and thus the members of one become the members of the other. From two there is made one in the act of generation." Compare no. 13.

[9] *In I ad Cor.*, chapter 6, verse 16.

The question of eunuchs.

84. Almost all deny that eunuchs have true semen, and therefore they deny that a marriage is consummated through copulation performed by eunuchs. We too deny this (at least when it concerns those eunuchs who have not been recently mutilated, since adults recently mutilated are not incapable of fecund copulation), but for a somewhat different reason: because those deprived of the testicles are also deprived of the internal secretion by which the energy of copulating with effusion is nourished, so that they are first deprived of satiating copulation and then of the very faculty of copulation.

Of one who has undergone vasectomy.

Wherefore, although we render the honor due to the common opinion, we doubt the conclusion by which adults who have undergone vasectomy are held actually impotent. For they, since they preserve internal secretion (unless, which is not yet established, it must perish latently), fully preserve their virile powers. They do indeed emit semen without spermatozoa. But are spermatozoa essential to consummation as they are to fecundation? This can be doubted. The rationale given above for the

greater firmness of a consummated marriage is independent of every consideration of offspring or fecundation. Furthermore, several authors admit that a marriage is consummated by those who indeed have testicles but emit dead, and therefore useless, spermatozoa, or who emit aspermatic fluid (to which, therefore, the testicles contribute almost nothing); indeed, they commonly hold (Dr. Antonelli himself) [10] that those who have an obstructed vas deferens, so that communication with the urethra is suppressed, are only sterile and therefore capable of consummation. How do these differ from those who have a vas interrupted by section [11]? We submit these things to the judgment of wise men who may wish to examine the cause objectively.

[10] *Medicina pastoralis*, vol. 2, no. 650.

[11] This is confirmed by the authority of an excellent surgeon, a professor at Louvain, who, after kindly writing for us a dissertation on vasectomy, concluded of his own accord that this section, which did not impede internal secretion, induced sterility but not impotence.

Of artificial fecundation.

85. Come now: since, in addition to true semen, they also require copulation, they say "without hesitation... that artificial fecundation properly so called (that is, without any copulation) does not consummate a marriage, even if offspring should follow from it" [12].

[12] Cardinal Gasparri, op. cit., II, 1302.

Of emission at the opening.

86. There is greater doubt concerning semen which the husband places only at the opening of the vagina and which is received inward in such a manner that offspring could, or even did, arise. His Eminence Cardinal Gasparri denies consummation. But if, no other manner being available, intercourse of this kind is permitted to spouses, the rationale of copulation seems to us to be sufficiently preserved that, speaking according to this opinion, we would admit the consummation of the marriage.

Conclusion.

87. After the opinions have been proposed and weighed to some extent, if what we ourselves think must be added, we incline strongly toward the position which Sanchez defended with most authors of his age, so that we call a marriage consummated whenever the true semen of the husband has been received inwardly by the wife. This opinion is plain; it fits perfectly with the rationale why a consummated marriage is altogether indissoluble. But we do not perceive that the very introduction of the virile member, separated from effusion, contributes anything to the greater firmness of matrimony; and hence we are content, for the present effect, with effusion without copulation [13].

[13] But where copulation has been absent, the reception of semen inwardly will have to be proved, not presumed.

§ 14. On the Remedy of Artificial Fecundation

The rationale and various modes of artificial fecundation.

88. - On the remedy of artificial fecundation. The artificial introduction of the male semen into the vagina of a woman has, in a few cases, been able to bring offspring to sterile or impotent spouses. They report that either a sixth part of the attempts, or 21 out of 65 attempts, succeeded well physically.

It is practiced in various modes. a) Semen collected through masturbation is introduced in several sacs into the depth of the vagina as far as the cervix of the uterus. b) The man coits by means of a "condom"; he collects the semen thus emitted in a small glass siphon, previously warmed, and either he himself or a physician afterwards introduces it into the cavity of the uterus. c) Normal copulation having been performed, the semen is collected by means of a metallic instrument and is introduced more deeply, as far as the cavity of the uterus. d) Without any copulation, spermatozoa are extracted from the inner covering of the testicles (the epididymis), and then introduced into the wife's vagina and uterus.

The moral evaluation of this fecundation will be treated later. Thus far we have considered the physiological aspect of the matter.

Part One: Doctrinal, Apologetic, and Pedagogical

Division of the whole argument.

89. - Rationale of the order. By a rationale not unlike that by which they are accustomed in schools of law to distinguish doctrine and jurisprudence - doctrine, I say, which is occupied with the scientific exposition of laws, with principles and ends added; and jurisprudence, which proposes the correct estimation of human facts according to the laws - we have divided our moral treatment into two parts, of which we have called the former doctrinal, apologetic, and pedagogical, and the latter casuistic.

The former part, insofar as it is *doctrinal*, expounds the rules which must be laid down for that natural sexual appetite which we have already come to know anthropologically; it indicates the laudable or necessary ends toward which either the use, or the moderation, or even the restraint of that appetite can be directed; that is, in sum, it examines the virtue of chastity, its nature, excellence, and duties according to the diverse condition of human beings.

Insofar as it is *apologetic*, it protects and vindicates the moral rules of the Catholic Church.

Insofar as it is *pedagogical*, it adds counsels by which those ends may be attained more surely, more easily, and more fully; or it shows itself solicitous about the manner in which the virtue of chastity is to be cultivated, perfected, and restored.

Therefore it is divided into two sections, of which one treats the good or virtue of chastity, and the other treats the cultivation of chastity according to the various states and conditions of persons.

In the *casuistic* part, however, abstracting more from the final rationales of acting, we turn rather to defining what is lawful and unlawful and to weighing the varying gravity of sins. These explanations are useful for the prudent formation of the mind and cannot be neglected by a penitential judge; but they furnish to a man only an inadequate norm of acting, one which must be perfected by the persuasions of the former part, so that he may be rendered worthy of the Christian vocation.

By the former part, the confessor will chiefly be assisted in sustaining the person of teacher and physician; by the latter, he will be instructed to exercise rightly the office of judge. Yet the two parts could not be so separated that the latter would have nothing doctrinal to propose, since the intrinsic rationale of the replies must be given, and especially since the intrinsic and grave malice of lust must be discussed there; and since we must be solicitous about the manner of treating this argument fruitfully in the tribunal of penance.

Section One: On the Virtue of Chastity

Chapter I. A General Consideration of the Virtue of Chastity

Division of the chapter.

90. - Distribution of the matter into three articles. Although we are dealing with the supernatural order, and there is no natural virtue properly so called [1], nevertheless it is useful to investigate what reason itself teaches us concerning chastity, or what natural virtue could have existed and, in a broader use of the word *virtue* [2], does exist. Wherefore we shall establish this first. Then, in the second article, we shall demonstrate what excellence and aids, in the present order, have accrued to chastity from Christian faith. But now there are not so few men, even cultivated men, who, estranged from Christian faith through their own fault or even ignorance, attempt, as it were, to restore pagan society before our eyes. Therefore, in order that the treatment may be fuller, we shall recount their views on chastity in the third article. And by a similar rationale we shall arrange the matter in the other chapters.

[1] A *natural virtue*, that is, one which is acquired and exercised by the powers of nature alone. Those powers can confer upon a man only natural goodness, which, in the present condition of elevated man, is not sufficient for living rightly.

[2] By a broader use, an inclination is called a virtue which, in the natural order, would produce virtue.

Article I. The Rational Estimation of Chastity

Chastity is shown to be a special virtue, and its notion is handed down.

91. - Demonstration of the virtue of chastity. Thus, in this article, we treat the nature and office of chastity as they are perceived by the eyes of reason in the present condition of the human race.

Reason, then, teaches us that there is a virtue of chastity which can be defined: *A moral virtue, a species of temperance, and a perfection of the concupiscible appetite, which inclines toward honesty in moderating the appetite for venereal pleasures.*

For, as reason teaches and St. Thomas confirms for us, wherever a special rationale for moderating pleasure is found, a moderating virtue is proved to be fitting and necessary; and this virtue will be subject to temperance, since the province of moderating concupiscences has fallen to the cardinal virtue of temperance.

Now pleasure, and indeed the most vehement pleasure, of itself accompanies the use of venereal things.

The pleasure is special. For it is already established by direct observation, as we saw in no. 22, that this pleasure differs even from the sense of touch, to which it is more akin, and pertains to a less exterior sensibility. Moreover, since pleasures are the perfections of operations [1], venereal pleasure is proved to be special from the peculiar operation itself to which it is joined.

[1] St. Thomas, I-II, q. 4, art. 2.

Its vehemence, moreover, surpasses the other sensible pleasures, and it alone seems to promise a certain satiating happiness.

And because the venereal appetite is not directed toward an arduous thing, it is referred to the concupiscible, not to the irascible appetite. Wherefore the moderating virtue, or chastity, has its seat in the same appetite, so that it may perfect it; and it must be placed under temperance.

What chastity governs.

92. - The scope of chastity. Chastity governs the venereal appetite immediately and of itself. Nevertheless, because, as we saw in no. 17, the other senses (except taste) concur in exciting venereal pleasure, chastity, under its proper aspect, also governs the use of the eyes, ears, smell, and touch. Indeed, because the quality and quantity of food or drink influence sexual libido not a little, chastity, from its own motive, will command certain abstinences from food or drink, or even a certain use of them [2].

[2] For an excessive weakening of the body can provoke sources of temptations.

The notion of continence.

93. - Chastity and continence. Acquired virtue, by its very definition [3], confers facility in acting well. Nevertheless, many, even of those who are endowed with upright morals, must struggle with a natural propensity toward lust. Wherefore, strictly speaking, while the difficulty persists, they have not obtained the acquired virtue of chastity. But if they preserve in the will a habitual, firm disposition to resist the movements of concupiscence, they are said to possess continence.

[3] *Habitus* signifies an inclination.

Twofold continence.

Continence, therefore, is *the interior will of chastity persevering in difficulty*. This disposition is referred to chastity as a certain beginning and preparation for it. By the Philosopher [4], because of deficient command over the senses, it is called a *mixed virtue*.

[4] *Ethics*, book 4, at the end.

By the special name of *continence*, however, is designated the pursuit of perfect chastity, or that which attains fuller praise for resistance, since it bids farewell to every carnal pleasure, even that which is rendered honorable by matrimony.

The beauty of chastity.

94. - The beauty of chastity. Both the order which the virtue of chastity, thus understood, establishes in a man, and the nobility of command by which reason so masters a most vehement passion that it never, at least against reason, submits itself to venereal pleasure, already adorn this chastity with a twofold beauty. For since it is perceived by us through the natural light itself that it pertains to our dignity that we should be led and governed by reason and not by passion, we cannot judge any rebellion of the flesh to be morally indifferent, but must acknowledge in it a defect of moral order, although one without fault, and must fight against it. And there appear beautiful to us in the moral order the purpose and the effort by which the free will endeavors to correct this defect.

Wherefore, even by those who, although estranged from the faith, nevertheless preserve a sense of honesty, dominion of this kind is celebrated as a fruit of human culture. "Civilization," says Féré [5], "has the general effect of subjecting the instincts to the will."

[5] *L'instinct sexuel*, p. 24.

Article II. The Christian Estimation of Chastity

With how many kinds of benefits Christ has affected chastity.

95. - A general view of the matter. Amid the very darkness of paganism, not all honor was denied to chastity and virginity; and among the heathen there were devotees of religion who were not only admirers but also followers of the chaste life. Nevertheless, men, when left to themselves, cast themselves down into such corruption; but Christ, in turn, fortified and adorned chastity with such protection and such grace that, before and outside the Catholic faith, there must be said to have been and to be only shadows of chastity.

Therefore, just as the practice of perfect chastity without the aid of Christian grace is shown to be inaccessible to man, so also a perfect understanding of chastity is sought in vain without the light of Christian revelation.

Moreover, the benefits which Christ by His revelation brought to the cause of chastity, or to human morals, can be assigned to two kinds. Some supply a more universal, fuller, and firmer knowledge of the natural duties of chastity; others, which affect the intellect and the will, contain, together with teachings inaccessible to natural reason, supernatural incitements by which the cultivation of every kind of chastity is rendered more evident.

What Christ furnished to chastity so that natural knowledge might be fuller.

96. - On the illumination of natural chastity. The moral impotence under which man, left to himself, labors in attaining even the natural law is especially perceived in this difficult matter.

Revelation having been made, the sound eye of the mind indeed perceives, as if by intuition, that the precepts and counsels of morals as proposed by the Catholic religion are true and praiseworthy. Often, however, there remains the difficulty of finding, or even grasping, the strict reasoning by which it may be demonstrated dialectically that those same things are true.

For the benefit of the faithful.

Therefore, by the benefit of revelation it happens: a) That the faithful, even if little instructed, may learn the natural laws of honorable morals as the Church proposes them and, their soul being naturally Christian, or by the sound eye of the mind, may approve those same laws without hesitation. And the world ought to refer it to the credit of the Christian religion that a human society has existed which openly professed and sanctioned a complete doctrine of salutary purity. If many sins were committed in the more barbarous age of the Middle Ages, and even enormous crimes appeared, nevertheless there was no departure from right principles; and in them there was preserved a certain hope of amendment toward the better and of continued progress.

For the benefit of all.

b) That by the benefit of the same Christian society, even many non-Catholics - at least those who have not renounced the sense of honesty and are solicitous for human dignity - may hold and protect right principles of morals, and that throughout the whole world a certain severity of morals may prevail which the cultivated pagan world did not know.

Whence the skepticism of certain persons.

Yet, in turn, because of the difficulty and subtlety of the reasonings, it also happens that others, more averse to the Christian religion, often untrained in philosophy and devoted to a gloomy or "pessimistic" skepticism, begin to call the sacred laws of morals doubtful and vain, and to disregard and disdain them as empty inventions, or inventions of priests, or arbitrary agreements.

What Christ furnished to chastity as the author of supernatural faith.

97. - On the aids brought by supernatural faith. We think that the aid which the Christian faith, insofar as it is supernatural, brings to the honor and cultivation of chastity can be presented briefly as follows.

The Christian faith illuminates the excellence of chastity and promotes its cultivation:

By preaching the inviolable sanctity of moral obligation.

1. By its explanation of the present economy. By reason itself there is known that principal law of every human action by which satisfaction is subordinated to duty, and pleasure or convenience or utility to every kind of moral rectitude, and must serve it. Yet this sanctity of duty introduces the necessity of no slight immolations or sacrifices, on account of which its laborious observance is shunned and excessive rigor is imputed to our sensuality. Indeed, as the audacity of men increases, the modern school of Epicureanism has begun to construct an altogether different foundation for human actions, while it celebrates a right to present happiness and allows nothing to be inviolable in order that this right may be exercised. "For the means, so at least they think in practice, are rendered honorable by the end; but beyond the happiness possible today, no end can now be assigned except a chimerical one." How well, therefore, does the Catholic Church merit of the human race when it preaches and inculcates to all the absolute necessity of every duty! But at the same time, so that her preaching may be more efficacious, in the plan of the present life - where the order by which happiness is joined to virtue indeed has a beginning, but suffers many apparent or true exceptions *per accidens* - she shows a certain stage of probation, which a more magnificent restoration of order, prepared by the disturbances of today, will follow. Nor is the Christian faith content merely to propose this economy as just and reasonable, but by the example of the Passion and Cross of Christ it impels us efficaciously to embrace it with the greatest love.

By our revealed dignity.

2. By the dignity with which the Christian faith shows the human race, the Christian community, and the body of the faithful person to have been increased.

a) For through the mystery of the Incarnation, by which we have been made brothers of Christ and sons of God, the human race, in which purity is to be cultivated, has been affected with an ineffable honor: this supreme nobility demands and commends a noble manner of acting. Therefore, when it preaches *our* adoption, the Catholic faith inculcates care for chastity.

b) According to the Catholic faith, we come together into the sacred unity of a community whose reputation and honor require that we have holy morals. Wherefore the Apostle, indignantly enduring the scandal, lamented: "Fornication is altogether heard of among you" (1 Corinthians 5:1).

c) The Catholic faith shows that the *body*, which is the remote object of chastity, is holy, insofar as our bodies are members of Christ [1] and the temple of the Holy Spirit [2], who bought us at the great price [3] of the blood of Christ, so that we are no longer our own [4], but ought to bear God in our body in a manner which brings glory to God. Compare 1 Corinthians 6:20.

[1] 1 Corinthians 6:15.

[2] 1 Corinthians 6:19.

[3] 1 Corinthians 6:20.

[4] 1 Corinthians 6:19.

In these words, whose exact meaning can easily escape most of the faithful, we nevertheless all perceive that which is most efficacious for moving us: that the body must be treated holily, in a manner worthy of God, since it is something of Christ, something acquired for God by the blood of Christ. For our purpose, it is sufficient to have noted this.

This brief rationale of the words of St. Paul can be given. We are members of Christ because Christ suffuses our whole selves, and therefore also our body, with His life; He finds in us, as it were, an instrument of His action, and renders us associates of His glory. On account of this life and participation in divine glory, we are also, especially after we shall have obtained glorification, under another aspect, the temple of God.

But the greater the dignity of the body is, the more the necessity of treating it reverently is increased.

What of the fact that we sacramentally partake of the Body and Soul of Christ; that, as often as we are refreshed by the sacred banquet, a title to eternal, incorrupt life is placed in us? This glorious immunity from corruption ought to engender in us a greater flight from moral stain and a stronger hatred of it.

To this necessary honor of our body there is also added, so that we may be moved all the more to treat the body holily, the right acquired for God through the blood of Christ: we, who have no life except a redeemed life, can no longer be our own right, but are legitimately possessed by God. And when St. Paul assigns this possession to the Holy Spirit, by the very name of the Divine Person to whom he appropriates it he seems to emphasize more strongly the necessity of holiness.

By the addition of motives for cultivating chastity.

3. By the motives which the Catholic faith draws for us from history and from proposed examples for cultivating and loving chastity.

a) From the historical teachings of faith we know that the insolence of the flesh began after sin and opposes God's first designs for us; wherefore we ought to abhor it as contrary to the will of God.

Moreover, according to the testimony of Sacred Scripture, original sin was manifested by the rebellion of the flesh, and the two rationales are joined by so intimate a bond that some Fathers seemed to place in concupiscence itself, as it were, the essence, or at least a material part of the essence, of original sin. But if, in this rebellion, we bear as it were a permanent sign and symbol of ruin and sin, in the taming of the flesh we can seek and love a special symbol of victory and justice. Hence glory, hence honor.

b) The Catholic faith directs perfect chastity toward the imitation of the angels and of the Blessed Virgin; conjugal chastity toward the imitation of the mutual fidelity of Christ and the Church. Compare also the things below concerning these matters.

Subjectively, by the aid of grace.

4. Subjectively, by the aid of supernatural grace. We are taught by the Catholic faith that supernatural grace is present to us in fulfilling the duties of chastity and in attaining every praise of chastity. The force of this aid not only exerts itself immediately, according to its proper rationale, but also assists us naturally in addition, insofar as it instills in us a greater persuasion of our power. In actual fact, as experience testifies, we are more able to do that which we think ourselves able to do. "They can, because they think themselves able," Virgil already sang.

Therefore, in every way, the Catholic faith confers a new splendor upon the virtue of chastity, and gives men courage and strength to exercise the virtue thus rendered more excellent.

The objection that the Catholic faith has despised women.

98. Nevertheless, this reproach is brought against the Catholic cultivation of chastity, that it has despised the female sex too greatly. And the adversaries allege certain passages from approved ecclesiastical writers which women could hear only with displeased ears; nor are there lacking those who, with little learning, still repeat the calumny as though the Church, at the Second Council of Mâcon (Mâcon, A.D. 585), had doubted the human soul of a woman.

The reply concerning harsh words.

It cannot be denied that these harsh words occur, but they must be explained by the circumstances either of the writer, who by his condition was obliged to lead a life apart from every association with women, or of the hearers or readers, who had to be turned away from approaching dangerous occasions. But the true and genuine tradition of the Church, to which attention ought rather to be given than to the words of individual writers who, although they were holy, were not immune from every error of expression, is found in the veneration of the Blessed Virgin Mary, in the praises of virgins, in the passages in which the Apostle made the man and wife of equal right as regards the mutual possession of the body [5], and commended to men that they love their wives as Christ loved the Church [6].

[5] 1 Corinthians 7:4.

[6] Ephesians 5:25, 33; Colossians 3:19.

Wherefore, an equitable judge praises the Church because she vindicated and restored the honor and dignity of the female sex. Moreover, it is sufficient to consider what place women had in paganism and what place they have in non-Christian societies, in order that you may understand how well the Church has merited of the female sex.

Concerning the doubt about the woman's soul.

To overthrow the calumny to which the Council of Mâcon gave occasion, it is sufficient to report the very words of Gregory of Tours which supplied the occasion for the calumny. "There was also present in this synod a certain one of the bishops who said that a woman could not be called *homo*, a human being. But, after accepting the reasoning of the bishops, he fell silent.... Our Lord Jesus Christ is for this reason called the Son of Man, because He is the son of the Virgin, that is, of a woman" [7]. Therefore the matter concerned not the reality, but only the use of the Latin word *homo*, concerning which one man doubted whether or not it applied to both sexes.

[7] *Monumenta Germaniae Historica, Scriptores rerum Merovingicarum*, vol. 1, Gregory of Tours, *Historia Francorum*, book 8, chapter 20.

Article III. The Neo-pagan Estimation of Chastity

The argument is circumscribed.

99. We do not speak here of those who, content to exercise lust, attempt to render their depraved morals honorable by no appearance and rush into every kind of baseness - for such persons, since they abstain from professing principles, can be assigned to no school - but of those who, since they think the Christian age is tending toward its end, so that they believe the Catholic faith no less than any other Christian profession to be affected by a mortal sickness, fashion themselves apostles and assistants of a new age.

Now these men can be gathered into two classes. Some, under the name of naturalism, think to restore a system of a certain graceful lust, while others wish to protect uprightness of morals in practice.

The views of naturalism are set forth.

100. - On naturalism. The followers of naturalism, not only denying but ridiculing the dogma of original sin, contend that human nature is so good that they proclaim living in conformity with nature to be the sum of wisdom and the summit of morality.

But to live in conformity with nature is not, for them, to subordinate other things to rational life and to tame the lower appetites by reason, but to procure its satisfaction for every natural inclination. As they think, no act of the sexual appetite ought to inflict shame upon anyone, since this appetite is no less honorable than any appetite for food or any other natural propensity. Since it exists with varying vehemence in different persons, only this must be guarded against, that we not increase it artificially. But one who follows his natural appetite is no more to be reproved than one who satisfies hunger by eating, provided that he does not seek baser modes through deliberate lasciviousness. Intercourse between an unmarried woman and an unmarried man can be more honorable than intercourse

between spouses if it should be performed with more sincere love. Nevertheless, offspring is to be avoided unless those having intercourse wish to nourish it. Wherefore, every asceticism sought from a higher rationale than health and nature must also be sharply condemned. For one is not to be sorrowful here on earth, but is to pluck the joys of the present life. "This is not the gospel of the flesh, in the lowest acceptation of the term; it is the cult of the joy of living, of health and of beauty, which gives satisfaction to man's aesthetic need" [1].

[1] Nyström, *La vie sexuelle et ses lois*, p. 84.

In this matter, several are held by a formal desire for paganism. Thus Théophile Gautier, in the work *Mademoiselle de Maupin*, and Pierre Louÿs, in the preface to the work *Aphrodite* [2].

[2] It is superfluous to warn that these works of fiction must be placed among wicked works.

Nevertheless, they commend some attempt at moderating the appetite itself (how consistently?) from a human motive, so that satisfaction may be deferred until a more mature age, unless, however, the excessive force of the appetite stands in the way. But they frequently deny that continence can be preserved by very many [3]; and, abusing the history of monks, they contend that their austerities and endeavors against love were useless.

[3] Under the name of Abbé Dolonne, the treacherous work *Le clergé contemporain et le célibat*, Paris, Michaud, undated, was written; it contends the same thing.

Among the followers of "naturalism," notable are the authors of amatory fictions and several unbelieving physicians [4]; nor, in this madness of depravity, do the northern regions yield to the warmer ones. But in boldness women surpass men, even unmarried women, so that the non-Catholic physician and professor Seved Ribbing indignantly notes the matter thus: "The women who now write rejoice brightly in this, that they strip the garments from themselves and their sisters in the sight of all, and crudely point a finger at the most intimate sexual matters" [5].

[4] For example, Forel in Switzerland and Nyström in Sweden.

[5] In Moll, *Handbuch*, etc., p. 950. The German words read: "And especially the female writers now take their bright delight in tearing the clothes from themselves and their sisters before all the world, and in brutally pointing fingers at the most intimate processes of the genitals."

They are refuted.

With men of this kind, little is to be said concerning original sin, because it cannot be demonstrated by natural reason. But they must be convinced that they sin very greatly against the human nature whose devotees they profess themselves to be. And in actual fact: a) They pass over our *composite nature*: this shows a necessary struggle for restraining concupiscences, which indeed are not evil but blind, and therefore must be led by other eyes, that is, by superior reason. Conscience itself, by the satisfaction which we experience therefrom, spontaneously testifies to the fittingness of this warfare. b) Forgetful of our *social nature*, they do not observe that some natural appetites are immediately given for the good of individuals, but others for the good of the human race, so that one who sets an action contrary to this end offends and violates nature. c) Heedless of *progressive nature*, they do not observe that there is in man a certain appetite for an "ideal" life, as it is called, that is, for such a life in which the nobler faculties almost suppress the others, and men themselves, having been made superior to themselves, compensate by their examples for the excessive abasement of others and

preserve the whole human race from excessive corruption. Conversely, by the simultaneous satisfaction of the various powers which they preach, the detractors of continence permit nothing beyond mediocrity to be hoped for, and offer nothing by which the ignoble pursuits of many may be redeemed. d) *Despising the dignity of the human mind*, they consult only the flesh, and not the soul, concerning sexual union. e) *Not considering human psychology*, they neglect the power which imagination and suggestions possess for arousing and sharpening the sexual appetite. Therefore, while they declare continence impossible, they render it actually impossible for many; while they say that natural hunger must be satiated, they excite an artificial hunger in such a manner that in many it must arrive at satyriasis.

A response is made to the difficulties by which they attack asceticism.

101. But what of the reasons by which they attempt to overthrow the Catholic views?

1. They calumniate asceticism as though it were founded upon sadness. For the true law and pursuit of asceticism aim at this, that a greater and fuller good of man be substituted in place of a lesser and narrower, or more partial, good. And this also accords with human nature, that from reasonable immolation and self-denial man should draw the beginning of greater happiness, not only in the future life, but even now in the present.

Penances.

2. Fasts and other penances, they continue, could free monks neither from temptations nor from great corruption of morals: they themselves are witnesses to how fruitlessly man struggles against love.

Reply. A certain distinction is needed here. As regards temptations, although moderate penances are usually of no slight assistance in overcoming and preventing them, nevertheless a method by which one's strength is too greatly weakened is not so happy that it does not sometimes produce nervous diseases and thereby introduce troublesome difficulties.

But were the sins themselves connected with true austerity of life? We very much doubt it. The sins seem rather to be referred to discipline relaxed in many monasteries.

But why is it pleasing to turn minds toward past vices rather than toward present virtue? Is it not evident today that there are very many religious and priests who, by the example of a life at once unblemished and happy, refute these false assertions of the reformers?

Or they appeal to the relaxed discipline of the Church.

3. But was not the Church herself compelled to relax her severity so that she permitted concubinage, at least to the unmarried? And they cite canon 17 of the First Council of Toledo (400), by which communion is denied indeed to those who, besides a wife, had a concubine, but not to those who were content with one concubine.

The Spanish canon concerning concubines.

Reply. This canon is open to various interpretations. There are those who think that by the name of concubine a true wife is designated there, one married less solemnly because of her inferior civil

status. But even if, as we think more probable, it concerns a stable but nevertheless not firm union with one woman [6], this canon of a Council of 19 bishops proves only these two things: a) that not all moral dogmas were immediately understood everywhere, and that the human race had to be liberated gradually from immense moral errors; b) that Roman institutions were corrected by the Christian religion not without difficulty, and therefore not without glory [7]. Namely, in Roman law, besides lawful nuptials with dowry tablets, concubinage was admitted, distinct indeed from promiscuous intercourse, but its union rested "upon the mere intention of the mind" [8], without a bond of law.

[6] Compare Freisen, *Geschichte des canonischen Eherechts*, 1888, pp. 64-65.

[7] Compare Leo XIII, encyclical *Arcanum*.

[8] Law 4, *Digest*, 25, 7.

Moreover, Constantine had already decreed: "Let license be granted to no one, while a marriage subsists, to have a concubine with him" [9]. Taking this up, the said Spanish Council did not reprove concubinage with one woman in an unmarried man.

[9] Sole law, *Code*, 5, 26.

Certainly St. Augustine [10], and afterwards Spain also, reproved these things better. But this already shows that, in the case objected, the matter concerns not a relaxation of stricter discipline, but the later introduction, into a distant region, of Catholic discipline. It would indeed be sad if morals were so depraved by modern impiety that, in order to avoid greater evils, the civil institutions of the pagans had to be restored.

[10] Sermon 392 (Migne, *Patrologia Latina*, vol. 39, col. 1710).

What more honorable non-Catholics think.

102. - On non-Catholics who defend uprightness of morals. Impelled by the very corruption of morals, other men estranged from our faith approve by their own authority the precepts and counsels of the Catholic religion and sometimes defend them vigorously. Some of them think they do not need the aid of religion, so that they hope morals can be amended by natural reason. Yet rarely are there found those who agree with us so fully that they profess the absolute necessity of purity. Wherefore, on account of the manifest utility or, as it were, necessity of the physical order, most will permit or even counsel both onanistic copulations and abortions. But thus they themselves tacitly destroy the inviolate sanctity of morals and decline toward the utilitarianism which others abuse so greatly.

Nevertheless, it is lawful for us to employ this cooperation of unbelieving and lay science, so that with a more upright spirit, fuller sincerity, and firmer hope, we may propose moral truths as they are and proclaim that they must be observed.

Chapter II. On Conjugal Chastity

Article I. The Rational Estimation of Matrimony

The rationale of the order and the method.

103. The matter manifestly demands that we first demonstrate the natural institution of matrimony; once this notion has been acquired, we shall gather without difficulty what conjugal chastity commands, demands, and counsels.

The demonstration, however, demands that we consider and weigh several things together. For it is effected by comparing the *requirements* of the good which nature wishes to be secure with the *facts*, that is, whither natural propensities tend and what they effect; and what individual and common needs we experience.

I. On the Natural Institution of Matrimony

Matrimony is shown to be a natural institution.

104. - The origin of matrimony from nature. These things are manifest to natural reason. The good of human offspring, which is of the greatest importance to the good of the human race and therefore, at the command of nature, must be preserved, demands that an infant be born not from promiscuous intercourse, but of parents who have come together into a sacred unity, so that by the common solicitude of both parents it may be led perfectly to human life. For it comes forth from the mother's womb so wholly defenseless and lacking in counsel that it would immediately perish unless provision were made for it affectionately by general protection and minute attention. The father will give rather the protection, the mother chiefly the patient and minute cares, and both will give love. Then for several years the infant, child, adolescent, and young adult must be aided and directed in every manner; in this variety and succession of needs, now the mother, now the father, can furnish more useful work, yet in such a manner that each acts less well alone than when they are joined, so that a certain fitting tempering of the qualities of each sex is most greatly to be desired. This, moreover, will exist most happily if both parents, just as they were one principle of generation, so also become one principle of education.

But in turn, while man considers himself, he feels a great propensity toward the other sex, by which he is directed not only toward carnal conjunction with it, but toward a more complete union of persons [1]. As we said in no. 61, carnal conjunction is the symbol and material expression of this union, in the same manner as bodily pleasure figures the fuller happiness of persons whereby they have completed one another.

[1] Compare nos. 2 and 61.

If we now compare this good of offspring with these inclinations, do we not observe that there proceeds from nature an institution by which two persons complete one another and are made, as it were, one; and that, once this unity has been effected or this bond admitted, but not before, they will legitimately generate offspring? Ribbing writes aptly: "Founded upon the distinction of the sexes, matrimony constitutes the union of one man and one woman into one personality" [2].

[2] "Founded upon the distinction of the sexes, marriage is the union of one man and one woman into one personality" (*Sexuelle Ethik*, in Moll, *Handbuch*, etc., p. 927).

What unity of matrimony follows from natural law?

105. - The unity and stability of matrimony. 1. The morally equal number in which each sex exists also proves, to say the least, that it is among the desires of nature that one man with one woman contract this bond. For only a few more powerful men will be able to practice polygamy without killing the other men or reducing them to abject servitude.

What of the fact that this unity, this full and mutual communication which love affects, is not properly made except between two persons; what of the fact that this "exclusivism," or this jealousy, indicated above in no. 40 among the marks of love, which shuts others out from this intimate union, itself commends monogamy? Again Ribbing writes very well, op. cit.: "In sexual life one cannot hand oneself over to another except under the condition that one himself acquire the other."

Stability, and even perpetuity, is proved after a marriage has been consummated.

2. The stability, and even perpetuity, of matrimony is required on account of the offspring itself. For *for a long time* both parents, insofar as they have been fashioned into one, are necessary to the offspring; but they are *always* useful.

Moreover, children are bound by a perpetual duty of piety toward their parents, insofar as, having been made one, they generated and nourished them: they will perform this duty with difficulty if they find their parents divided by another marriage, as if made strangers to them. By a certain spontaneous estimation, a parent who, having spurned the prior bond, has attempted to admit another is judged to have done an injury to the spouse. But if both have entered a new matrimonial contract, they appear both guilty and victims of mutual injury.

Nor is the force of this argument diminished because it happens to the institution of matrimony that many marriages remain sterile.

For, since it is manifest that provision was made primarily through matrimony for the due multiplication of human beings, nature established its inviolable order concerning matrimony according to those things which this primary end required. And at the first intuition of common sense it is perceived that there cannot be different laws for a fecund marriage and for an infertile marriage: we all perceive what a path would be opened through this distinction of laws to the inventions of unbridled lust.

Add now that, through matrimony, after it has been consummated, the spouses have come together, as it were, into one human being, and that a mysterious communication of qualities has been effected [3].

[3] Compare the cited dissertation of Dr. Desplats in the work *L'Honnêteté conjugale* (Mercier, Desplats, Vermeersch), or *Matrimonio e Maltusianismo* (Marconsini).

Wherefore, according to the testimony of St. Paul [4], the wife must be loved by the husband as a part of himself. The sayings which are likewise commonly repeated agree, in which a husband calls his wife *half of himself*; in which love is described as the egoism of two persons (*un égoïsme à deux*). Does

there not belong of itself to that composite being the firmness of a singular human being, so that it is dissolved only by death?

[4] Ephesians 5:28, 29, 31.

Moreover, consider what the *mutual handing over of bodies* has effected. Through it, it has come about that each person lost something of his own person and at the same time acquired something of the person of the other. This mutual handing over cannot be rendered void by a contrary restitution. This appears especially in the woman, who has irreparably lost her integrity through carnal intercourse. But it is also true in the man: he too cannot recover that which he communicated to the other. Nor can there be a valid renunciation or abdication here, since the matter concerns a part of a human person, but man does not possess that complete ownership of the person or of a bodily part of the person which would be required for alienation. Therefore, as long as that which one spouse acquired belongs to a living person, whose body must remain inviolate, that spouse cannot, as it were, transfer it together with himself or herself to another spouse. Only after death, when the soul has put aside the body, can this be done without injury to another [5].

[5] It is useful to hear Kant himself concerning this matter. In sexual intercourse, since one uses the members and faculties of the other, a person hands himself or herself over as though a thing. But this is opposed to the inviolable possession of one's own person, unless one recovers from the person of the other that which the other yields from his or her own person, and thus, as it were, reintegrates one's own person. But this is not obtained except by matrimony, in which mutual possession of the body is handed over for life. (*Rechtslehre, Das Eherecht*.)

Therefore, considering nature alone, it is now established that matrimony, at least after offspring has been conceived, indeed already after the unity has been completed or consummated through the perfect use of marriage, has been withdrawn from the will of the spouses, so that it is intrinsically indissoluble.

Indeed, it seems that a marriage of this kind cannot be dissolved by any *human authority*. For this dissolution is opposed to the necessary relations between parents and children, and contains a certain partial disposition of the human person: but no human power can break or directly impede the necessary relations of persons, nor can it dispose directly of the human person.

Is it already indissoluble before consummation?

106. - But before the marriage has been consummated, or before both spouses have been made one flesh, can it be dissolved by mutual consent? Speaking not of the sacrament of matrimony but of that which is a mere contract, it seems to us that an indissolubility which takes its beginning from consent itself can be demonstrated with difficulty by natural reason alone. For until the spouses have been made one flesh, you would say that nothing irreparable has been done; a perfect restitution of the bodies remains possible. Thus, in a related argument, the material element of virginity is lost irreparably through the completed carnal act; but the formal element, or the purpose of virginity, if it has been revoked, even sinfully, can be restored by a new purpose according to the doctrine of St. Thomas. Compare below, no. 142, where virginity is treated.

On the copula theory.

Indeed, concerning the marriage of Christians itself it was long doubted in the Church whether, before copulation, it was perfect and indissoluble. And the Bolognese school, with Gratian (in Cause

XVII, q. 2) and Master Roland (who afterwards became Alexander III), against the Parisian school defended the so-called "copula theory," according to which, before consummation, matrimony was neither a sacrament nor indissoluble. Freisen at one time favored this theory even in our own days [6]. The fruit of the controversy was that the dissolution of a ratified and non-consummated marriage, both through solemn religious profession and through a dispensation granted by the Apostolic See for a just cause, became certain doctrine of the Church, confirmed by canon 1119 of the Code itself. This matter is treated in the *Summa* of St. Thomas, *Supplementum*, III, q. 42, art. 4.

[6] In the first edition of his *Historia Iuris Matrimonialis*, written in German. Compare De Smet, *De sponsalibus*, etc., no. 98.

Matrimony cannot be regarded as merely a private covenant.

107. - The intervention of public power. Among all nations it has been perceived how great an importance the conjugal union has for the common good in human society, so that everywhere there exist written laws or customs concerning the right contracting of matrimony. Rightly and deservedly, therefore, the competent public authority claims for itself no small part in the ordering of this institution. Matrimony cannot, therefore, be regarded as a merely private covenant of two persons. Compare Ribbing, op. cit.

Matrimony is a sacred thing.

108. - The religious nature of matrimony. We have not yet considered the matter adequately. How great an office they exercise, with how great dignity do those persons seem to be increased who give a new rational creature to the world! Yet the spouses could not effect this unless, while they use the powers received from God and form the body, God should create and infuse the spiritual soul. Therefore, a properly divine action inserts itself into the human action, concurs in a special manner with it, and cooperates with it. Shall we call profane this production which is mingled with divine and human cooperation? Shall we call profane the very institution in which alone human beings are generated legitimately? Do we not rather all perceive that there is something mysterious and sacred in the sexual union of human beings? "Both the monuments of antiquity and the morals and institutions of those peoples who had advanced further toward civilization and had excelled in a more exquisite knowledge of law and equity testify," says Leo XIII; "it is established that it had been formed and anticipated in the minds of all of them that, when they thought about matrimony, the form of a thing joined with religion and sanctity occurred to them" [7].

[7] *Arcanum divinae sapientiae*, February 10, 1880.

History also establishes that the protection of religion was needed so that matrimony might actually obtain its firmness and inviolability as required by the natural law itself.

What, therefore, will the competent public power be? It certainly belongs to the desires of nature that religious power assume the more important parts in governing matrimony, so that all the essentials of matrimony may be defined, declared, and sanctioned by sacred authority.

Why public power governs sacred matters.

But where a social authority occupied with sacred matters is lacking, the public power itself will care for religious matters identically. I say *identically*, because then it manages this province not formally

insofar as it is placed over civil matters, but insofar as, by reason of being more universal, it administers and provides for common matters.

Natural reason itself, therefore, shows all these marks to be present in matrimony.

II. On Conjugal Chastity

The formal rationale of conjugal chastity.

109. - The formal and material rationale of conjugal chastity. 1. The formal rationale. Conjugal chastity signifies the virtue of chastity insofar as it connotes matrimony. Therefore, such a virtue as it would have existed in the natural order inclines a man to moderate the sexual appetite according to the nature of matrimony as just described.

Commands and counsels.

2. The material rationale (that is, what chastity commands, permits, and counsels in the conjugal state). Therefore this chastity:

a) Repudiates carnal sexual satisfaction which is sought either separately or with one who is not a spouse.

b) Will counsel the right use of marriage; but it will command abstinence where the possibility of right use is lacking.

What the right use of matrimony is.

Now right use can be defined by the threefold end by which matrimony is rendered honorable, so that copulation performed for begetting offspring, for fostering mutual love, or as a remedy for incontinence is fully honorable. Compare no. 62. This is indeed established *in itself*. But such a manner of acting is presupposed that, while one end is intended, the others are not impeded. Moreover, a serious request of the other spouse of itself supplies a sufficient cause for rendering the debt: for this rendering was promised, but its denial of itself diminishes love. Wherefore this rendering is directed toward the honorable end of fostering mutual love.

What is desirable.

Nevertheless, it will be desirable that, according to the law of mutual benevolence, each party study to please the other in this matter and wish to experience complete pleasure together with the other. For sexual union which is freely exercised by common consent and brings strictly common enjoyment of itself benefits the health of the spouses, the increase of mutual love, and the quality of the offspring. Wherefore, not only must those wives be disapproved who, led by a perverse affection, restrain themselves so that they remain frigid in sexual union; but one must also guard lest, deceived by a certain false devotion, they sin by an austerity which, displeasing to the husband, diminishes domestic happiness and easily turns to the hatred of the wife's piety. Was not St. Paul intending this use of matrimony when he wrote: "Let the husband render the debt to the wife, and likewise the wife to the husband" [1]? By such obedience Christian wives might win their unbelieving husbands for

Christ, as St. Peter commends: "Let women be subject to their husbands, so that even if any do not believe the word, they may be won without the word through the conduct of the women" [2].

[1] 1 Corinthians 7:3.

[2] 1 Peter 3:1.

Article II. The Christian Estimation of Matrimony

Whence the Christian rationale of matrimony is to be drawn.

110. - A preliminary observation. In order that you may judge rightly concerning the perfection which Christ conferred upon the natural institution of matrimony, the present edifice is to be contemplated, rather than the first outlines of the Christian age, such as, after several centuries, already rises polished although not yet fully perfect, as a more mature fruit of evangelical revelation. For in the supernatural order itself, God demands human cooperation, which through successive approaches and endeavors, with which both defects and errors are easily mingled, is accustomed to attain progressively to a better understanding of immutable truth and to a more perfect execution of absolute duty. Wherefore, just as every living being is known better from its developed body than from the embryo, so it is perceived more clearly from the present perfection of Christian matrimony than from its first beginnings what Christ instituted. Provided that in present institutions we show directly or indirectly the legitimate continuation of apostolic doctrine, the present splendor of the doctrine renders us more certain concerning its principles; but from principles accurately weighed we draw an indication of a new progress to be attempted.

I. On the Christian Institution of Matrimony

The benefits which the Catholic faith conferred upon conjugal society, and at the same time upon public morals and human society in general, regard some things immediately concerning matrimony itself, and other things concerning the preparation of persons for embracing this institution rightly.

The Catholic faith fulfills the desires of nature concerning matrimony.

111. - On the institution of matrimony. 1. The Catholic Church protects the perfect unity of matrimony and the absolute indissolubility of consummated matrimony; and, withdrawing it from profane authority, places it fully under the protection of religious power. Thus she perfectly fulfills and completes the desires of nature concerning the institution of matrimony.

It adds a new excellence to matrimony.

2. Nor was she content with this. But, taught by Christ her author, she shows that the matrimonial covenant between the baptized has been raised to the dignity of a sacrament, and thus demonstrates conjugal life to be suffused with the holy power of grace. She then inculcates the honor bestowed upon the permanent union of the spouses of representing the inviolable sanctity of the mysterious union by which Christ is joined to the Church.

Ephesians 5:22-33 is explained.

It is useful here to explain briefly the celebrated passage of the Apostle to the Ephesians 5:22-33. On account of the humble condition in which women were placed at that time, St. Paul did not have to linger long in preaching the subjection of the wife. He rather recalls it in order that he may induce the man more gently to fulfill and profess his own duties. "How greatly," he reasons approximately thus, "is the Church rightly and deservedly subject to Christ! Yet how greatly He loves her! He handed Himself over for her." Christ Himself took upon Himself the care which of itself fell to the wife, that she should cleanse and adorn herself to please the man, so that He might "sanctify the Church, cleansing her by the washing of water in the word of life, that He might present to Himself a glorious Church." Thus also men ought to love their wives. If the man is the head of the woman, the wife is his body. Wherefore the wife completes the man as a part, so that by loving his wife the man loves himself. Do we not know from Scripture that unity of man and wife and the devotion of the man for the wife: "For this cause a man shall leave his father and his mother and shall cleave to his wife. And the two shall be in one flesh"? A great mystery lies hidden here, whose signification I find in the union of Christ and the Church. That is, unless we are mistaken: this marvelous disposition of divine Providence, by which the human race is so constituted that man and woman, divided by sex, should become one flesh and the man should leave all things for the sake of his wife, was destined by God to signify that more marvelous conjunction of Christ with the Church, from whom He was separated by His divinity, and for whom He nevertheless left heaven and the Father so that He might cleave to her and compose with her one body of which He Himself would be the head. Something great, therefore, the union of man and wife mysteriously portends in Christ and the Church. "But, even apart from this interpretation" (so says the Apostle himself), let each man love his wife "as himself" [1].

[1] Compare also Prat, *Saint Paul*.

What matrimony signifies according to theologians.

Certain theologians of an earlier age expanded the very rationale of the figure. And although perhaps destitute of certain arguments, nevertheless these comparisons are salutary and apt for establishing a great estimation of marriage. Wherefore the Church also profits not a little through them for the cause of matrimony. Thus it is read in Sanchez: A ratified marriage signifies the union of Christ with a soul existing in grace, or the union of Christ through charity with the whole Church, certain members of which can fail. But a consummated marriage signifies the indissoluble union of Christ with the Church through assumed flesh. Christ was made one flesh with the Church "through the mystery of the Incarnation" (*De matrimonio*, book 2, disp. 13, no. 1).

The ends or goods of Christian matrimony.

If we now consider the *ends* of matrimony: as regards the *end of offspring*, Christian matrimony no longer aims only that the human race be propagated, but that children be begotten for the Church, "fellow citizens with the saints and domestics of God" [2]. As regards the *remedy of concupiscence*, the value of chastity is so exalted in the Catholic Church that the moderate use of marriage, sometimes tempered or interrupted by voluntary will in order to devote time to prayer, and exercised gently according to the desires of nature, fully suffices of itself for satiating lust; and so that souls also may

be equal to bearing even a prolonged obligation of continence which circumstances sometimes render necessary. Finally, as regards *love*, the most noble exemplar of affection is proposed to spouses in the love by which Christ loves the Church.

[2] Ephesians 2:19.

But insofar as we attend to the *sacramental signification*, the speculative signification of Christian marriage, by which it represents the union of Christ with the Church, impels spouses to imitate the holy fecundity of the Church by a more chaste generation and a better education of offspring; the fidelity of Christ placed before their eyes strengthens their mutual fidelity by an ineffable example, with a new sanction also added by which infidelity becomes the violation of a sacred thing; finally, it perfects the indissolubility of a consummated marriage by an inviolate sacrament, so that Augustine could celebrate offspring, fidelity, and sacrament as the three goods of Christian marriage [3].

[3] *De Genesi ad litteram*, book 9, chapter 7 (Migne, *Patrologia Latina*, vol. 34, col. 397).

How the Catholic faith disposes persons toward holy and happy marriages.

112. - On the preparation of persons. 1. By the general rationale by which the Catholic faith cultivates chastity, humility, and noble affections, it already disposes souls not a little toward entering matrimony holily and bearing its burdens faithfully.

2. It indeed assigns to the wife an inferior place, but compensates for this humility by the affectionate devotion of the husband, so that it places the two bonds and means of the firmest and happiest union in humility and love.

3. Then, by admitting and rather commending the preparation of betrothal, through which only a union of souls is permitted, the Church provides for the nobility of mutual affection and at the same time offers no slight aid to youth that it may preserve itself perfectly chaste.

4. In the equal chastity which the Catholic religion imposes upon each betrothed person, there is held a new pledge of a happy union. St. Augustine already wrote what today we hear so often inculcated: "You who do not have a wife and wish to marry, preserve yourselves intact for them, just as you wish to find them intact" [4]. Therefore, long ago the Catholic faith rejected that foul worldly distinction by which the sin of a youth or a man, but not of a maiden, is excused, and which is marked by the name of the double standard (*la double morale*).

[4] Sermon 224 (Migne, *Patrologia Latina*, vol. 38, col. 1094).

5. Yet since misfortunes threaten us from every side in this life, religion in the patience of Christ hands on to spouses a most opportune teaching for alleviating hardships and for bearing adversities not without merit.

The matter is summarized.

Therefore, that we may now comprehend in summary the whole matter concerning matrimony and the preparation of persons, these goods are of themselves available to Christian marriage: full mutual confidence and the communication of the whole of life; the hope of a spiritual union which, beyond the limits of the present life, will endure forever; protection against temptations and infidelities from

the absolute firmness of the marriage; holy authority over children; formation for patience, always necessary in this life.

II. On the Conjugal Chastity of Christians

The notion of the conjugal chastity of Christians.

113. - I. Conjugal chastity, illuminated by faith, inclines spouses to fulfill all the duties which the perfection of Christian matrimony brings with it.

Various grades.

It consists, however, in various grades, a fact which is perhaps too greatly neglected today and to which St. Augustine already alludes [1].

[1] *Contra Iulianum Pelagianum*, book 3, chapter 21, no. 43, and book 4, chapter 2, no. 10 (Migne, *Patrologia Latina*, vol. 44, cols. 724 and 741).

In the first grade, which is necessary, spouses have determined to fulfill all duties in such a manner that they do not exceed the limit of conjugal flesh.

In a more perfect grade, carnal commingling is exercised only for the sake of having children, so that the spouses cease from the conjugal act when a spouse reaches that age at which conception is no longer possible.

What continence is to be counseled.

Finally, in the third and highest grade, the spouses, following the example of St. Joseph and the Immaculate Virgin, preserve perfect continence. Nevertheless, we are warned by the Apostle himself [2] that this grade is to be admitted only prudently; and that temporary periods of continence are rather to be counseled which, while they raise the soul upward and render it firmer, terrify or oppress it with no excessive difficulty.

[2] 1 Corinthians 7:5.

Favorable occasions for temporary abstinence are sacred times [3], so that time may be given to prayer [4], and also the first three days after the celebration of nuptials, so that, after the manner of Tobias and his wife, they may be offered to God as the first fruits, as it were, of conjugal life [5]. But the Apostle himself adds that even temporary continence is of itself to be introduced only by mutual consent.

[3] Compare canon 1243: "Sacred times are feast days; to these are added days of abstinence and fasting."

[4] 1 Corinthians 7:5.

[5] Tobias 7:4-5. Compare the *Rituale*.

What must be thought about second marriages.

114. - II. On the chastity of widowhood and on second marriages. The Catholic faith imposes the same chastity upon widowed persons as upon unmarried persons. Wherefore, as a question related to conjugal chastity, only the question concerning second marriages can be raised.

Come now: since not only the bodies which perish, but also immortal souls are united by Catholic marriage, a more perfect grade of conjugal chastity exists of itself when the surviving spouse spiritually preserves fidelity to the deceased party by abstaining from another marriage. And although another marriage can be rendered honorable by the most just causes, nevertheless it is less acceptable to the Church, both because of a certain excess of the venereal appetite which it seems of itself to betray, and also "because of the defect of the sacrament" [6]. For since the conjunction of Christ with the Church is of one with one, this is less well represented by another marriage. This is also the reason why the Church does not grant her blessing to a widow who, having already been blessed, herself marries again [7], and why a bigamist is irregular [8].

[6] Chapter *Debitum*, 5, *De bigamis non ordinandis* (1, 21).

[7] Canon 1143. A woman who, not yet married, is wedded to a widower herself receives the blessing.

[8] The new Code, canon 984, 4°, restricted to true bigamy alone the irregularity which authors had extended to several cases having a certain likeness to bigamy. There were those who contended that persons whose first marriages preceded baptism were not bigamists. But in Gratian's *Decretum* it is elegantly replied that sins, but not marriages, are remitted by baptism. Compare chapter 3, dist. 26, and chapter 13, dist. 34.

Article III. The Neo-pagan Estimation of Matrimony

Division of the argument. Rationale of the order.

115. Among those whom, because of their dogmatic agnosticism, to which moral skepticism is sometimes joined, we have assigned to the neo-pagans, some, who attempt to unite ancient moral views with recent "laicism," profess a moral doctrine concerning marriage which does not seem to depart greatly from the natural law, although they commend or proclaim institutions from which the Catholic Church greatly recoils. Therefore, once their defects have been disclosed, we shall have to strip these institutions of their honorable appearance. Others, devoted to "naturalism," attempt to reform conjugal institutions completely. We shall treat the latter first, because we can complete the matter more expeditiously and because we also treated them first in the preceding chapter.

§ 1. On the Naturalists

The views of the naturalists.

116. This is common to the naturalists, that they declare war on either all matrimony or at least perpetual matrimony, because it imposes a yoke to be borne even by the unwilling. Therefore, they wish that in place of a "marriage of compulsion" (*Zwangsehe*), or a marriage whose firmness is derived from compulsion and whose use, when it is exercised by spouses without love, they mark with baseness, there should succeed a union which draws its origin and happy firmness from *free love*, that is, love immune from juridical necessity: they claim that this is consonant with nature, that this is demanded by the present, or at least imminent, age of the human race and will be secured.

"Moral" adultery.

Secondary wishes are added to these essential wishes. Thus several desire that the covenant of sexual life, withdrawn from every public government, be placed altogether among private matters. Ellen Key,

a sufficiently noted woman of Scandinavia, also devised "moral adultery." For it happens that two persons whom love no longer joins nevertheless ought, for just causes, for example philanthropic ones, to preserve a common external cohabitation. Then, this woman says, let legitimate permission be given to each, so that one may generate from another woman and the other may bear a child by another man: this "legitimate" intercourse with one who is not a spouse is adorned with the name of moral adultery.

They are refuted from the desires of nature itself.

117. These deliriums, which are at once vain and futile but pernicious to morals, must be refuted and reproved as abominable contrivances and endeavors against nature itself. And indeed:

1. At the suggestion of nature, man seeks in promises which induce a moral necessity a protection against his own or another's inconstancy, which even the angels possessed in the perfection of their will; and, when it seems to concern the public good, those promises are sanctioned by law itself.

Thus, in social life, military oaths, magistracies, the offices of rulers and of others occur; if these could be admitted and renounced at pleasure, civil life would be at an end. Without moral necessity and the legal sanction of covenants, what mutual fidelity will subsist, and what great or long-lasting work could be undertaken prudently? Yet ought not the "naturalists," if they are consistent with themselves, to repudiate every covenant as odious servitude?

Can they give a reason why in matrimony alone the firm bond of union should be cast aside, when nature herself demands one so intimate that it attains to a certain unity of two persons [1]? What, on the contrary, do we observe? Passions have a part in this union which are most prompt to promise and yet are shown to be most inconstant; there, between the nobler and the inferior appetites, conflict is most frequent; there, in domestic society, man at the same time hopes for himself a tranquil enjoyment toward which he is so greatly inclined. But take away the force of promises and the support of a juridical bond: from even a brief observation of the present nature of men, it is perceived that the door to mutual confidence is closed to most, while it is opened wide to suspicions, jealousies, and quarrels which make life anxious and troubled and often extinguish love, far from favoring it. Nowhere else, therefore, are promises so natural; nowhere is their efficacy more necessary.

[1] Compare what was said above, nos. 61 and 104, concerning the nature of matrimony.

2. At the suggestion of nature, besides the impulse of passion, the very intention of a nobler affection and the irreparable harm which a deflowered woman suffers move men to enter perpetual covenants of marriage. Nor does the lustful desire by which not a few unbelieving women hold a perpetual bond in hatred render doubtful this inclination of better persons toward perpetual marriages, or the lamentable condition which divorces create for many women.

3. At the suggestion, indeed at the command, of nature, the husband ought to be the guardian and protector both of the wife and of their common offspring; this offspring must be nourished jointly by both parents [2]. And it is so evident that free loves are contrary to offspring, whether to be begotten or to be educated, that some naturalists preserve a profound silence concerning offspring, while others wish the good of offspring to be preserved by inept devices.

[2] Compare what we said above, nos. 104-106, concerning matrimony.

4. What of the fact that a firm purpose and a bond of law have very great power over the very force and stability of the affections? We are taught this by the psychological observation of human nature, so that the naturalists depart so far from nature that those who preach marriages founded on love alone diminish love itself in marriages.

Do they have the merit of novelty?

Nor can they themselves boast of the new age which they wish to foreshadow. For that kind of union which rested upon no bond of law was admitted long ago in Roman law under the name of concubinage. In the society then greatly corrupted it existed together with marriage, and it was often practiced for this purpose, that an inequality of social condition might be preserved between those united. Wherefore an institution of this kind is not only opposed to good morals but is also insufficiently consonant with the democratic spirit of present institutions.

The objections are answered.

But, they object in this way, perpetual servitudes are repugnant to present laws. Moreover, the civil sanctions of religious vows have been suppressed: why should the legal servitude of matrimony be preserved as a vestige of a former age?

Response. Honorable spouses would consider it insulting for the name of servitude to be given to a covenant which they entered of their own accord with pure and free affection and from which they by no means wish to withdraw. Moreover, the name of servitude is not suited to every obligation or bond, but only to one which is imposed on an unwilling person, which is displeasing in itself, and which of itself yields entirely to the benefit of another.

Nor does the comparison limp only slightly in which the vows of religious, which are pronounced with a supernatural intention and do not constitute any institution necessary to the natural society of men, are compared with the matrimonial covenant, which is natural and, as the principle or first beginning, founds every other human society, and which also, since it is often sought for the sake of pleasure, stands in much greater need of the protection of an external law.

Although the expediency of laws by which religious profession is treated unfavorably is very doubtful.

A useful lesson from error.

118. - Yet there is no error which does not contain something true and useful. We can borrow this lesson from the naturalists: a matrimonial covenant is to be positively approved only between those persons whom sincere love has already joined spiritually.

§ 2. On the More Honorable Secularists

Order of treatment, according to the more honorable opinions of the secularists.

119. - The opinions of those who, outside the Church, profess themselves devoted to the natural law and to moral uprightness can be reduced to the following heads [1].

[1] Errors concerning Christian matrimony are condemned in propositions 65-74 of the Syllabus of Pius IX, in the encyclical letter of Leo XIII *Arcanum divinae sapientiae*, February 10, 1880, and in canons 1012, 1013, 1016, 1960, and 1961 of the new Code.

1. Having wrested jurisdiction over marriages from the Church, they assign it to the civil power. Wherefore they defend the institution of civil marriage.

2. They acknowledge and defend the perpetuity of matrimony; yet in such a way that they contend that there are just causes on account of which civil divorce, although rarely, is to be granted.

3. They declare the use of marriage to be of itself consonant with nature. Yet, when compelled by the necessity of physical health, most do not dare to condemn either sterility sought through devices or abortion itself; indeed, several do not hesitate positively to advise devices of this kind.

Therefore, civil marriage, civil divorce, and the excuse of neo-Malthusianism must be discussed briefly.

I. On Civil Marriage

An improper notion of civil marriage.

120. - By an improper usage, a marriage can be called civil when, in addition to the value which it has before God, civil protection and effects have been attributed to it. In this sense, in Spain and Ireland, a religious marriage, since it is sanctioned by law, could be called civil.

You would also improperly call civil a marriage which is contracted before a civil official without a priest, when and where, by ecclesiastical law itself, it is contracted in this way at least validly or even licitly. Before the decree *Tametsi*, in the Middle Ages, not a few marriages were celebrated before a notary [1], nor was the Council of Trent far from admitting a notary as a necessary witness, being content with public celebration alone. And now canon 1098 of the new Code permits celebration without a pastor or priest, under certain conditions, because of necessity or in order to avoid a grave inconvenience.

[1] On this notion and the whole subject of civil marriage, compare Wernz, vol. 4, nos. 200-206.

The proper notion,

But, properly speaking, **civil marriage is said to be that which, with every religious consideration neglected, depends in its existence and in its effects upon the form and conditions prescribed by civil law.**

and its various rationale.

Now the law can merely offer this marriage to those who want it, or impose it either upon all or upon those who are not Christians or who live alienated from religion. Hence civil marriage is *optional, necessary,* or *subsidiary*.

The law itself can be enacted from a philosophical thesis, because the civil ruler is held to possess an innate competence to establish it; or by way of a practical settlement by which, every question of right having been set aside, on account of religious and philosophical dissensions it is agreed among

the dissenting parties that civil protection and rights should adhere to this artificial institution (concerning which each person may think whatever he pleases). A law of this kind is then part of that civil toleration which, although by no means desirable in itself, can be observed in order to avoid greater evils or obtain a greater good. Compare the letter of Leo XIII, *Immortale Dei*, November 1, 1885.

Historical summary.

121. - The foundation of an institution of this kind was laid by Luther, through his doctrines by which, after denying the sacred nature of marriage, he subjected even the matrimony of Christians fully to rulers. But it was first established in Holland and Friesland by the law of April 1, 1580, when there was a retreat from the excessive harassment of Catholics and of others who dissented from the Calvinist sect. For the option was given to all these either to celebrate marriages before a Calvinist minister or before a civil magistrate. In the year 1656 this law was extended to all the federated States of Holland, and it remained in force there until, in 1795, the French regime prevailed also in Holland and Belgium. In England, the law of August 24, 1653, subsequently promulgated for Scotland and Ireland, commanded that all contract civilly. Yet the fortune of the institution in that region was various, so that now, since the years 1826-1836, milder laws are in force there than in most other parts of Europe. For under the law of 1836 the option is given of celebrating marriage either before a minister of one's own religion (Anglican or dissenting) or before a civil magistrate alone (a registrar). But in Ireland, under the laws of 1844 and 1863, and in Scotland, under the laws of 1844 and 1863, it is enough that a marriage duly contracted be inscribed in the civil registers. Indeed, this difference now exists between England and Ireland: in Ireland "registration" is commanded only under a penalty, with the validity and efficacy of a Catholic marriage remaining untouched; whereas in England a civil registrar - a character which, however, every Anglican minister at the same time possesses and which a Catholic minister can acquire - must be present at the marriage in order that it may be recognized civilly.

A not dissimilar option of contracting either before a suitable minister of religion or before a competent civil magistrate (a justice of the peace) is granted in the United States of North America, although the obligation of procuring registration in the civil records is laid upon the parties.

For a long time in France even Protestants had to contract before a Catholic pastor in order to obtain civil effects for their marriage. But the French law of September 20, 1792, commanded the civil celebration of marriage for all. From there it was introduced into Belgium and Holland; and, especially from the year 1848, when it began to be proclaimed as "the palladium of modern liberty and a distinctive mark proper to the liberal State," it invaded very many regions. It has been in force in Italy since 1865 [2], in the Austrian Empire since 1868 [3], and throughout Germany since 1875 [4]; it is sanctioned by article 118 of the Swiss Civil Code of 1907. The Spanish Code of 1889 [5] and the Portuguese Code [6] of 1867 recognize a twofold marriage: canonical, which all who profess the Catholic faith must contract, and civil for others. But although canonical marriage is of itself governed by canonical laws, nevertheless each law also prohibited certain marriages even for Catholics. Yet not all laws establish what the fundamental law of Belgium requires, that the civil ceremony precede the religious celebration. Thus the Italian Code does not require it.

[2] Civil Code, article 93.

[3] Law of May 25, 1868.

[4] Code, articles 1317-1318.

[5] Civil Code, article 42 and following.

[6] Civil Code, article 1057 and following.

Therefore, religious toleration introduced the institution of civil marriage; political secularism, or secular intolerance, imposed it upon unwilling Catholics.

Defense.

122. - 1. They attempt to defend the institution of civil marriage juridically and philosophically by various arguments. Some, especially certain Catholics, separating the contract from the sacrament, considered matrimony, insofar as it is a contract, subject to the civil power. And because they thought that the sacrament acceded to a valid contract as its form, they concluded that the civil power was able by its law efficaciously to prevent the conferral of the sacrament. This error of theologians, rejected many years ago [7], is also rejected by canon 1012 of the Code of Canon Law, in these words: "Christ the Lord raised the very matrimonial contract between the baptized to the dignity of a sacrament."

[7] Compare Denzinger, *Enchiridion*, nos. 1766, 1773, and 1854, and the dogmatic treatises on matrimony, for example, Franzelin, Palmieri, and Huarte, S.J.

2. Others, abusing an adulterated notion of a mixed question [8], claim for the State the full right to govern all matters which contribute to the public utility of the State.

[8] Compare the dogmatic treatises on the Church or the canonical treatises on ecclesiastical public law.

3. Finally, others appeal to principles concerning the complete independence of the State from the Church, the separation of Church and State, and the equal indifference of the State toward all religions; or they even reduce religion to private matters, after denying its social constitution. Religion, according to them, is a private opinion to which the State must show only so much reverence as can be reconciled with its own care of the common good.

And they pronounce their opinion in a very absolute manner. "Citizens," says Laurent, the celebrated professor of Ghent, "belong to the fatherland independently of every religion: it is therefore for the civil law to establish their status" [9].

[9] *Cours de droit civil*, II, 262, 265.

The magistrate De Meulenaere, although he is far less averse to the Catholic Church, speaks no less absolutely: "Civil marriage has entered absolutely into the customs of the countries governed by the Napoleonic Code... its necessity needs no justification" [10].

[10] *Code civil allemand et loi d'introduction, traduits et annotés*, on article 1317.

Moral judgment on the matter.

123. - The antiquated error of Catholics concerning civil marriage as the matter of the sacrament having been omitted, truth requires that we judge briefly as follows concerning the civil marriage of more recent philosophers or jurists:

1. Civil marriage, insofar as it has been substituted in place of religious celebration, contains a profanation of matrimony which, being opposed to the truth of the matter [11] and contrary to reverence for marriage, is very greatly opposed to the common good of families and of human society.

[11] Compare what was said above concerning the sacred nature of matrimony, no. 108.

2. Insofar as it is part of a more universal plan of "secularizing" minds, morals, and customs, it contains an impiety harmful to the Church and to religion and most greatly to be detested. For while citizens continually see ecclesiastical laws held in the least account, no present advantage arising from their observance, and no harm arising from their violation, they easily neglect and contemn ecclesiastical authority itself and religion itself, and incline in mind toward indifferentism.

Moreover, while that fictitious celebration of marriage before a civil magistrate, who seems to join the spouses in a solemn tone [12], is constantly presented to the eyes of citizens, and while all efficacy of legitimate matrimony is attributed to that empty ceremony, errors concerning the competence of the civil power are spread and are so confirmed that the Church appears by her decrees concerning matrimony no longer to vindicate her own rights but to usurp those of another. Thus, in Laurent, the Church is represented as raging with an insane ambition to invade another's province. By this means, however, minds are turned away from the Church herself.

[12] In article 1318 of the German Code, they wished in some measure to temper the force of the formula usurped by the civil magistrate by these words: "By force of the law they are henceforth regarded as lawful spouses." Compare De Meulenaere, on article 1318.

3. Finally, insofar as it inevitably undermines the estimation and firmness of marriage, this institution, since it is otherwise connected with divorce, is to be abhorred by us more than the civil law of divorce itself.

The prudent manner of acting for Catholics.

124. - It remains now for us to examine what manner of acting is to be recommended to Catholics in this matter.

1. First of all, they must especially take care that, on account of a certain secondary advantage of easier and more accurate "registration," they do not become praisers of an institution which almost entirely falls back upon a fiction that is empty in itself and pernicious to the Church and to public morals.

We can confidently refute the alleged necessity of uniform and universal registration by showing how easily it can be obtained without this apparatus of a pretended celebration, and how it is obtained in America and England. Have these great republics experienced the necessity of this institution? Is it not enough for attaining this end that a penal law command this registration? As our present customs stand (however matters may have been in the past), no sane person will neglect this registration through which his status is established civilly.

2. Since a manner of speaking acts upon the very convictions of the mind, let them also take care that a more accurate usage of words become established.

What do we now observe in laws, in written books, and all too often in the announcements of those about to marry? The name of *marriage* is reserved for the civil ceremony, while religious matrimony is

distinguished by the name of a ceremony or of a nuptial blessing [13]. Therefore, let Catholics abstain from the words "nuptial blessing," and, reversing the manner of speech instead, let them speak of *religious matrimony* and of the civil solemnity (*formalité*).

[13] Thus in the Belgian Constitution itself.

3. Let Catholics about to marry remember that they cannot have the intention of contracting true matrimony before the civil magistrate, but that this intention must be reserved for the ecclesiastical celebration [14].

[14] On the contrary, since the Protestants of Germany regard civil marriage as true marriage, it is inculcated in them that before a minister of religion they should conceive no intention of contracting, but only of declaring the marriage already made. Compare *Real-Encyclopaedie für protestantische Theologie und Kirche*, V. Ehrenfeucht, vol. 4, p. 79, ed. 1879.

You will ask whether this reservation of consent can occasion any civil harm or difficulty for Catholics.

This must be denied without hesitation. For the law concerning civil marriage must be reconciled with the fundamental principle of modern law which men alienated from the Catholic faith defend as the palladium of modern emancipation, that is, with the civil toleration of religions and liberty of conscience. If Catholics were not permitted without penalty to will to assume the moral obligations of marriage only when they can assume them honorably, the Catholic religion would in truth be oppressed, far from being freely exercised.

Moreover, the consent which Catholics express before the civil magistrate is not merely fictitious. For they truly consent that the civil effects of marriage and the whole civil law (insofar as it is not repugnant to divine law) be applied to their matrimony. This is always sufficient so that the agreement cannot be invalidated on account of the alleged defect of consent. How much more is the same sufficient in this matter, which is so closely connected with civil toleration, as they call it. Otherwise, those who now deny and repudiate every matrimonial bond because they profess the doctrine of free love would be incapable of a valid civil marriage.

What of the fact that nullity on account of defective consent ordinarily affords no ground for a public action or for one brought by anyone other than the contracting party himself or those who can act for him?

What common sense proclaims we know to be confirmed by the judgment of jurists.

Therefore, it is not to be permitted that the liberty of Catholics in this matter be diminished by a certain juridical cunning; rather, every attempt of this kind is to be resisted firmly from the beginning.

4. There is indeed no hope at present that the institution of civil marriage will be suppressed. And since there are so many in our States who are alienated from religion, it does not seem that the use of a similar institution can in practice be denied to them. Wherefore it is rather to be attempted that, according to the example of Ireland and the United States of America, the option of either a religious or a civil form be given, with a general precept added that care be taken for contracted marriages to be entered in the public records immediately, or within a brief space of time. It ought also to be among the desires of Catholics that a law of this kind be enacted as though by a common

counsel of the Church and the State, or at least with the Holy See approving it in some manner: there is no reason to doubt the consent of the Holy See to a law of this kind.

Are those who wish matrimony to be released from every positive law to be assisted?

125. - You will now ask on this occasion whether it is expedient to favor the plans of those who strive to have matrimony assigned to merely private matters.

We doubt it greatly. Certainly, by this road civil marriage will be suppressed, but through an error which departs more greatly from the truth and will exercise a worse efficacy upon morals. Wherefore we rather advise that Catholics defend the public nature of the matrimonial contract, and join themselves as allies to those who wish civil marriage to be preserved in order to protect morals, provided that they are willing to concede to us the faculty of contracting merely religiously. But if they deny this, it will then be better in itself for Catholics to favor and assist neither party.

II. On Civil Divorce

Notion.

126. - Civil divorce is the dissolution of a marriage valid civilly, by which the right is granted to the parties to cast aside the matrimonial bond in such a way that they can pass to other civil nuptials and regard the former ones as altogether extinct. Sometimes, though not always, the civil law prohibits spouses, once divorce has been effected, from restoring common life between themselves by a new civil covenant [1].

[1] The prohibition made by the French Civil Code of 1801 was suppressed by a recent law of Belgium; by this law the evils of divorce have been diminished in a manner not to be despised.

Historical survey before Christ,

127. - The origin and vicissitudes of complete divorce. - By a special divine dispensation, which Christ abrogated, the Jewish law conceded a bill of repudiation to the husband; once this bill had been given, each spouse could contract a new matrimonial covenant.

after Christ.

Moreover, the Roman and Greek laws and the institutions of at least many barbarian peoples permitted complete divorce. Wherefore this must assuredly be numbered among the greatest triumphs of the Catholic Church: that she was able so to correct public morals that throughout the West the perfect indissolubility of matrimony was openly acknowledged and sanctioned by laws. But errors concerning the indissolubility of matrimony were introduced into the Eastern Church which the Roman Church was able to remove only among the Greeks united to her (and this not without labor).

In the West the pseudo-reformers ruined the genuine doctrine concerning the indissoluble firmness of matrimony when they contended that complete divorce on account of adultery was conceded by the Gospel itself.

Hence, after full liberty of religions had been granted in France at the end of the eighteenth century, divorce was proposed by Portalis, while the Napoleonic Code was being prepared, as a consequence of that liberty, since some religions admitted and others denied that matrimony could be dissolved.

Previously, however, the first civil law concerning divorce was enacted on September 20, 1792. Then, from the insane fury of changing everything, separation from bed and habitation was abolished and so many causes of divorce were admitted that, on account of the gravity of the excesses, during the French Revolution itself the necessity of abrogating such a law was acknowledged by the revolutionaries themselves.

Therefore, a more moderate faculty of divorce was admitted in the Napoleonic Civil Code, yet in such a way that at the same time the remedy of a truly perpetual separation was denied to Catholics. Afterwards, by the law of May 8, 1816, divorce was suppressed in France until July 27, 1884. Then the law called after Naquet restored divorce, although divorce by mutual consent was excluded. Hence, although the number of divorces increased every year, not without the lamentations of honorable persons (before the war, in the years 1911-1913, there were more than 11,500 annually), not a few attempts are made that a broader faculty of divorce be granted. Indeed, a certain party, for which both Margueritte brothers labor as writers, pursues this with petitions and endeavors: that matrimony be permitted to be made and broken after the manner of a private contract.

They also wish to create a broader faculty of divorce in England, so that a marriage may be dissolved by a desertion itself of five years. And since this bill was rejected by scarcely ten votes of the upper chamber (the Lords) [2], the supporters of the law promise themselves a certain victory.

[2] In the month of November 1918. Lord Buckmaster's *Separation and Divorce Bill*.

In North America there are States where divorce is granted with such facility that persons of either sex are found there who have tried the fortune of "conjugal life" four or five times. Therefore, those regions are especially infected with the plague of divorces. If only at least part of the force and zeal used there in prohibiting alcohol were deployed in restraining this lust!

The unhappy law of Napoleon was never repealed in Belgium. But in a wonderful manner there for a sufficiently long time (that is, for more than half a century, at least until the year 1857) the law was corrected by religion and morals, so that practically no divorce was sought. But now, with impiety raging, all too many judgments of divorce have to be rendered in certain places, for example Brussels.

From France civil divorce invaded several other regions, while others still happily confirm by laws the holy perpetuity of matrimony.

Moreover, today the supporters of divorce appeal not only to liberty of religions; but rationalists also plead the ruinous cause of divorce from the power of the ruler to order this contract freely toward the common good and from the innate right of man to have a marriage which accords with the end of matrimony. Compare Laurent, *Principes*, vol. 3, nos. 171-176, 276.

The judgment of Catholics.

128. - There can be only one opinion of Catholics concerning civil divorce. That they must condemn it in itself has as its authorities the Supreme Pontiffs themselves: both Pius IX, in proposition 67 of the Syllabus, "By the law of nature the bond of matrimony is not indissoluble, and

in various cases divorce properly so called can be sanctioned by civil authority" [3], and Leo XIII, in the distinguished encyclical letter *Arcanum*, February 10, 1880.

[3] In the latter part, which is taken from the allocution *Acerbissimum*, September 27, 1852, Pius IX condemned the attempt of the government of New Granada against Christian matrimony.

For you will observe that in the present rationale of civil divorce there is something other than in a divorce which, admitted by competent authority for grave causes, can with difficulty be demonstrated to be strictly repugnant to the natural law [4], especially before it has been consummated by perfect use.

[4] Absolute indissolubility by the natural law was denied by Cardinal Bellarmine himself, *Controv., De matrimonio*, book 1, chapter 4; Sanchez, *De matrimonio*, book 2, chapter 13, no. 7; Carrière, *De matrimonio*, part 2, no. 227; nor is it established from proposition 67 of the Syllabus, which is satisfied by denying the intrinsic dissolubility of matrimony (that is, by mutual consent) and the authority of the civil power over the sacrament. Compare Huarte, *De ordine et matrimonio*, nos. 284, 285.

Compare above, no. 106. For the present rationale of civil divorce contains a profanation of matrimony and contempt for ecclesiastical jurisdiction over the marriages of the baptized. The public power, formally as civil and as secular, claims to be competent as over a profane matter. Modern laws concerning divorces are moreover infected by other vices. From the nature of the matter, a matrimonial contract ought to be either valid or null from the beginning; whereas, according to several interpreters of French law, a marriage to which an impediment stands opposed subsists as long as it has not been invalidated [5]. What of the fact that divorce is permitted to be effected in several places, for example in Belgium, by mutual consent? But this, at least formally, that is, with attention to the form of the concession, is opposed to the natural law, which made matrimony intrinsically indissoluble [6].

[5] Baudry-Lacantinerie, *Cours de droit civil*, I, no. 497.

[6] Compare above, no. 105.

Although, according to the mind of the legislator, that consent ought to conceal some grave cause, and, lest spouses use that remedy too freely and easily, provision was made that constancy in the purpose of dissolving the marriage be proved over sufficiently lengthy intervals of time. But how greatly the legislator was deceived in this matter is testified by Laurent himself, writing concerning this divorce: "It ruins the stability of marriage: it is, in the final analysis, a divorce without cause; and divorce without cause is an attack upon marriage, an attack upon the social order" [7].

[7] *Principes de droit civil*, vol. 3, no. 276.

Insofar as it defends these false principles, a law of this kind cannot be reconciled with the natural law. It can happen that Catholics are unable to impede such a law; nevertheless, they cannot positively approve it [8].

[8] Compare, concerning this argument, the weighty words of Wernz, vol. 4, no. 790, with the notes.

To which arguments attention is to be given.

129. - But it is appropriately asked which arguments are more suitably to be used.

And because of the difficulty of demonstration, appeal is to be made to the natural law only cautiously. Although it is usefully shown how greatly the perpetual firmness of matrimony accords

with the designs of nature.

But in this manner it will be said more effectively and suitably for persuasion:

1. In an age in which morals flourish, complete divorce is without use, so that morals and marriages are dissolved at almost an equal pace;

2. The civil power was already incapable in former times, and today also appears incapable, of restraining such a relaxation of the matrimonial bond as all must confess is to be feared. It is enough to collect numerical indications from various regions where civil divorce rages in order to prove true what Leo XIII wrote: "It is established that among the Germans, Americans, and others, divorces have increased to such a multitude that those who were not foolish in their judgment have considered the infinite corruption of morals greatly to be deplored and the rashness of the laws intolerable" [9].

[9] Encyclical *Arcanum*, February 10, 1880.

Indeed, on account of the levity to which secular men, and often those who are little pious, are prone, the civil law cannot efficaciously enforce even its own safeguards. The law wills, for example, that the judge endeavor to procure a reconciliation of minds. Those who are continually occupied in forensic practice are themselves witnesses how often it happens that nothing is attempted seriously, but the matter is concluded by a few questions quickly asked "for form's sake," so that the very occasion of reconciliation is in some manner taken away from spouses who desire it.

3. Nor are all things which in themselves can in some manner be reconciled with the natural law honestly sanctioned or tolerated by civil laws, since those laws ought to be solicitous for "progress." Wherefore the legislator is prohibited by the natural law itself from spontaneously restoring divorce in a society from which divorce had disappeared. For whatever favors the firmness of matrimony is approved by the law of nature; whatever relaxes the conjugal bond cannot be sanctioned by natural law, as contrary to the common good. Bourget says excellently: "You call that progress. Science calls it regression" (*Un divorce*).

4. These detriments flowing from divorce can also be alleged.

The *fear that divorce may occur* impedes the intimate union of minds which renders the common yoke most pleasant.

The *hope of divorce* is the cause why marriages are entered more lightly [10]; why the difficulties of common life appear more serious to the imagination; why the authority of the husband is derided; why adulterous desires are admitted, fostered, and fulfilled in execution. Hence they say that morals are corrupted by divorces and that concubinages increase in number.

[10] Divorce which is admitted for causes other than a fraudulent violation of conjugal fidelity committed by one party is acknowledged by the Protestants themselves to be a cause why unhappy marriages are entered rashly. Compare *Real-Encyclopädie für protestantische Theologie und Kirche*, V. Eherecht, vol. 4, p. 99.

A *divorce once effected* is especially harmful to the *wife*, who does not depart intact from this association; it is especially harmful to the *offspring*.

If a second civil marriage is entered, the household which is erected is almost necessarily separated by hatred from the family of the abandoned spouse.

5. Finally, experience teaches that divorces continually become more numerous.

What things are alleged in defense of the law of divorce.

130. - Yet several things are alleged in defense of the law of divorce, which we must examine briefly.

They are alleged in vain: — The right to a happier marriage,

1. Everyone has the right to make such a marriage as may attain the end of the institution. Now matrimony signifies a union of minds [11] and is a means of obtaining perfection. Therefore, when hatred succeeds in place of love, when spouses cannot assist one another in acquiring perfection, matrimony no longer truly subsists, and the law ought to grant permission for another marriage to be contracted which is more conducive to the end. Thus, in substance, Laurent, *Principes de droit civil*, vol. 3, no. 171 and following.

[11] "Marriage is the union of souls."

Response. How many errors are contained in these few words! A secondary end is held as primary, and the physical union for which matrimony was immediately instituted is neglected. "They err," says Ribbing very well [12], "who consider nothing in matrimony except the psychological relation. Both spouses ought to become one flesh."

[12] In Moll, p. 917.

Certainly each person has the right to contract with the hope of a happy outcome; but if you are disappointed in this hope, are you for that reason permitted to disregard the agreement and its obligations?

A partnership is entered in the hope of profit: if its affairs have become desperate, is a partner permitted to bid farewell to the partnership before the appointed time, or, by alleging a right to attain the end of the partnership, to procure money for himself by right or wrong?

If matrimony were broken when some end is impeded, we would now have to assert consequently that all marriages cease after a certain age, since then offspring can no longer be begotten.

Consideration of the common good is entirely neglected, and, contrary to the writer's intention, a road is laid out for innumerable divorces. All who found themselves unhappy would have the right to attempt another marriage!

The right of the innocent party,

2. Related to this is the difficulty raised by the Protestants. If one spouse alone has violated conjugal fidelity, or has even deserted the marriage bed, provision must be made for the innocent party. By what other efficacious means than divorce? Thus, in substance, *Real-Encyclopädie für protestantische Theologie und Kirche*, V. Eherecht.

Response. If the matter concerned an institution directed primarily toward the good of an individual person, this difficulty would not lack its weight; indeed, it could be regarded as insuperable. But now it is rightly understood that every private advantage, or even happiness, must be subordinated to the public good, and that an institution which was immediately created for the sake of the human race

must be ordered in the manner which the human race demands. And in the state of probation in which we live, it is not repugnant that a miserable condition of life must be borne here on earth. Unbelievers indeed do not grasp this, although they are compelled to look upon unavoidable physical miseries with their own eyes and admit them. But this sublime philosophy of the cross is not inaccessible to Catholics. Moreover, it is glorious for the Catholic religion that she wishes men to be held no less constrained by necessities of the moral order than by those of the physical order.

The necessity of providing for non-Catholics.

3. Once liberty has been granted to all religions, it follows that the law should grant the right of divorce for the use of those who are not prohibited by their religion from obtaining a divorce. Thus Portalis, while the French law was being proposed under Napoleon as consul; thus Baudry-Lacantinerie, I, 668.

Response. It can indeed happen that, on account of the diversity of opinions, Catholics must tolerate civil law concerning divorces in order to avoid greater evils. Wherefore Catholics were not solicitous for the repeal of the law of divorce either in Belgium or in Germany.

Indeed, in Germany they approved by their votes the Civil Code in which divorce is sanctioned. Yet no necessity of logical consequence ought to move them to admit divorce.

For the logical consequences of some matter that is little good in itself but is conceded on account of necessity are not to be admitted unless the same necessity extends all the way to those consequences. But this principle must be used: that the least possible departure from an order right in itself is to be made through tolerations. What did Baudry himself write concerning laws which, after sanctioning liberty of conscience and religion, command with little consistency that Catholics contract civil marriage before religious marriage? "There is something above the liberty of citizens and logic itself: it is the preservation of society and, consequently, of good social order. Without doubt, all religions ought to be free; but the principle of liberty of religions must not be able to paralyze the application of civil law." Behold how, reversing the argument, these liberals speak on behalf of error against truth! And you will observe that this difference exists between the two cases: sometimes there is a true obligation to contract, whereas there is no religion which commands anyone to obtain a divorce. These same men also introduce or defend divorce in order to provide for the liberty of the impious and heretics; but they will deny a perpetual separation by which provision would be made for the liberty of Catholics.

Separation is a greater evil;

4. They insist by saying that separation is a worse remedy than complete divorce: that the same harm comes to the offspring, but a greater one to the parties themselves, since compelled celibacy almost necessarily corrupts morals, and there is a danger lest adulterous offspring be ascribed to the innocent spouse; finally, that it is more beneficial to society that it permit legitimate unions than that it give an occasion for adulteries.

Response. Arguments of this kind labor under the defect of an inadequate consideration of the matters. Separations, which permit nothing to carnal lust, will occur or be sought much more rarely and for graver motives than divorces, which bring the proximate hope of a new conjugal life. Nor,

unlike divorce, can they be a cause of rashly entering a nuptial covenant whose inviolable firmness they defend.

Nor does separation engender the hatreds of families and the dissensions which follow divorces. When a simple separation has been made, a greater hope of reconciliation remains in itself. The civil law, moreover, can provide by an easy disposition that adulterous offspring not be ascribed to the innocent spouse; but it cannot effect that unions which are prohibited by divine law be legitimate.

At some time, at last, one must remember this wisely spoken saying: that a few may fare less badly, it is not permitted to destroy many. "For one person who... brings to or preserves in divorce all the delicacies of his mind and heart, the majority either had already spoiled them or had lost them" [13].

[13] Bourget, *Un divorce*.

Examples of the laws of other nations.

5. But divorce has existed and does exist among all nations.

Response. This is not strictly true, since divorce is admitted by the law neither of Spain nor Ireland nor Italy. But however this matter may stand, progress is to be made; we ought not, however, to incline toward embracing less good things. It is fitting that we judge the Christian people worthy to be governed by better institutions than a pagan nation.

Judgments of the Holy See concerning null marriages.

6. The Catholic Church herself formerly dissolved marriages through the Sacred Congregation of the Council, and now through the tribunal of the Rota. She uses only another name, a declaration of nullity.

Response. A declaration of nullity differs from divorce not only in name but in reality. Even the Protestants admit this [14]; our own civil laws attest it, since they carefully distinguish causes of nullity from causes of divorce. Moreover, how great the difference is between a judgment by which a marriage, on account of a proven diriment impediment, is declared never to have existed, and a judgment which dissolves a valid marriage, is manifest in itself. Nor does the Church use any fraud or dissimulation in this matter. She covers no true divorce with the color of a declared nullity: this is already clearly apparent from the relative rarity of the cases and the variety of the judgments themselves. From the periodical *Acta Apostolicae Sedis* we know that in 1911 fifteen marriages were declared null and five were declared valid after the joinder of issue; in 1913, fourteen judgments for nullity and six for validity were rendered. In 1914 there occur five judgments for nullity and seven for the validity of marriages; in 1915, five for nullity and twelve for validity; in 1916, ten for nullity and five for validity; in 1917, ten for nullity and one for validity. It is therefore established that the Tribunal of the Rota examines approximately twenty cases from the whole world in individual years and decides them in diverse ways, while in France alone more than 10,000 marriages, and in Brussels more than 500, are dissolved civilly by divorce each year.

[14] Compare *Real-Encyclopädie*, etc., loc. cit.

The manner of acting for Catholics.

131. - 1. Since these things are so, Catholics will regard it as a province entrusted to them that, by acting both firmly and prudently against divorce, they defend and promote moral progress and the good of families to the best of their abilities. Wherefore:

2. In Parliament they will tolerate a law of divorce never with a willing mind, but only when compelled by necessity, on account of the prevailing errors and the number of non-Catholics. Yet, in order to diminish the evil, they will endeavor that severe conditions be imposed by law and that, as was happily done in Belgium, the opportunity of restoring the marriage not be taken away from parties who have been separated by divorce. They will have done best if they appeal to liberty of conscience itself, so that Catholics at least may be permitted to petition for a perpetual separation of property and bed in place of divorce and, as has sometimes been granted, to choose for themselves the law of indissoluble matrimony and to renounce the faculty of divorce in the matrimonial contract itself.

3. If they are magistrates, they will take pains to recall the parties, insofar as there is opportunity, to better and sounder counsels; but they will never treat matters of such importance lightly.

4. As patrons of causes (advocates) they will profess themselves strangers to defending cases of divorce by their patronage, unless it is altogether licit to act for divorce with respect to the parties themselves; but they will use their authority so that, insofar as can reasonably be done, they may dissuade divorces.

5. Private Catholics will abstain from petitioning for divorce insofar as it can be done; nor will they petition for divorce unless the Ordinary, on account of peculiar circumstances, has given permission to petition for it.

6. Theologians especially and priest confessors will defend right principles in this matter most earnestly and will urge them in practice.

III. On the Excuses for Artificial Sterility and Abortion

The modern opinions of non-Catholics.

132. - Most men alienated from the faith do not defend honorable morals in the matter of chastity in such a way as to exclude every exception from the rules which in themselves they approve and establish. Wherefore, if at any time conception is prohibited by health, if at any time the wife will be unable to bring forth a living fetus without danger, they will permit, or even advise, artificial sterility, indeed abortion or embryotomy, resting openly or tacitly upon these principles: that necessity is immune from law; that all things are to be weighed not by an absolute but by a relative rationale; and that accordingly, in individual actions, one must consider what prevails and what is to be preferred.

They are refuted.

133. - They can be answered thus, in brief but efficacious words. Moral uprightness has either an absolute command or one subordinated to this condition: unless great difficulty excuses

transgression. An absolute obligation suffers no exception; but a conditional one will consequently be tempered by exceptions in every kind of uprightness. For no reason can be alleged why it would lose its force only in the subject of chastity and when offspring is at issue. What, therefore, if the physical state of the body, or a prolonged separation, should prohibit even imperfect conjugal intercourse? Will they dispense the healthy spouse from the obligation of fidelity? What, moreover, if the gravest harm threatens unless a theft is committed? Very few indeed will admit this, and rightly and deservedly so, on account of the absolute dictate of conscience. But this dictate is general and ought to prevail in every moral matter. Indeed, do they not celebrate as the fruit of the most atrocious war which raged for more than four years the fact that the rationale of right is acknowledged to be absolutely inviolable and can no longer be passed over on account of an alleged excuse of necessity? Will not all confess that there are duties, for example of devotion to the fatherland, on account of which life itself is to be held of no account? Can they, therefore, without absurdity deny such force and efficacy to moral duties that, in order to observe them, less than life itself - a certain delight and pleasure of life - must sometimes be subordinated?

"What kind of philosophy is this," the pagan writer Cornelius Tacitus was already vigorously exclaiming, "which would not bring about the destruction of moral gravity, but would be content with a mediocrity of vices?" [1].

[1] *Annals*, 14, 38.

But they deny that there is anything absolute for man, since he himself is wholly relative.

Yet, if man is constituted by an essential relation to God, and if all the things of this world are contingent and subject to relative considerations, nevertheless God is absolute, and by His authority He confirms and sanctions the absolute precepts of the moral order.

What must nevertheless be conceded?

Yet we freely admit this: when faith in God has been lost and the hope of a future life has been cast aside, those accidental contrarieties between the honorable and the pleasurable lack a sufficient explanation, and the commands of absolute uprightness cannot be perceived well. But for us they assume the excellent form of divine worship and obedience by which we humbly acknowledge the dominion of God.

The absolute nobility of uprightness, and its utility in the present matter.

Nevertheless, all sensible men feel that nothing is more worthy of man than that, besides the impediments which he is forced to obey physically, so that he must confess, "I am unable," he should equally revere the moral impediments on account of which, without any exception, in private and public life, he says, "I cannot."

But the more vehement the venereal appetite is accustomed to be, the more the firmness of a purpose of this kind honors a man and renders him strong and capable of accomplishing great things.

What of the fact that difficulties concerning the begetting of offspring most often flow from the imprudent levity with which marriages are entered, while consideration of vocation or aptitude is neglected? Shall we say that it is lawful for a man to redeem his fault at the expense of uprightness?

On the contrary, will it not be obtained by moral vigor, as a thing greatly to be desired, that marriages be celebrated more circumspectly, with greater happiness for the spouses and for their stock, between persons who are well suited?

Therefore let this be settled and deliberate for us: pleasure, perfect copulation, and solicitude concerning the offspring, if any is born from it, are so joined by nature that it is never lawful to tear these apart in the mind and to admit one while repudiating the others.

What things in this matter are to be desired and procured.

134. - But at the same time, to the best of our abilities, we shall procure that parents deter from matrimony a daughter unequal to the burdens of conjugal life, and that they nourish their offspring physically and morally from tender years in such a way that it may become of itself fully capable of matrimony.

It is also to be desired that young men be less solicitous concerning the dowry of a bride than concerning her physical and moral suitability.

For this is among the desires of nature: that those insufficiently suited abstain from matrimony and aspire by another road toward a holy fecundity of good works.

Chapter III. On Perfect Chastity or Continence

Article I. The Rational Estimation of Continence

The uprightness and possibility of continence.

135. - The uprightness of continence and its possibility are easily demonstrated to natural reason itself. For:

1. As we have seen, the sexual instinct has been ordered by nature toward three ends: toward the generation of offspring, which is the primary end; toward the mutual perfection of the spouses; and toward the moderation of concupiscence. Now, of these three ends, only the first cannot be obtained without sexual intercourse.

But this end is immediately *social*, or for the good of the species.

Therefore, although the venereal appetite which regards this end is present in individuals, nature does not command individual persons imperiously to procure its act, unless the social end itself demands it.

Wherefore, since today provision has been made sufficiently and more than sufficiently for propagating the human race without the marriage of each individual, individuals have of themselves a *right to marriage*, but not an *obligation of marriage*.

2. Moreover, nature herself did not make a ready opportunity for honorable marriage available to all, but imposed upon sufficiently many a physical or moral necessity of celibacy.

Indeed, she willed men to be already pubescent before they were fully mature for matrimony, so that they had to restrain the venereal appetite before they appropriately granted it its act.

And it happens very rarely that, immediately and simultaneously with this maturity, the opportunity of marrying happily is at hand.

3. Hence, unless we wish gratuitously to deny the marvelous providence of the Author of nature, we prudently conclude that celibate persons can of themselves live chastely without excessive difficulty. Of themselves, if they are normal or healthy and are not affected by an accidental defect. This defect must most often be imputed to the fault or imprudence of their parents or ancestors.

4. Therefore, if we interrogate nature, continence is perceived by us to be in itself permitted, necessary to many even unwilling persons, and regularly possible for man.

A comparison of continence and conjugal chastity.

136. - It therefore remains to be asked whether the chastity of celibates is demonstrated to natural reason to be more excellent than conjugal chastity.

The question has a twofold aspect. For both the rationales of chastity themselves and the states which a firm purpose of continence or a nuptial covenant introduce can be compared with one another.

Under the aspect of the formal rationale of chastity.

1. If we consider each chastity formally, the chastity of a continent person is without doubt to be preferred to the chastity of a married person.

For you will observe that, for seeking a good which is pleasurable and not arduous, no virtue is required, nor does any virtue incline us of itself. Wherefore virtue is esteemed from the force by which it rules over passion or the appetite for pleasure. Consider now: the chastity of a married person renounces forbidden pleasure; the chastity of a celibate renounces every pleasure; the former enjoys pleasure moderately, while the latter abstains from every pleasure, or at least from every complacency in pleasure. Therefore the latter brings a stronger dominion over carnal allurements and a stronger bridle upon concupiscences.

Add that, in the use of carnal pleasure, the mind is compelled to serve the flesh and is deprived of active direction. Wherefore abstinence from that pleasure avoids the burning of concupiscence [1] and signifies a praiseworthy immunity from servitude. A continent person not only conquers the flesh but triumphs over it.

[1] St. Thomas, *Summa theologiae*, II-II, q. 152, art. 1, corpus.

Under the aspect of the formal rationale of the state,

2. In order now to compare the states with one another, let us first observe that a certain stability pertains to the rationale of a state: matrimony derives it from the bond introduced by consent; celibacy, from the firm purpose of persevering continence.

The comparison itself can be made according to the *intrinsic end* or the *extrinsic ends*.

according to the intrinsic end;

a) Conjugal society immediately tends to this: that two persons complete one another, while the celibate remains alone. Therefore, if someone, rather than completing himself through another, formally wished to remain alone, an intention of this kind would be less perfect in itself. Yet a formal or positive purpose of solitude is not contained in continence. Wherefore the two states are not to be compared with each other under this aspect.

But in matrimony both spouses of themselves seek the complement of the sexual faculty, and one communicates his sexual powers to the other, while a continent person wishes to remain whole. This communication, at least in the present state, brings a certain servitude harmful to the very unity of life, from which servitude and division the celibate remains immune.

Wherefore the intention of integrity is deservedly said to be in itself more excellent than the intention of communicating the sexual powers.

according to the extrinsic ends which they actually have;

b) The extrinsic ends can be various. Therefore, concerning the individual states of spouses or celibates, judgment must be made according to the ends by which they have been induced.

In truth, a certain marriage can be referred to a higher end than a certain celibacy: the former can be illuminated by a noble intention of the common good, while the latter can be diminished or corrupted by false self-love or egoism. Indeed, as St. Thomas testifies [2], it can happen that a married person has a mind "more prepared to preserve virginity, if it were necessary, than one who is actually a virgin. Hence Augustine instructs the virgin... to say: I am not better than Abraham; but the chastity of celibates is better than the chastity of the married."

[2] *Summa theologiae*, II-II, q. 152, art. 4, ad 2.

or of which opportunity is given.

Finally, if we consider the extrinsic ends for which each state offers the faculty, we then discern in the state of continence a greater liberty for every good, and as it were an invitation for man to dedicate himself either to God through contemplation, or to the good of many through works of common utility. Thus the excellence of continence manifestly shines forth.

What if spouses observe continence?

137. - But if both spouses should determine by mutual consent to observe continence and to dedicate themselves to good works, since they combine together to some extent the advantages and merits of each chastity and each state, their state seems to be in itself more excellent than the state of a celibate person in the world. Yet you will observe that the goods of continence are participated more fully by these spouses than the goods of matrimony, since, with carnal commingling lacking, and especially with offspring lacking, they complete one another less perfectly and their matrimony is deprived of its primary end.

In the holy marriage of the Blessed Virgin with St. Joseph, this good of offspring was not lacking, since, on the contrary, they were miraculously given the most excellent offspring. But this already transcends natural reason.

Article II. The Christian Estimation of Continence

Order of treatment.

138. - The Catholic cultivation of continence, which blossoms partly from the Gospel and apostolic tradition and partly from the opinions of theologians, honors the excellent rationales of virginity with praises, proposes it as endowed with a special reward, and leads toward perfection through the pursuit of angelic chastity.

We shall therefore have to treat: 1. The Catholic rationale and merit of virginity, where the virtue of virginity must also be explained; 2. The special reward of virginity, or the aureole; 3. Angelic chastity.

§ 1. On Catholic Virginity

I. On the Genuine Rationale of Catholic Virginity

The notion of virginity accepted physically.

139. - Virginity, by the consent of all, designates the vigor of uncorrupted flesh, or flesh immune from libidinous contact.

This virginity can be understood physically or morally, that is, in moral estimation. The latter can be divided into natural and moral.

1. Virginity accepted physically designates, in a broader sense, the integrity of the bodily member which, according to St. Thomas, has an accidental relation to virginity morally understood [1]. But since in the male there is no sign of integrity of this kind, virginity physically understood, in the stricter sense, is something proper to the female sex; and it designates that apparent integrity of the body which consists in the seal or virginal enclosure being preserved.

[1] St. Thomas, *Summa theologiae*, II-II, q. 152, art. 1.

What is the virginal enclosure?

But what is the virginal enclosure itself? Many, especially the more ancient authors, place it in the *hymen*, that is, in a sufficiently elastic membrane, regularly resembling a half-moon, by which the vagina of a virgin is generally almost entirely closed [2]: this membrane, when preserved, proves of itself abstinence from carnal intercourse. But the hymen can be absent from birth, and can be broken from other causes; and, conversely, it is not always broken in the first acts of intercourse. Wherefore others place that enclosure in a certain contraction and compression by which the parts of the vaginal opening are constricted until they have been dilated by carnal intercourse.

[2] Compare Antonelli, *Medicina pastoralis*, I, 199.

This notion of virginity has no use in moral theology. Care must only be taken lest, deceived by the rationale of the enclosure, you rashly pronounce that a marriage has or has not been consummated.

Accepted morally.

2. We must now explain briefly how one arrives at the other notion, or virginity understood morally.

In the estimation of all, intercourse is the very defloration of a virgin by which bodily integrity is lost. In each sex, however, there are solitary acts or acts procured through the cooperation of another which, of themselves, signify the same operation in each individual and subjectively bring the same pleasure, but differ from intercourse in this respect: intercourse is the venereal use according to nature, which is rendered honorable in the conjugal state, while those other acts, exercised apart from intercourse, add malice against nature and are intrinsically evil.

Therefore, in moral estimation, integrity must be corrupted by acts of this kind in the same manner and for a stronger reason, although physically it may remain in the other sex.

Wherefore, in estimating virginity, regard is had for satiative pleasure more than for intercourse itself, and virginity understood morally is defined as: *immunity from satiative pleasure*.

Indeed, it is not repugnant that an unwitting girl be made pregnant even without intercourse, as, according to the testimony of a most reputable physician, happened to a seventeen-year-old daughter who, when she had used for washing the vagina water which her mother had previously used, became pregnant without fault and without pleasure. The water contained physiological serum, which is favorable both to mucous membranes and to the more prolonged life of spermatozoa. St. Thomas knows of such things. Compare *Quodlibet* 6, q. 10.

Natural and moral virginity.

140. - Further, this virginity of the latter rationale is natural [3] or moral.

[3] Compare Eschbach, *Disputationes physiologico-theologicae*, c. 2, art. 1.

Natural designates that immunity from satiative pleasure with which we are born and which, possessed without merit, we lose without fault through involuntary pollution.

Moral virginity, however, is the condition of one who has not yet admitted voluntary intercourse or pollution, and does not will to admit it, at least unless that person should marry. It is called moral because a moral act "is not considered of itself except according to those things which belong to the soul" [4].

[4] St. Thomas, *Summa theologiae*, II-II, q. 152, art. 1.

This moral condition of virginity is referred to virginity as its material part, while the purpose of abstaining perpetually from satiative pleasure formally completes virginity [5]. For this purpose presupposes stability.

[5] St. Thomas, ibid.

Virtuous or complete virginity.

141. - Virginity itself cannot be virtuous unless it acknowledges every obligation of chastity as binding upon itself.

Complete virginity, therefore, which is extolled with so many praises in the Church, presupposes and connotes moral integrity of the body, and a perpetual purpose of preserving this integrity and of not sinning lustfully against chastity [6].

[6] We speak thus because one can also sin against chastity without any venereal pleasure. Take, for example, a man who, hired for money, persuades a woman to sin with another. But only culpable pleasure touches virginity.

How virginity perishes.

142. - Once satiative intercourse or its pleasure has been admitted, both the purpose of virginity and, at least morally, the integrity of the flesh itself perish. This latter cannot be repaired. Hence the sayings of the Fathers: "I shall speak boldly: although God can do all things, He cannot raise up a virgin after her fall" [7]. "If you lose this patrimony of most intact chastity, although you should do all those things which I have said, and should traverse heaven and earth, the seas and abysses and the immense air, by no means will you ever be able to recover it. For in what manner will that which has once been corrupted become incorrupt? By what rationale will she who has known a man be reckoned as though she had not known him?" [8].

[7] St. Jerome, Epistle 22 to Eustochium, no. 5 (M. 22, 397). Compare also *On Amos*, book 2, chapter 5 (M. 25, 1036-1037).

[8] Basil of Ancyra, *De vera virginitatis integritate*, no. 59 (M.P.G. 30, 787-788).

When imperfect lust has been committed, however, the chastity of the mind, or the formal element of the virtue, is indeed taken away. But, while the integrity of the flesh remains, the formal element of the virtue can be restored through penance.

Thus virginity can perish in an irreparable manner and in a reparable manner.

In an irreparable manner.

It is lost in an *irreparable manner* through every voluntary act of intercourse and through every voluntary pollution: whether it be voluntary in itself and therefore have been brought about by an exterior or interior act, or be imputed in a culpable cause which of itself is naturally apt to have this effect.

But what if a lustful contact is admitted from which pollution would have arisen unless something had accidentally prevented it? The moral malice of pollution is then contracted; nevertheless, because the integrity of the flesh has accidentally been preserved, we judge that the loss of virginity has occurred accidentally, but not in an irreparable manner.

In a reparable manner.

It is lost in a *reparable manner* through the revocation of the purpose of virginity, for example, through the intention of celebrating matrimony according to the customary laws; through every merely interior sin of lust, or even an exterior but of itself incomplete sin, although pollution should have followed accidentally and beyond the intention; through complacency in a past pollution of which you were not the cause; indeed, unless we are mistaken, in a present pollution which is not imputable to you [9].

[9] Eschbach thinks differently, d. 48, c. 2, no. 4.

It is not lost, however, through the lust of another which is imputed to you because of counsel or permission. For although you have thus sinned against chastity, nevertheless in itself you have conceded nothing to lust [10].

[10] Illustrious Waffelaert, no. 123, nevertheless holds the contrary.

What of one who has sinned before puberty?

What if someone, before puberty, should commit lust completed in its own manner?

Cajetan [11] denies that virginity has been lost in an irreparable manner, because the boy is incapable of inseminating; Lessius rather affirms it, provided that the boy enjoys the full use of reason. We would prefer to employ a distinction: to adhere to Lessius if the prepubescent person was capable of intercourse, although sterile, but to Cajetan if he was incapable of performing intercourse.

[11] On *Summa theologiae*, II-II, q. 152, art. 1.

On a monastery of virgins and a virgin to be veiled.

143. - There formerly existed monasteries reserved for virgins who were solemnly consecrated to God. Compare the most beautiful rite in the Roman Pontifical (Part I, after the blessing of an abbess). This consecration is a sacramental reserved to the bishop.

Every woman who had retained the seal of virginity could be veiled, even if perhaps she had indulged in solitary lust: in the eyes of the Church she remained a virgin. But by no means was it permitted to veil a woman who had admitted voluntary intercourse, nor even one who had indeed been violated unwillingly, unless perhaps the matter had remained hidden. This matter is disputed.

II. On the Praise and Value of Catholic Virginity

Opinions, and our position.

144. - While the religious pagans themselves were not ignorant of the somewhat mysterious sanctity of virginity, so that the temporary chastity of the Vestals was treated with great honor in the City, true Catholic Christianity has also been distinguished by this mark from pseudo-Christianity: that the latter strives to diminish and depress the value of virginity.

Detractors of virginity.

Already in the age of St. Jerome, Jovinian made virginity and the matrimonial state of like or equal merit before God, except that virginity freed us from conjugal troubles.

The pseudo-reformers of the sixteenth century charged virginity cultivated in the service of God with superstition; when observed for another motive, for example, for the advantages of this life or for easier preaching of the Gospel, they did not regard it as evil or to be condemned in itself; nevertheless, they held that one would act foolishly who undertook the obligation of virginity or tried to preserve it unless conscious that he possessed the exceedingly rare gift of continence. Against them stands canon 9 of session XXIV of the Council of Trent:

"If anyone says that clerics constituted in sacred orders or regulars who have solemnly professed chastity can contract matrimony, and that the contract is valid notwithstanding ecclesiastical law or the vow; and that the contrary is nothing other than to condemn matrimony; and that all who do not feel that they have the gift of chastity, even if they have vowed it, can contract matrimony: let him be anathema, since God does not deny it to those who ask rightly, nor does He permit us to be tempted beyond that which we are able to bear (1 Corinthians 10:13)."

Our contemporaries who stand on the opposite side assert that virginity, as an institution against nature, is condemned by reason itself.

Our position.

145. - Against all these we defend the positive excellence of Christian virginity in the following thesis.

Thesis II

Absolute and perpetual virginity, considered in itself, is by far to be preferred to the common condition of married life; insofar as it is referred to God, however, it contains an eminent act of homage.

To explain a few words: virginity *considered in itself* is also separated from a vow properly so called, but it is considered at the same time according to the state, not according to the act from which it takes its beginning: the initial act is a sacrament only in matrimony; nor according to an extrinsic end, by which virginity can be debased and marriage rendered honorable; nor according to the persons professing the state: not all virgins surpass married persons in Christian perfection.

Further, we call *absolute* that virginity which abstains not only from illicit pleasure but also from the legitimate and, in itself, praiseworthy use of marriage.

Arguments.

We prove this thesis true from Sacred Scripture, Tradition, and Reason.

From Sacred Scripture.

146. - 1. From Sacred Scripture.

a) From the First Epistle to the Corinthians, chapter 7, verses 1-9 and 25-38.

From 1 Corinthians.

"1. Now concerning the things about which you wrote to me: It is good for a man not to touch a woman. - 2. But because of fornication, let each man have his own wife, and let each woman have her own husband. - 3. Let the husband render the debt to the wife, and likewise also the wife to the husband. - 4. The woman does not have power over her own body, but the husband. Likewise also the husband does not have power over his own body, but the woman. - 5. Do not defraud one another, except perhaps by consent for a time, that you may devote yourselves to prayer; and return together again, lest Satan tempt you because of your incontinence. - 6. But I say this by indulgence, not by command. - 7. For I will that you all be as I myself; but each one has his own gift from God:

one thus, and another thus. - 8. But I say to the unmarried and to widows: it is good for them if they so remain, even as I. - 9. But if they do not contain themselves, let them marry. For it is better to marry than to burn. - 25. Now concerning virgins, I have no commandment of the Lord; but I give counsel, as one who has obtained mercy from the Lord to be faithful. - 26. Therefore I think this to be good because of the present necessity, since it is good for a man so to be. - 27. Are you bound to a wife? Do not seek release. Are you released from a wife? Do not seek a wife. - 28. But if you take a wife, you have not sinned. And if a virgin marries, she has not sinned; nevertheless, such persons will have tribulation of the flesh. But I spare you. - 29. Therefore this I say, brethren. The time is short: it remains that those also who have wives be as though they had none. - 30. And those who weep, as though not weeping; and those who rejoice, as though not rejoicing; and those who buy, as though not possessing. - 31. And those who use this world, as though they did not use it; for the figure of this world passes away. - 32. But I will that you be without solicitude. He who is without a wife is solicitous for the things of the Lord, how he may please God. - 33. But he who is with a wife is solicitous for the things of the world, how he may please his wife, and he is divided. - 34. And the unmarried woman and the virgin thinks upon the things of the Lord, that she may be holy in body and spirit. But she who is married thinks upon the things of the world, how she may please her husband. - 35. Further, I say this for your benefit: not that I may cast a snare upon you, but for that which is honorable and which may afford the ability of beseeching the Lord without impediment. - 36. But if anyone thinks that he appears dishonorable concerning his virgin, because she is past full age, and that it ought so to be done: let him do what he wills; he does not sin if she marries. - 37. For he who stands firm in his heart, not having necessity, but having power over his own will, and has judged this in his heart, to preserve his virgin, does well. - 38. Therefore both he who joins his virgin in matrimony does well; and he who does not join her does better."

In this passage the Apostle, having addressed in order men (verses 27, 28, 32, 33), women (verses 28, 34), and heads of households (verses 36, 37, 38), proposes the same doctrine to all: namely, that matrimony is honorable; that a man who takes a wife does not sin, nor a woman who marries, nor a head of a household who, using the authority which he then had, joins his daughter in matrimony; nevertheless, he who chooses the virginal state for himself or his daughter does better. Therefore he extols the state of virginity above the matrimonial state. Verse 1 already inculcates this excellence through the word καλόν (*kalon*), "good," in opposition to the following sentence.

St. Paul, moreover, hands this down as a *faithful*, that is, trustworthy, Apostle (verse 25).

He further adds the rationales: the present necessity (verses 26, 29-32); freedom from the solicitude of this age, holiness of body and soul, and the ability to devote oneself more freely to God (verses 32-35).

Therefore, omitting the first rationale, whose difficult interpretation we can neglect here without harm, the Apostle, who is not acting as a professor of theology but is striving practically to persuade Christians, mingles rationales of present utility with rationales which pertain to the future life. But that greater holiness is truly spoken of is enough to convict of error both Jovinian, who said that virginity was to be preferred solely because of temporal advantages, and, recently, Bachmann [1], who denies that a moral comparison is made between the state of marriage and the state of virginity.

[1] *In primam ad Corinthios,* Zahn Collection, p. 258.

b) The same can also be gathered from the Gospel of St. Matthew, chapter 19, verse 10 and following.

From Matthew 19.

"10. His disciples say to Him: If such is the case of a man with his wife, it is not expedient to marry. - 11. He said to them: Not all receive this word, but those to whom it has been given. - 12. For there are eunuchs who were born thus from their mother's womb; and there are eunuchs who were made so by men; and there are eunuchs who have made eunuchs of themselves for the sake of the kingdom of heaven. He who can receive it, let him receive it."

In this passage Christ, after distinguishing three kinds of eunuchs, prudently counsels all to imitate the third kind, the voluntary ones. And this for the sake of the *kingdom of heaven*. These words by no means designate the preaching of the Gospel, as certain heretics of the sixteenth century wished, but that spiritual kingdom of Christ to which those men pertain who are joined to God, whether through interior grace here on earth or through its glorious possession in heaven [2]. Moreover, the image of physical castration and the comparison with eunuchs who necessarily remain such perpetually very clearly indicate perpetual virginity or the state of virginity.

[2] Schanz, *Commentarium über das Ev. des H. Matthaeus*, says that this motive is explained to us by St. Paul in 1 Corinthians 7:25-35. Moreover, in the connected discourse, eternal life is being discussed.

Finally, the words "To whom it has been given" and "He who can receive it, let him receive it" indeed inculcate that perfect continence is a special gift of God [3], but, at least as the holy Fathers understand them, they nevertheless present a general commendation of this state. Let the witnesses be Jerome: "The contest-master sets forth the prize, invites to the course, holds in his hand the reward of virginity, shows the purest fountain, and cries out: 'He who thirsts, let him come and drink'" [4]. Chrysostom: "He makes them more ardent by showing the magnitude of the work" [5]. St. Cyprian has similar things in *De habitu virginum* [6]; St. Augustine, in the book *De sancta virginitate*, chapter 23 [7]; and Basil of Ancyra, *De vera virginitatis integritate* [8], so that Lessius did not hesitate to write: "He invites all to it [virginity] when He says: He who can receive it, let him receive it, just as He invites all to the end and consideration of His doctrine when He says: He who has ears to hear, let him hear" [9].

[3] Schanz cites St. Ignatius, *Ad Polycarpum*, 12; Tertullian, *Ad uxorem*, 2, 9; *De pudicitia*, chapter 4; Clement of Alexandria, *Paedagogus*, 2, 11, 63.

[4] Book 1 *Contra Iovinianum*, no. 12 (M. 23, 228).

[5] Homily 62 or 63 on Matthew, no. 3 (M.P.G. 57, 600). Compare the words which are also nearby.

[6] No. 33, M. 4, 463.

[7] M. 40, 408.

[8] Nos. 56, 57 (M.P.G. 30, 781-784).

[9] *De iustitia*, etc., book 4, chapter *De virginitate*, no. 104.

Therefore, if it is a gift of God, God is prepared to grant it at least to most persons, provided that they will sincerely dispose themselves to obtain it, so that the inability which the Lord intimates is to be understood of a present and proximate inability which can be removed, rather than of a remote one.

Moreover, the same thing is urged from comparison with the passage of the Apostle, where virginity also is presented as a proper gift of God (verse 7), and nevertheless is commended universally.

Add to these that Christ is proposed to us in the Gospel as a virgin born of a virgin, and as following with special love the Apostle whom ecclesiastical tradition reports to have remained a virgin.

From Tradition.

147. - 2. From Tradition. The holy Fathers openly and with one voice defend our position, so much so that they wrote special books for commending virginity. Nor do the heretics deny it. St. Cyprian, *De habitu virginum*; St. Ambrose, *De virginibus*, book 1; and St. Jerome, book 1 *Contra Iovinianum*, can be consulted.

Finally, the Council of Trent defined the matter, session XXIV, canon 10:

"If anyone says that the conjugal state is to be preferred to the state of virginity or celibacy, and that it is not better and more blessed to remain in virginity or celibacy than to be joined in matrimony: let him be anathema."

From reason.

148. - 3. From reason. For the first part, the arguments which are evident to reason even when supernatural consideration is excluded return here. Compare what was said in no. 136.

But furthermore, to show how pleasing an homage of herself the Christian virgin offers to God:

Especially from supernatural consideration.

By the *integrity of her flesh* she is a symbol of the incorruptible body, whose resurrection we are taught by the Apostle to hope for: "This corruptible must put on incorruption" [10]. Hence these most beautiful words spoken by St. Augustine: "Virginity is, in corruptible flesh, a meditation on perpetual incorruption" [11].

[10] 1 Corinthians 15:53.

[11] *De sancta virginitate*, sole book, chapter 13 (M. 40, 401).

By her *mind*, by which the virgin has contemned material servitude and the goods of this age, she bears witness to and manifests the spiritual soul.

By the *exclusion of earthly love*, she shows herself most faithful to Christ, who by a mystical marriage has espoused our nature to Himself.

When the Apostle, with ardent affection, desired to present Christians to Christ "as a chaste virgin to one husband" [12], does he not, by the very image which he uses, intimate that his desires are perfectly fulfilled by a virgin who devotes her virginity to Christ? Christian monuments bear witness to this devotion made to Christ in virgins who, because they were wedded to Christ, repelled other lovers; and in the rebuke by which St. Cyprian reproached a corrupted virgin because she was an adulteress of Christ [13]. Already St. Athanasius records it as a custom of the Church that sacred virgins are called *brides of Christ* [14]. Augustine especially commends love of this bridegroom, together with humility, at the end of the book *De sancta virginitate* [15].

[12] 2 Corinthians 11:2.

[13] Epistle 62 (M. 4, 370).

[14] *Apologia ad Constantinum* (M.P.G. 25, 639).

[15] M. 40, 428. "If, therefore, you owed great love to husbands, how greatly ought you to love Him for whose sake you were unwilling to have husbands? Let Him who was fixed upon the cross for you be fixed wholly in your heart; let Him hold wholly in your soul whatever you were unwilling to have occupied by marriage. It is not permitted you to love little Him for whose sake you do not love even what would be lawful. For those who so love Him meek and humble of heart, I fear no pride for you.... Let each one take the greater care not to be deceived by pride, the holier the thing he professes" (chapters 55 and 56).

By her *perfect purity*, a virgin compensates for and as it were redeems the vices of a corrupt age.

By *flight from the stain which especially defiles the body*, she pursues with special honor the Holy Spirit, whose temple she is. "Through virginity the integrity of the flesh is vowed, consecrated, and preserved for the very Creator of soul and flesh" [16].

[16] St. Augustine, *De sancta virginitate*, chapter 8, no. 8 (M. 40, 400).

By *abstinence from intercourse*, she emulates the angels [17].

[17] St. Augustine, *De sancta virginitate*, ibid.

By the *renunciation of her own offspring*, she prepares herself for the holy fecundity of good work, both of charity toward God, whom, according to the testimony of the Apostle, she can beseech without impediment [18], and whom she is free to please alone [19]; and of charity toward her neighbor: whether by exercising evangelical preaching, which men especially can do, or evangelical mercy.

[18] 1 Corinthians 7:35.

[19] Ibid., 7:32.

Virginity thus understood procures a heavenly vision on earth; by chaste nuptials with Christ and by the tenor of life it presents and continues the person of that Immaculate Virgin who can more properly be called the bride of the Word; and it invites men not to serve the flesh but to strive toward sublime things.

What more noble, what more holy, what more useful to the human race, what more joyful for Holy Church, can be instituted? "Through them [virgins] she rejoices, and in them the glorious fecundity of Mother Church flourishes. And the more abundant virginity adds to her number, the more it increases the joy of the mother" [20].

[20] St. Cyprian, *De habitu virginum* (M. 4, 443).

Difficulties are overcome.

149. - It remains that, in this place, we resolve briefly the difficulties which are opposed to our position, whether they are adverse to continence itself or attack the excellence of the state of continence.

A power given to all.

1. A power which of itself has been granted to individuals cannot be frustrated of its good act.

Response. We deny this assertion, unless the power has been granted to individuals in such a way that each one is to use it for acting. Observe that, in this order of generation, the physical powers given to individuals are greater than can be employed. But individual men are not ordained to exercise this power. Are there not among the adversaries themselves those who forbid marriage to men of a more infirm condition? And who would oblige a younger widower or widow to contract a second marriage? Yet if the power were present in individuals so that each one should use it, it would have to be exercised by each insofar as it is present.

The necessity of the gift of continence.

2. A universal counsel of continence cannot be given, but must be reserved for those who are conscious that they have received the gift of continence.

Response. We freely concede that there are many to whom, because of excessive concupiscence, the purpose of virginity is not to be counseled, at least here and now: the Apostle himself went before us by example, saying, "Therefore I will that the younger [widows] marry" [21].

[21] 1 Timothy 5:14.

Nevertheless, the counsel can be given universally, nor is a positive consciousness of a peculiar gift to be awaited, which someone might have derived from a subjective revelation, as the Protestants wished. For revelations of this kind are not granted according to the ordinary law of divine Providence; but the universal counsel was given by the Apostle and by the holy Fathers. For the Catholic tradition concerning the gift of continence is this: "God does not deny it to those who ask rightly, nor does He permit us to be tempted beyond that which we are able to bear" (Council of Trent, session XXIV, canon 9).

Wherefore the words cited above, "He who can receive it, let him receive it," seem to us to be understood not so much of the faculty of executing as of the faculty of forming an efficacious purpose through a practical persuasion of the Savior's doctrine. For so many are in fact celibate, even unwillingly, that the faculty of execution must be available to many. Thus also it is not so difficult to lack riches; but to renounce them from a holy persuasion concerning their vanity, to bid them farewell, is a matter for the few and a gift of God.

The words "Increase and multiply."

3. The words of Genesis, chapter 1, "Increase and multiply," seem to contain a divine ordinance and a precept.

Response. These words, as the connected discourse proves, directly contain a blessing; at the same time, however, they manifest a divine ordinance, but one which is to be observed in that manner which the end demands. This end bound individuals only at the beginning.

The goods which matrimony brings to the world.

4. The matrimonial state is to be preferred to virginity, since it confers more good upon the world. For by procuring offspring, it bestows as if in root all the goods which can exist in the world.

Response. For a state to be called better, it must confer either a good formally better or one whose fundamental necessity is actually urgent. But, considered separately from the necessity of procuring it, a good which is necessary as a prerequisite foundation cannot constitute a better state.

Otherwise, we would perpetually have to give first place to inferior things, which are accustomed to be conditions of a more excellent good: he who nourishes the body would have to be esteemed more than he who feeds the soul; he who prepares the canvas and colors more than he who paints the picture.

But the more intimate rationale is that a just estimation of things depends not only upon necessity but also upon rarity. Hence, when a good more necessary in itself is available in great abundance, the work of him who provides that good is not more necessary than the work of him who procures a good of a higher order, the procurement of which, as something rarer, becomes more necessary.

Therefore the excellence of a state is to be judged less from the good about which it is occupied than from the works to the performance of which it leads.

Furthermore, to demonstrate the defect of the argument, the state which procures for the *world* a good formally better can be called better for the world only strictly in a qualified respect. For since God is above the world, the state by which a good of the divine order is procured must be called better than the state by which well-being is procured for the world. Although, since the world exists for the sake of God, he who procures greater praise for God in the world must be said to confer a more excellent good upon the world itself. Virginity, therefore, procures for the world a formally greater good. For when cultivated on account of its ordinary motive of divine charity or religion, it bestows upon the world goods which regard the cultivation of the mind, exercises of the nobler virtues, especially charity and zeal, and divine honor. The world assuredly needs these goods no less than offspring.

III. A Connected Question concerning the Virtue of Virginity

Opinions concerning the virtue of virginity.

150. - After the praises attributed to virginity, this question almost spontaneously offers itself for examination: whether virginity is cultivated by a special virtue or whether its cultivation is to be ascribed to other virtues.

Authors disagree in this matter. Many, relying upon the very words of St. Thomas [1], contend that there is a special virtue of virginity, at least, as most will have it, after it has been confirmed by a vow: thus Cajetan [2], Billuart [3], Most Illustrious Waffelaert [4], and Reverend Father Eschbach [5]. Sylvius held that virginity even without a vow pertained to a special virtue [6].

[1] *Summa theologiae*, II-II, q. 152, art. 3.

[2] On the cited passage of St. Thomas.

[3] *De temperantia*, dissertation 4, art. 31.

[4] *De virtutibus cardinalibus*, no. 1, 126, 127.

[5] *Disputationes physiologico-theologicae*, proposition 3.

[6] On *Summa theologiae*, II-II, q. 152, art. 3.

With Lessius [7] and Palmieri [8], we establish this thesis:

[7] Book 4, chapter 2, nos. 99-101.

[8] *Opus theologicum morale*, vol. 2, tract 6, no. 1045.

Thesis III

151. - There is no special virtue of virginity, since virginity merely perfects chastity intrinsically or extrinsically, and therefore is not distinguished from chastity itself, or from the virtue from whose motive virginity is cultivated.

Our position.

Thus, when we say that virginity is a perfection of chastity, we attribute to virginity an excellence which can either flow from the very rationale of chastity or pertain to a superadded virtue.

For the difficulty of the matter brings it about that perpetual virginity is very rarely, perhaps never, practiced on account of the beauty of chastity itself. Rather, men are moved to cultivate it by the higher virtue of charity or religion.

Argument.

We demonstrate that our proposition, thus explained, is true in the following manner. Virginity, considered as a virtue, is composed of the integrity of the body as a material element, and of the purpose of preserving that integrity and fleeing every venereal stain as a formal element. Compare what was said above, nos. 139 and 142.

Come then: voluntary *integrity* of the body is the fruit of chastity observed. It therefore connotes chastity. But the *purpose*, in order that it may be the formal element of a virtue, must tend toward some honorable good. What, then, will this be except a greater victory over concupiscence, which signifies a chastity intrinsically more perfect; or an increase of devotion, divine love, or something similar, which pertains to religion, charity, and so forth? In vain, however, will you seek a virtuous rationale which is proper to virginity. Therefore virginity is chastity more perfect intrinsically or extrinsically, but not a new virtue.

Confirmation.

The position is confirmed by a difficulty which the adversaries attempt to solve with much labor.

No virtue is lost without sin, whereas virginity is regularly lost through matrimony. I say *regularly*, because if a precaution prohibiting the use of the right has been taken, the purpose of matrimony will not be contrary to the purpose of virginity.

The difficulties are answered.

152. - Nor should you say with Billuart [9] that virginity according to its formal element is preserved by married persons, almost as a poor man can retain magnificence, and a blessed person in heaven faith, in disposition of mind. For the very will of the spouses has admitted the

formal contrary. Virginity first perished formally, through the purpose of consummating matrimony, before it perished materially in the body through the admission of carnal pleasure.

[9] *De temperantia*, dissertation 4, art. 3.

Nor, although it adheres to the words of St. Thomas, is the escape of Cajetan, whom Most Illustrious Waffelaert follows, more successful, namely, that virginity becomes a special virtue only from a vow, but when thus constituted is not lost without sin.

Let us allow this latter assertion. By what agreement would an act of religion, or a vow, add not only the species of religion, but also change essentially the rationale of chastity, so that it would become a peculiar species of temperance? This escapes us and many others.

What is more, strictly speaking, even virginity confirmed by a vow can cease without sin, as when a dispensation from the vow has been obtained. But one who, bound by a simple vow of chastity, contracts and consummates matrimony will indeed have sinned against religion, but not against chastity.

Nor, with Billuart, can an argument be drawn from the special difficulty of virginity, which would demand a special virtue. For the peculiar difficulty of virginity must not be said to be of a different order from chastity, but greater within the same order. And since religious and those dedicated to continence experience of themselves less difficulty in executing the purpose of virginity than married persons do in preserving the continence imposed upon them during married life or after matrimony, if Billuart's rationale were valid, we would also have to refer the chastity of widows and of those impeded to a special virtue, which surely no one would approve.

The difficult passage of St. Thomas.

153. - How, nevertheless, could the Angelic Doctor have written these words: "Where there is a special matter of good, having a special excellence, there is found a special rationale of virtue. And therefore virginity is a certain special virtue" [10]?

[10] *Summa theologiae*, II-II, q. 152, art. 3.

It seems to us that the words of St. Thomas must be explained from the body of the article. There he places the formal element of virginity in a purpose "which is rendered praiseworthy from the end, insofar, namely, as this is done in order to devote oneself to divine things." This intention manifestly pertains to the virtue of religion. But if the matter stands thus, St. Thomas calls the virtue of virginity special only insofar as it is in reality distinguished from chastity, and this through the motive of the more excellent virtue on account of which virginity is usually cultivated. Wherefore neither Lessius nor Ballerini-Palmieri think that through their opinion concerning virginity they are opposed to the holy Doctor.

§ 2. On the Special Reward of Christian Virginity, or on the Aureole

I. On Aureoles in General

The notion of an aureole.

154. - Besides the essential joy of heavenly beatitude, it is sufficiently established that accidental rewards also are destined for the saints. For in a good work which, insofar as it is informed by charity, merits an essential reward for those who are joined to God through the beatific vision, there can also be titles to honors and joys which are superadded to the essential reward.

Now an *aureole* designates an accidental reward of this kind, not just any one, "but that which has a certain prerogative and dignity, just as does the work to which it corresponds" [1].

[1] St. Bonaventure, on book 2 of the *Sentences*, distinction 40, art. 2, q. 3, reply to the last objection.

Therefore the aureole can be described with St. Thomas as: "A privileged reward corresponding to a privileged victory" [2].

[2] *Supplementum*, Part III, q. 96, art. 1.

The mind properly enjoys this reward, but a certain adornment is diffused into the body itself from that joy.

The holy Doctor thinks that the word *aureole* is so called as though it were a small golden crown, while the *golden crown* designated the essential reward.

How many kinds of aureoles.

155. - Further, theologians distinguish a threefold aureole: of martyrs, of doctors or preachers, and of virgins.

This doctrine is founded upon the special praises with which martyrdom, the preaching of the word of God, and virginity are treated in Sacred Scripture.

The *martyrs* indeed give Christ that distinguished testimony of love which He Himself expressed in these words: "Greater love than this no one has, that a man lay down his life for his friends" [3].

[3] Gospel of St. John 15:13.

The *preachers* of the word of God fulfill in a distinguished manner what Christ demanded when He said: "Teach all nations" [4]. How highly the apostles regarded the ministry of the word is attested by the election of deacons lest the apostles be drawn away from that ministry [5]; by the choice by which Paul preferred the preaching of the Gospel to the duty of baptizing [6]; and by the necessity of preaching, affirmed in these words: "For whosoever shall call upon the name of the Lord shall be saved. How then shall they call upon Him in whom they have not believed? Or how shall they believe Him whom they have not heard? And how shall they hear without a preacher?" [7].

[4] Gospel of St. Matthew 28:19.

[5] Acts 6:2, 4.

[6] 1 Corinthians 1:17.

[7] Romans 10:13-14.

We have just seen with what praises virginity is extolled.

By what title it is conferred.

156. - But under what formal title this reward is conferred is not established. Different authors hold different opinions. St. Bonaventure [8] considers there an excellent exercise of the threefold power of the soul. For it is found "according to the rational power, in the preaching of truth leading others to salvation; according to the concupiscible power, through the perpetual integrity of virginal continence; according to the irascible power, in the endurance of death for the honor of Christ."

[8] *Breviloquium*, 7, 7.

St. Thomas [9] detects a special *victory* in each: the victory which virgins carry off in the battle against the *flesh*; martyrs in the battle against the *world* persecuting them even unto death; while "in the battle which is fought against the devil, the principal victory is when someone removes the enemy not only from himself but also from the hearts of others, which is done through doctrine and preaching."

[9] *Supplementum*, Part III, q. 96, art. 11.

Others, and perhaps better, observe in the same works special rationales for *imitating Christ*, who cultivated virginity and loved it with a principal love; who was a doctor and preacher of truth: "For this was I born, and for this came I into the world, that I should give testimony to the truth" [10]; and who died as the king of martyrs.

[10] Gospel of St. John 18:37.

In each there is also demonstrated a special affection toward Christ. Martyrs pour out their life for Christ; preachers dedicate to Christ the active use of their life; virgins reserve their heart, or their affective life, for Christ. That is, more briefly: martyrs consecrate their blood to Christ, preachers their activity, virgins their affection.

The order of the aureoles.

157. - Finally, the aureoles are numbered in this order: first, the aureole of martyrs; second, the aureole of preachers; third, the aureole of virgins.

II. On the Aureole of Virgins

On the passage of Apocalypse 14:3-5.

158. - You will ask first what use can be made of Apocalypse 14:3-5 to demonstrate the aureole of virgins.

These are the words: "And they sang as it were a new canticle before the throne and before the four living creatures and the ancients; and no man could say the canticle but those hundred forty-four thousand who were purchased from the earth. These are they who were not defiled with women: for they are virgins. These follow the Lamb whithersoever He goes. These were purchased from among

men, the firstfruits to God and to the Lamb; and in their mouth there was found no lie: for they are without spot before the throne of God."

Several holy Fathers [1] and more recent interpreters understood these words of virgins properly so called.

[1] St. Cyprian, *De habitu virginum*, chapter 4 (M. 4, 44); St. Jerome, Epistle 22 to Eustochium, no. 41 (M. 22, 424-425), and book 1 *Contra Iovinianum*, no. 40 (M. 23, 269); St. Augustine, *De sancta virginitate*, chapter 27 (M. 40, 410).

Nevertheless, the tropological interpretation seems to be preferred. For the very men there are called virgins; and they are said to be those who have not been defiled with women: one would hardly say that anyone is defiled by the use of marriage, and this would be entirely foreign to the manner of speaking of the Sacred Scriptures. Therefore, by the name of virgins are here designated all who have preserved themselves immune from the contagion of the world, especially from impure love. But since idolatry is often called by the name of adultery, or impure love, those properly seem to be virgins who have been proved faithful to Christ, so that in their mouth no lie of apostasy has been found, and who have remained removed from the worship and corruption of idols.

Yet this difficult passage does not for that reason become useless to us. For in it a virgin is named as a type of purity and of fidelity preserved toward Christ. Furthermore, an accidental reward added to the essential reward is described both by that canticle which not all sing, even in heaven; then by that inseparable fellowship with Christ, whom the privileged can follow whithersoever He goes; and finally by the quality by which they are choice firstfruits to God and Christ.

It is established that the virginal aureole is to be admitted.

The demonstration of the virginal aureole is rather to be sought from the evangelical commendation of continence, from the persuasion of the Fathers and theologians, and from the liturgical usage by which the Church applies the cited words of the Apocalypse to virgins.

Conditions of the aureole.

159. - When God, the most wise provider and the most just appraiser of things, wills to allure men to a praiseworthy work by proposing a reward, He necessarily chooses a work which of itself is placed in our will, with His grace assisting, lest He seem to invite us in vain; which work then requires that it actually be done, and that from a formally good intention: for He crowns the human act. But a new condition would be added gratuitously, without a positive indication. For the work to which God has joined a reward, if it is done with a right intention, stands as worthy of its reward.

Further, from the first point, a defect of *physical* integrity cannot impede the virginal aureole.

From the second point, it is required that, insofar as it lies within our power, integrity of the flesh itself be present *morally*; that is, that no complete venereal pleasure have been voluntarily admitted. For, as we have seen, this immunity is the material element in virginity considered morally. Compare no. 140.

Is a vow necessary?

From the third point, it is required that this integrity be present not accidentally, but of itself, from an intention which is praiseworthy.

Therefore, integrity of the flesh joined to the purpose of perpetual virginity, or to integrity of mind, contains the necessary and sufficient conditions of the aureole.

Theologians agree concerning these conditions, except that some furthermore introduce the necessity of a *vow*. This necessity is thereby excluded, because this vow is extrinsic to the rationale of virginity.

Thus, while *perpetual integrity of the body* is required, it is sufficient that *integrity of mind* be recovered at the hour of death, since the purpose, as we have seen, can be restored. But does an intention of virginity then first conceived give a right to the aureole, when, all hope being lost, the hour is at hand in which, pressed by necessity itself, all the faithful, as someone used to say [2], make a religious profession? This seems to us very uncertain, and rather to be denied.

[2] Most Illustrious D'Hulst. Compare his life written by Most Illustrious Baudrillart.

What must be said concerning *infants* who have died immaculate, without struggle? Will they obtain the aureole? This comes into controversy, which, arguments being deficient, cannot be resolved.

Loss of the aureole.

160. - Come now: all who even once have satiated the venereal appetite, or all who have lost virginity in an irreparable manner, are cast down from virginal dignity and deprived of the hope of the aureole. Compare what was said above, no. 142.

The detriments which a virgin suffers from first intercourse.

161. - Thus, in first intercourse, a virgin suffers a threefold corruption: one is bodily only, from the enclosures of modesty being broken; another, spiritual and bodily, from the pleasure which is generated in sense; and the third, finally, merely spiritual, from the fact that reason subjects itself to this pleasure. Compare St. Thomas, on book 4 of the *Sentences*, distinction 35, q. 3, art. 1.

§ 3. On Angelic Chastity

The notion of angelic chastity.

162. - Thus far we have treated the essential rationale of virginity. But the pursuit of virginity can be directed toward perfection, that is, toward an excellent possession of the good of virginity and a more perfect imitation of the angels.

Now the angels: 1. Do not experience carnal pleasure; 2. Are entirely alien in the affection of the mind from seeking it; 3. Have no contagion of vices or seduction of allurements to fear.

Thus angelic chastity embraces:

1. Sanctity of mind, which sincerely and fully preserves every affection freed from carnal desire;

2. Sanctity of body, insofar as, to the extent that it is fitting and the means are available, the one pursuing angelic chastity attempts by positive effort to preserve himself free from carnal movement;

3. Immunity from the contagion of secular corruption, whether complete or even incipient, so that one who professes that chastity can converse with men and assist them without danger. But the more manifold the force and art of seduction have become in occasion and form, the more glorious angelic chastity will be.

Perfection.

163. - Angelic chastity itself seems to arrive at a certain summit when, every servitude of sense having been cast off, the mind enjoys no sensible pleasure as such. Certainly, the unity of the human composite brings it about that the mind can rejoice in the proper pleasure of the senses, and in turn can draw sense as it were toward its own joys also and employ it as a minister. Thus sight has a spiritual use when it supplies us with the elements by which we admire beautiful things and praise God in His works.

When the senses cooperate in this manner with the nobler affections of the soul, while the soul no longer seeks any lower sensible things, man arrives at a splendid unity, disposes himself to put on that spiritual body of which the Apostle speaks [1], and is no longer drawn toward diverse things, partly upward and partly downward, but ascends wholly even unto God, so that by his unity and the direction of his affections he emulates the angels most closely.

[1] 1 Corinthians 15:44.

Do not the mystics seem to attest this sublimity, when, speaking of mystical sight, touch, hearing, smell, and taste, they do not hesitate to affirm a mystical use of the five exterior senses?

Pursuit or acquisition.

164. - Further, angelic chastity is the fruit both of modesty which, with sincere solicitude, yet not anxious or scrupulous, flees those things which can stir lust even slightly unless a true [2] rationale and intention of charity has provided a just cause and has lessened the very danger of arousal; and also of an intense will to love Christ and to preach Christ: thus St. Jerome already exhorts virgins to overcome difficulties by the force with which they love Christ [3], and St. Augustine, as we saw in no. 148, concludes the book *De sancta virginitate* with a similar exhortation; and also of filial devotion toward her who, proposed from the beginning to virgins as an exemplar, is called by the Church the Virgin of virgins, and both by her patronage and her intercession has multiplied most pure lilies in the Church.

[2] Not that feigned charity with whose appearance concupiscence covers its frauds and arts.

[3] Epistle 22, no. 40 (M. 22, 423-424).

Finally, God Himself sometimes crowns the holy efforts of the elect with a privilege by which they are freed from temptations and carnal stings.

Virginity completed in this manner and consecrated perpetually to God shines most greatly with the beauty of purity, order, and direction toward God: by St. Thomas it is rightly and deservedly

compared with common chastity as magnificence is with liberality (*Summa theologiae*, II-II, q. 152, art. 3, corpus).

Article III. The Neo-pagan Estimation of Continence

Two schools.

165. - We can assign our contemporaries who are alien from the faith and who write or give counsel concerning sexual matters to two schools for this question no less than for the preceding ones.

The tenets of the naturalists.

1. The first school uses approximately these principles, or rather repudiates principles in this manner. For it denies that there are any moral laws which are proper to the sexual function. It holds that the things which have customarily been handed down are to be attributed to superstition, arbitrary customs, and these for the most part vitiated by hypocrisy.

Let Lalande be heard: "It must be acknowledged that there is no properly sexual morality; and that everything which can legitimately be prescribed in this matter is reduced either to rules of hygiene, rendered indirectly moral by the principles of temperance and dignity; or to the application between men and women of the general rules of sincerity, justice, and benevolence; or finally to provisional respect for existing laws, even while one works to obtain their alteration" [1].

[1] André-Lalande, *Essai de catéchisme moral*.

Therefore they contend that all things are to be recalled to the general law by which man is forbidden to harm himself and others, and ought to provide for himself and also for the human species. But they entirely omit to say why man is forbidden to do the former and ought to furnish the latter, so that their general law seems to waver together with the special laws which they deny.

Thus in egoism, insofar as they wish it to be reasonable, and in a certain kind of "altruism," they preserve traces of moral consideration. They are also moved by some sense of human dignity, so that they vehemently condemn venal sexual commerce, since it is empty of love.

But they entirely condemn the perfect continence of a youth who is sufficiently mature or of a man of mature age as contrary to nature, frequently harmful, and surpassing human powers.

For this reason they say that sexual lust must be ruled in such a way that satisfaction is appropriately deferred, lest it harm the body; and that it be taken with sufficient moderation, lest labor useful to the community be impeded. They also will that the generation of weak or defective offspring, or of offspring whom the parents are unwilling or unable to educate with fitting care, be avoided.

With these things prescribed, they hold that all other things are honorable. They assign no cause why we should be ashamed of the sexual appetite more than any other appetite whatever. Therefore, they hold that no reproach is incurred by one who indulges in moderate masturbation, who contracts for a temporary sexual commerce, or who uses animals for calming lust.

Indeed, since men defective in body or instinct must be entirely prevented from procreating degenerate offspring, they hold that sterility is to be imposed upon them.

Nor would a law by which they were compelled to undergo castration be unjust.

But they regard it indignantly that, in civil life, a woman who has conceived or given birth outside matrimony and illegitimate children suffer a certain infamy.

The followers of this school do not hesitate to hand down practical counsels accommodated to these rules.

There are nevertheless some who, on account of the danger of venereal disease, fear to commend illicit sexual commerce. Wherefore a certain man by the name of Couvreur advocated that a special house be established where healthy women, at that age when, although already deprived of the menstrual flow, they are nevertheless not without allurements, would be prepared to satisfy young men.

To a school of this kind belong Forel in Switzerland, Nystroem in Sweden, Carpenter in England, and Ivan Bloch in Germany [2].

[2] His work was translated into Italian by Professor Carrara under this title: *La vita sessuale dei nostri tempi*. Turin, 1912.

The tenets of the more honorable school.

2. The other school, however, wills that the rights of honorable conduct be preserved intact. Wherefore it sometimes attacks the former school sharply. Its adherents contend that continence is possible, and add that this is to be proclaimed. Nor are there lacking among them those who censure the common opinion because it sets forth two moral laws (*la double morale*), a more severe one for women and a more benign, or rather more lax, one for men.

Thus Féré, Seved Ribbing, Good, and Hegar [3].

[3] Many others are cited in the excellent booklet of Francotte, Professor at the University of Liège: *De quelques points de morale sexuelle dans ses relations avec la médecine*. Louvain, 1907.

The more honorable school agrees with the former in this: that matrimony can by no means be counseled to those who have perverse instincts; they differ among themselves in indicating positive remedies.

Let us give these few words from Féré: "The victory belongs to the most chaste.... The general effect of civilization is to subject the instincts to the will. Education has as its end the capacity to master the instincts: it is this which raises men above animals.... The training of inverts to chastity is the fundamental indication of their education. Attempts to rectify the sexual instinct can succeed only in making the invert a debauchee or an unhappy husband, while through chastity he can tend toward the noblest ends. He must learn that one does not serve society only by giving it children: many of the men most useful to humanity have lived in celibacy and chastity. It has been possible to say that genius is celibate" [4].

[4] *L'instinct sexuel*, pp. 12, 26, 28, 285.

We need not struggle with the latter school, since, on the contrary, it provides us useful defenders by whom we may better, even in the name of true science, defend chaste morals and urge them in practice.

What school is to be attacked.

But of the tenets of the former school only two, besides which they adduce nothing probable, must be touched upon by us. By one they contend that perpetual celibacy is a crime against nature; by the other they will that, every distinction of law having been removed, a woman who has given birth outside matrimony and offspring who have been born outside matrimony should be held in the same place as legitimate offspring and a legitimate wife.

Our position.

Against them we posit two theses, the first of which is expressed thus:

Thesis IV

Nature is in no way offended by perpetual celibacy.

Defense of perpetual celibacy.

166. - This position has already been proved above, where we compared the state of celibacy with matrimony. Cf. no. 145. Nevertheless, it does not displease us to repeat the statements summarily, by showing that nothing can be gathered for condemning celibacy either from the physical power of the organ, or from the spontaneous and useless emission of semen among celibates, or from the natural appetite for the act.

For the *physical presence and power of the organ* denote a faculty given to individuals, but not of themselves an obligation. And here it must be observed that an incomplete organ is given to each individual, the right use of which requires the free consent of another person.

Moreover, *useless emissions of semen* are numerous even among spouses. Indeed, if anyone has married a sterile woman, all will be fruitless (as regards the generation of offspring). Wherefore no one can condemn him who abstains from useful insemination for the sake of a greater good. Besides, would not the adversaries wish all persons of weaker health to be barred from marriage by the laws themselves?

Finally, *natural appetite* proves the utility and honorableness of the conjugal act, but not a natural duty of individuals. For would inclination be a sign of duty whenever we experience it? No one has hitherto advanced anything so inept: a precept of unbridled lust would then be given. But if inclination demonstrates a duty only sometimes, those cases will therefore have to be judged from elsewhere, that is, from the end. And since the end is plainly obtained without the obligation of individuals, indeed is attained in a manner which contributes more to the good of the human race, we rightly and deservedly deny the obligation of individuals.

Nor does that inclination demonstrate celibacy to be impossible, which so many persons voluntarily and honorably accept as a perpetual condition of life, and which nature wishes most persons to tolerate at that age when, already burning with heat, they are nevertheless not yet fully mature for matrimony.

That we may now propose the other conclusion, we speak thus:

Thesis V — Defense of the privileges of the legitimate bed and of legitimate children.

167. - Although a woman who has given birth from fornication possesses in motherhood itself a title by which greater indulgence should be shown to her, and although illegitimate offspring should not be punished with a penalty properly so called, nevertheless the law of the mutual communication of honor and disgrace [5], founded in nature and most salutary, demands that this woman and the offspring should thence obtain a humbler place in civil society.

[5] Law of solidarity.

By these words we do not deny that those unfortunate persons can be affected with excessive infamy. A woman who, after sin was committed, nevertheless was unwilling to violate nature and voluntarily assumes the burdens of motherhood, already in part repairs her fault generously, especially today, and is worthy of much mercy.

We also entirely approve those who strive by suitable laws to obtain this, that the seducer may no longer be able to go off unpunished and owe nothing toward supporting his offspring. For both who sinned are equally guilty; but he who was the principal author of the fault is more guilty.

Indeed, we judge it excessive that a woman who has sinned once should on that account be subject to perpetual dishonor.

But at the same time it is necessary that its rights and positive privileges remain with the legitimate bed.

For nature, or God, has bound men one to another, especially children to parents, by a law of mutual dependence, so that we experience benefits and detriments also from the action of others. He who begets with a sound body will have children who are of themselves healthy, just as a rich and honored man bequeaths to his descendants the fortunes and glory acquired by himself. On the other hand, the infirmity of parents will be very prejudicial to the health of their children, and through imprudent management of domestic affairs the children will be reduced to want. Now then, in like manner children participate in some way in the guilt of the wickedness of the persons whom they seem to continue.

This law is commended by the common utility. Through it an efficacious stimulus is added for pursuing virtue, and we are more strongly turned away from dishonorable practices, while we have clearly perceived that we can at the same time benefit or harm our dearest relatives.

Indeed, the humbler place which is of itself assigned to an illegitimate son can be a cause for a man of stout heart to wish by his own illustrious deeds to expiate the fault of his parents and to purge his name of disgrace. And we judge it to be in the interest of the state that an occasion be offered in civil society for redeeming this fault, as it were original, and compensating for it by one's own merits.

We even confess that an adequate explanation of this connection and mutual dependence can be given with difficulty if you deny that we are now situated in a stage of probation, and that another permanent state is to be awaited, where there will no longer be any generation and each person will obtain his own place from his own action alone.

Although even now the unity of the human race itself and our condition, by which we are members of a greater body, is confirmed by this community of merit and demerit.

But how vainly those who attack this law of mutual dependence strive against nature is proved by daily facts, by which, in a spontaneous movement, we extend even to a whole nation the hatred or horror which certain citizens of that nation have merited by their crimes. Why, then, would those who affirm "national solidarity" will a legitimate wife and legitimate children to be despoiled of their proper distinction and honor? No probable reason can be adduced; rather, the endeavors themselves seem to be explained by a diminished estimation of moral honorableness.

Section Two: On the Cultivation of Chastity

The timeliness of this section.

168. - It is not enough to dispute concerning the virtue of chastity and the sins contrary to it unless we inquire at the same time into the manner in which the virtue can be cultivated and strengthened, while the sins can be avoided or amended.

But in sexual matters a spectacle truly to be deplored is presented to human eyes.

In vain would we dissemble the most sorrowful facts by which the saying of the Old Testament already cited seems to be confirmed all too much: "My spirit shall not remain in man, because he is flesh" (Genesis 6:3).

A wretched condition of morals: in matrimony.

And indeed:

1. In how many ways and with what incalculable frequency is the very sanctity of matrimony violated!

Whether, by a wicked crime, uses of matrimony are rendered sterile by art; or the faith solemnly pledged is broken and adulterous loves are fostered; or each spouse assents to the lust of the other and adulterous relations are admitted by mutual compact; or, when opportunity for legitimate use is lacking, a man is thought to be dispensed from continence as too difficult; or, impatient of the mutual bond, spouses attempt to dissolve it and to establish a sacrilegious bed: in every way sin is committed in the married state itself.

Outside matrimony.

2. Who, then, can attain by speaking to the number, or to the various forms of sins, invented by a foul mind, which are committed outside matrimony?

It happens that from a tender age the law of morals is sometimes violated in many ways, so that there are some who hold the continence of a young man who is vigorous and abounding in strength to be fictitious.

Certain numerical indications.

3. It is useful to adduce these few, more definite indications from Protestant writers. Having heard many witnesses and comparing with one another the various investigations which have

been made in America, England, and Germany, Havelock Ellis and Al- bert Moll [1] estimate that more than 90 out of 100 men have indulged in masturbation at least at some time. The matter indeed seems to stand better in the female sex. The same authors nevertheless think that the abuse of the solitary vice before puberty occurs more often in a girl than in a boy; but after puberty, while youth is flourishing, young women are defiled less frequently than young men; while in adult age, since the opportunity of fornication is less frequently available to women, they hold it certain that the solitary sin is committed more frequently by women than by men.

[1] Cf. Moll, *Handbuch*, etc., pp. 618-619.

Nyström [2] reports, according to Dr. Svenson (1896), that more than fifty out of one hundred young men who attend the universities of Sweden are affected by venereal disease.

[2] *La vie sexuelle*, p. 238.

On September 1, 1903, the Prussian "Minister of Worship" issued an edict in which, having considered the injuries which venereal diseases cause to health, and the manner in which, from probable documents, they seem to have invaded young students of the higher disciplines, he declares it greatly to be desired that those young men should be informed more broadly than before about these dangers and the means of averting them, the moral aspect of the question being in no way omitted. This would be obtained most efficaciously by brief, public, and common lectures, which would be entrusted to professors of medicine and suitable interpreters of philosophy or theology (cited in Moll, pp. 992-993).

These things can in no way be transferred to truly Catholic youth, especially if there is question of illicit relations with the other sex. But if there is question only of the vice of pollution voluntarily procured, the Catholic Dr. Capellmann [3] could write: "In the judgment of all, both theologians and physicians, this most pernicious crime has become frightfully prevalent, especially in our age.... Even the female sex is greatly infected by it."

[3] *Medicina pastoralis*, on the sixth precept.

Although there is no doubt that not a few young people, indeed more than physicians think, and fervent ones at that, lead an unviolated life.

What is to be concluded from this?

We have spoken of the lamentable condition of morals not with the intention that, with an excessively saddened countenance, we should judge human facts to be worse than they are (many who sometimes sin are nevertheless accustomed to conquer temptations afterward), and despair of the cause of chastity; but that we may prove and confirm the almost common opinion, which judges it to be in the interest of the state that we should think and deliberate concerning the art and method of amending morals; and that we should not proudly repel men of good will who write concerning the matter, attempt many things, and proclaim that the discipline of chastity must be perfected, as though Catholic families and schools had long ago cared for all these things in such a way that nothing better could be desired. But that we may endeavor to advance vigorously, besides the gravity of the evil, we are also moved by the various outrages by which, as we have seen, physicians or philosophers who rave audaciously today appeal to the very frailty of men in order to detract from the most sacred laws of matrimony and chastity and to thrust their counterfeit reform upon the

imprudent. And it is greatly to be deplored that, even today, many are found among Catholic writers who, not yet having grasped the necessity of constant progress and paying too little attention to mutable circumstances, are so deceived by a false image of the preceding age that they seem to think of restoring ancient usages as though of the highest social good. On the contrary, a just estimation of things and greater prudence demand that we be neither despisers nor excessive praisers of past time.

Order of discussion.

169. - Now then, we must first inquire by what better manner a man is to be led from unconscious innocence to a conscious and formal love and cultivation of chastity. In this matter not even infancy can be neglected, but prudent solicitude is to be exercised from the cradle to fully mature age.

Then it will be necessary to treat of perseverance in virtue, or of the custody of chastity in the married state or in celibacy.

Nor can the question of the restoration of chastity among those who have fallen miserably be omitted.

Wherefore we shall propose the argument in this order, so that we may speak:

1. Of preparing a pure life, where there will be discussion of the utility and manner of explaining sexual matters to the ignorant;
2. Of leading, preserving, and strengthening a pure life;
3. Of restoring a pure life, or of the amendment of morals.

Chapter I. On Preparing a Pure Life

Article I. On the More General Rationale of Preparation

The utility and parts of more general formation.

170. - By the law of our unity and of the mutual dependence of our powers, we are admonished that not only the special formation of chastity, but also the more general education of man, can contribute very greatly to obtaining and preserving purity. Wherefore it seems that the more general rationale of preparation must be treated first.

St. Thomas himself, when he speaks of virginity [1], exhorts us to attend in mind to three things in this matter of chastity: to the *body*, which, although extrinsic to virtue, can nevertheless, according to its various health and condition, assist or hinder virtue; to the *passion*, or appetite for sensible pleasure, which furnishes matter for moral acts; and to the *purpose of the will*, which is the formal and completing element of virtue.

[1] *Summa theologiae*, II-II, q. 152, art. 1.

We therefore distinguish a threefold object of preparation: the *body; passion or sense; the mind*.

The first preparation can be called remote and extrinsic; the other two are intrinsic to chastity.

I. Preparation of the Body

How the body is to be prepared.

171. - Preparation of the body, or physical cultivation, pursues the moderation of a healthy body. Wherefore it:

1. Strives to remedy every illness in good time;
2. Will provide wholesome food, in a sufficient but moderate quantity, and not consisting excessively of meat and sweetmeats (*friandises*), without alcohol or condiments which have an exciting power;
3. Will prepare the body to be neither delicate, effeminate, nor excessively prone to excitations, by neither a softer bed nor clothing that is too warm or adheres too closely to the legs.
4. It will take care of cleanliness by suitable washings of the body.
5. By honorable games and varied exercises it will procure moderate weariness, so that the imagination cannot turn aside to many dreams and sleep may seize the adolescent or child at once.
6. It will not permit younger persons to take sleep in bed after the midday meal, since this affords an easy occasion for temptations and excitations.
7. It will not omit to require an ordered life in which the hour of retiring and rising is fixed and play follows work.

II. Preparation of Sense

How sense is to be prepared by the just command of reason.

172. - Sense must be trained to docility.

1. That this may be done wisely, it must be observed that at a certain first age, so long as a child is without judgment, he must be moved more mechanically, so to speak; but soon, as he gradually and imperceptibly becomes capable of ever greater deliberation, he must be formed so that he harmoniously joins his will to the commands and counsels of his parents, until he has grown sufficiently to have learned to govern himself by his own counsel along the same way of prudence, that is, to master his passions.

Moreover, certain passions are usually opportunely present from the beginnings of life, so that their discipline or restraint may prepare a general dominion over the passions.

For most children appear inclined to curiosity, gluttony, and anger. Therefore let them learn the art of ruling these passions both by the example of parents, who themselves seek nothing except what is reasonable and who moderate their own affections, and by their own exercise, according to the counsels of parents and teachers.

Therefore let parents readily comply with the honorable and moderate wishes of their children, but grant nothing to an impatient or angry infant or child, or to one seeking immoderate things; much

less should they be foolishly delighted by the crying fits, angers, or desires of one who wails, or, more foolishly, stir up his angers for the sake of laughter.

But let them not omit to adduce reasons of both natural and supernatural honorableness why the passions must be mastered, in presenting which the differences of sex and of particular character are not to be overlooked. Wherefore this dominion of the mind over the senses should be exhibited to a male as a noble indication of manliness and a distinguished victory, but to a daughter rather as grace and adornment.

Moreover, supernatural motives should savor more of the love of God or of Jesus the Savior than of fear.

Care must also diligently be taken that erroneous dictates of conscience not be suggested, by which a beginning is given to an excessively anxious or scrupulous conscience.

Indeed, in an offensive battle.

2. Furthermore, let a child and adolescent not be ignorant, besides the art of a defensive battle, of the offensive art. Let him be taught to do or suffer unpleasant things. "To know how to withstand pain, is this not will, and will of the highest kind?" [1] Wherefore, from tender years, let him know how voluntarily to abstain from certain pleasant things, and this for the pious cause of devotion to Christ, to His Mother, or of exercising mercy, so that he himself may thus experience how truly Christ said: "It is more blessed to give than to receive" [2].

[1] Payot, *L'éducation de la volonté*, p. 171.

[2] As St. Paul testifies, Acts 20:35.

From practices of this kind let him draw the profound and universal persuasion of how much pleasure (*le plaisir*), by which only one faculty or part of man, and that an inferior one, is satisfied, differs from the happiness of the whole man [3]; and in what manner, by a perpetual law, God, who made the senses not for their own sake but for the sake of man, has joined pleasure to a useful operation, and has commanded that it be sought not for itself alone but for an honorable good, immediately or mediately.

[3] Hear that illustrious saying from the orator Cicero: "For it is not by cheerfulness, nor wantonness, nor laughter or joking, the companion of levity, but often even the sorrowful are happy through firmness and constancy" (*De finibus*, 2, 20).

All these things can opportunely be handed down or insinuated, both privately and in common, both deliberately and when an occasion is seized, for example, from school exercises.

III. Preparation of the Mind

How the mind is to be prepared.

173. - For the end which we now intend, minds are most especially to be endowed with these qualities:

1. Kindly courtesy and liberality, which remove an excessive pursuit of one's own particular utility (*egoism*) and subordinate one's own advantages to refined civility (*politesse délicate*);
2. The greatest cultivation of sincerity;
3. Confidence, resting upon the love and fidelity of parents;
4. That magnanimity which wills and hopes for itself a certain noble form and destiny of life;
5. Christian humility, which renders a man docile and, without rash audacity, permits him to become brave;
6. True and solid piety or religion, which pursues Christ and the Blessed Virgin with holy affection.

Concerning the fostering of these qualities, the following things besides seem worthy of indication.

1. It is especially beneficial to children that their paternal home be for them, as it were, a familiar sanctuary, pleasing and dear, where each assists the others with true and intimate love and, every artifice having been laid aside, all converse simply, with open heart. Let them know especially that it pertains to domestic familiarity that children address and question either or both parents with ingenuous confidence.

2. That children may trust their parents fully, it is greatly expedient that the latter be alien to every lie or dissimulation. For deceptions and deceitful arts diminish the authority of parents. Therefore it also seems desirable that parents should not truly deceive their children by any fabulous narrative. Accordingly, if they are asked seriously concerning the pious fictions into which St. Nicholas, the Angel of Christmas Day, etc., are introduced, it seems better that they explain what lies hidden beneath the allegory.

3. It will be worthwhile to endeavor that, in their mutual conversation, brothers and sisters - the former as guardians and defenders, the latter as lovable companions - may find a certain apprenticeship for adult life; and that in mutual practices of reverence and friendship they may begin to foreshadow and exercise the mutual devotion of spouses.

4. It will also be of very great assistance that the adolescent should judge himself born for this, that he represent Christ, imitate Him in conduct, and continue Him, but cultivate the Blessed Virgin with tender affection; while a daughter will strive to imitate the Blessed Virgin and will consider her soul as devoted to Christ as to a spouse!

This can be insinuated by the very authority of the Sacred Scriptures.

What if parents do not furnish these things?

174. - You will ask: what if, on account of their civil condition or some other impediment, formation of this kind cannot be expected from the parents?

What if the vices or discords of the parents leave no place for sacred and simple familial communication (*intimité*)?

This wretched lot of the children must, according to one's powers, be remedied by Christian charity. This must especially be endeavored: that in schools or "patronages" (*patronages, recreation centers*) for

adolescents, or in similar institutes, someone endowed either with an office, dignity, or other authority should offer himself as a true friend and, according to the age, as a kind of parent or elder brother, lest the poor or afflicted be compelled to undergo a deadly solitude of heart, but, on the contrary, that all should have, as it were, an adoptive parent in whom they may confide or with whom they may seek consolations.

Article II. On the Special Preparation of Chastity

§ 1. Counsels on the Right Formation of Man for Chastity

I. Preparation of the Body

Special preparation of the body.

175. - 1. It is necessary that parents, especially the mother, by prudent observation detect defects which are to be corrected by the use of a scalpel or medicine: phimosis, which in a little boy is to be removed by circumcision; worms (by which the body is aroused) around the anus or vulva (*oxyures*), which are to be extirpated by antiseptic medicine.

2. Care must be taken that persons who have a part in the care of a child, or the infant himself, do not stimulate the sexual organs by touches. Wherefore it is also very expedient that a little child be accustomed to lie in a manner which wards off the danger of touches: so that, if he places his hand beneath his head, he keeps it outside the sheets, or sleeps with arms crossed.

3. As far as it can be done, let parents not permit two persons to lie together in the same bed, but assign separate beds to each.

4. From the authority of his parents, let the child learn those modes of acting with himself and with others which savor of honorable and simple modesty. Civility itself can be adduced to children as a motive. And we are assisted by nature itself, as Rousseau testifies [1]: "Follow the spirit of nature, which, placing in the same places the organs of secret pleasures and those of disgusting needs, inspires in us the same cares at different ages, now by one idea and now by another; in the man through modesty, in the child through cleanliness." It can also be added that these habits are pleasing to God and are especially approved by the guardian angel. Wanton acts arising from impudence should be corrected firmly, but not with that force and indignation which would disturb the conscience and deform it by error.

[1] *Émile*, book 4, p. 376 of the large edition.

II. Preparation of Sense

Special preparation of sense.

176. - This must chiefly be striven for: that the imagination or mind not be detained for long upon sexual or lascivious matters. All writers teach this with one accord. And a most manifest

reason is present. For psychological preoccupation easily degenerates into a sensual one, which contains a certain venereal use. But it is most expedient that the use of the venereal faculty be deferred until a more mature age. Capellmann adduces these words from Oppenheim: "In the interest of the health of the nerves, it is greatly to be desired that the awakening of sexual imaginations and excitations be delayed as long as possible, that is, at least until twenty full years of age" [1]. Wherefore:

[1] *La médecine pastorale*, French trans. of the 15th edition.

1. Sloth and idleness are to be attacked, both because they weaken the mind and because they give excessive room to daydreams of the imagination, which are especially harmful to both sexes.

Slowness in rising from bed and lying down in the afternoon are full of danger, so that Payot did not hesitate to write: "Tell me at what hour you rise, and I will tell you whether you are vicious.... Every young man who remains in bed for one or more hours after waking is inevitably vicious" [2].

[2] *L'éducation de la volonté*, pp. 180-204.

"Prolonged remaining in bed will be forbidden; it will be insisted that rising take place immediately after waking. Idleness is the source of all vices, the counselor of all depravities. It must not be tolerated" [3]. - "By accustoming the body to have only the ration of sleep which is absolutely necessary, one constrains it, according to the expression of a great original, to sleep energetically, which is, without doubt, the perfection of energy" [4]. On the contrary, it will be best that the body be wearied by various physical exercises.

[3] Dr. Francotte, *De quelques points de morale sexuelle*, etc.

[4] A writer from France, cited by Renault, *Comment préparer les enfants au respect des questions sexuelles*.

2. Adolescents are to be exhorted to rebuke and avoid companions who wish to mingle conversation about dishonorable matters and to seize an occasion for secret colloquy. Wherefore also, except for those who are most approved, let three rather than only two walk and play together [5].

[5] This is confirmed by Mendousse, *L'âme de l'adolescent*, p. 31.

Moreover, let young persons be deterred from foul speech by every force of reasons. Let the very dignity of man be appealed to: in this matter we can summon even impious authors as witnesses to the deadly power of foul speech.

3. Those who have attained puberty should be admonished that it is also wrong, and very harmful to the nerves, for the imagination to turn over images which it would be indecent to depict or to behold with the exterior eyes. For at that age when the venereal appetite begins to rage, it easily happens that those who are unwilling to commit foul acts, indeed who are ignorant of such acts, erroneously think that ideal images can be fostered without sin, provided that every will to execute what is unlawful is excluded. But in this way they exercise psychological lust, or what is commonly called morose delectation.

4. Every kind of boredom is to be kept at a distance by every art. Let games therefore follow school, but let no method of teaching of itself generate dis- gust; on the contrary, let all be so

arranged that they invite attention.

5. Besides more remote ends worthy of themselves, let adolescents and young persons have in competitions of studies or games, in works of charity or zeal, at the same time a perpetual expenditure of their active powers and nourishment for their ardent vitality.

N.B. This would be the place to speak of the opportune explanation of sexual matters. But present-day controversies advise that this question soon be subjected below to a special examination.

III. Preparation of the Mind

Special preparation of the mind.

177. - 1. Nothing will benefit the mind itself more than the greatest esteem for purity, indeed a tender affection for it, whence it is preserved intact with a solicitous mind as a noble treasure.

Whether you regard the natural or the supernatural order, we are by no means lacking in suitable arguments. Compare what was handed down above, nos. 94 and 97.

And nothing prevents the vigor of a chaste body and the flourishing freshness of a chaste mind from being celebrated and extolled to adolescents who are near puberty, while black bile, sadness, and diminished strength await corrupt young persons; but corrupters are struck with fear by Christ Himself.

It will be of no slight utility, by appealing to historical facts, to bring it about that adolescents bear deeply impressed and engraved in their minds how artfully moral good is joined with a great and happy life, but vice with a sad and ignoble life. Let the Reverend Father Goretti be heard in his treatise on experimental psychology:

"It therefore pertains to right education suitably to enlarge the field of consciousness of the young, taking care, however, that undue connections not be established in it, such as those of images and ideas referring to vicious actions with images and ideas of well-being and happiness, or of repulsive and painful images with images and ideas of virtue. On the contrary, it will be fitting strongly to join and associate in youthful imaginations phantasms of good actions with phantasms of reward and satisfaction, and images of wicked actions with phantasms of sorrow and punishment. This is obtained admirably by an apt illustration of well-chosen historical facts, since these, by their very nature, give a broader field for the formation of compact and well-organized imaginative systems."

2. The *cultivation of modesty* in which they have been educated by pious parents can be rendered firmer in younger persons. But we judge it to be of little use that modest customs be distinctly mentioned, since they can differ in different homes, and care must be taken lest an adolescent begin to do with a scrupulous or even bad conscience the things which he had been accustomed to perform in an innocent and simple manner. We approve still less that an exhortation to modesty should begin from the history of the drunken Noah, which can suggest laughter to adolescents [1].

[1] Wherefore I would not dare to approve the common exhortation to modesty such as is proposed by Kraus and Gatterer.

3. Moreover, from tender years, positive devotion to the guardian angel, to the patrons of youth, and especially to the Blessed Virgin Mary will be of no slight assistance to children and adolescents in fostering chaste counsels and purposes. The impious Nyström himself did not dare to deny the power which the cult of the Blessed Virgin Mary has had for ennobling the female sex and assisting purity [2].

[2] For the otherwise impious passage, cf. pp. 66-67.

4. Then, *frequent approach to the Most Holy Eucharist*, besides the fact that it bestows upon us a supernatural communication in the life of Christ, so persuades us concerning our dignity and the rights of God that it also has a most efficacious natural power for inculcating zeal for chastity. A lengthy preparation for First Communion is accustomed to furnish a most opportune aid for cultivating chastity.

It will also be worthwhile that *rectitude of conscience* be commended; and that adolescents be taught sincerely and openly to question a prudent confessor concerning their doubts.

These things can again be handed down both in private conversations and in common exhortations.

Thus is obtained what even non-Catholics confess, for example Mendousse [3] in these words: "In colleges directed by the Jesuits or the clergy, the exceptions (young men sheltered from the solitary vice) are a little more numerous than elsewhere, because of the incomparable value attributed to purity by religious education." He himself reports, on p. 26, this statement by Renan [4], "that the sermons of his masters on purity sufficed to render him chaste throughout his entire youth."

[3] Op. cit., *L'âme de l'adolescent*, p. 19.

[4] *Souvenirs*, p. 12.

On loves that are to be avoided.

5. Furthermore, *vain loves* among adolescents, whether of the same or a different sex, are to be dissuaded [5].

[5] Mendousse errs not a little in this matter, pp. 57-60 or 62, since he does not dare clearly to condemn them.

For in these relations young persons squander time, are called away from serious studies, increase their own venereal appetite, detract from the manly spirit of a male adolescent, and from the ingenuous confidence of a girl (who is generally deceived). Dr. Francotte writes very well [6]: "He (the young man) will be put on his guard against everything of a nature to overexcite the generative appetite: no frivolous reading, and especially no licentious reading, no light spectacle, no flirting. Common sense says it with Forel: 'Whoever wishes to live continently for religious or other reasons must not excite himself perpetually by contact that is too intimate or by relations that are too frequent with the other sex; on the contrary, he must avoid everything that excites his appetite and foster everything that blunts it.'"

[6] *De quelques points de morale sexuelle*, etc.

What loves can be useful.

178. - We are treating of those vain loves which pave no way toward matrimony.

For if an altogether honorable friendship has united a boy and a girl of equal condition (which is sometimes observed from tender years), it happens that a love of noble rationale thence arises which keeps the young man immune from the stain of impurity. Therefore let us not condemn such friendships immediately and universally, but let us prudently weigh the individual circumstances.

Wherefore also honorable betrothals can be a protection for honorable morals, provided that they proceed from true love and are not contracted for the sake of money or sensuality. A. Nast greatly extols the utility of betrothals in *Mariage et préjugés* [7].

[7] *Le relèvement social*, Saint-Étienne, 1906.

§ 2. Special Questions

I. On Mixed Schools

The timeliness of the question concerning the common education of both sexes.

179. - On account of the serious controversies concerning these matters, it seems necessary to inquire what is to be thought of mixed schools, or of the common education of both sexes (*coeducation*).

Mixed schools can exist or be defended under a twofold rationale.

We do not speak of that system of common education which is promoted with an intention hostile to religion and Catholic morals, so that the tenets of the naturalists may prevail more easily. Formation of this kind is commended indiscriminately; it has as its executors impious schoolmasters, until they can obtain what they call "the educating couple" [1]; nor does it pay even the least attention to the customs of the region and the character of the people. The bishops of France rightly pronounced it to be abhorrent; and they desired that Catholics should strive by every means to prevent it from being forcibly thrust upon the parents of France [2].

[1] That is, two spouses (united by free love) who educate both sexes by common labor.

[2] Cf. *La coéducation des sexes; Son immoralité et son illégalité*. Canon Tournier, *Action catholique*, Paris.

But mixed schools exist by sufficiently general usage in England and in several English colonies, in which, up to the age of thirteen or fourteen years, adolescents of both sexes are educated in a common class and exercise games together in a common playground.

In the United States of North America, a similar institution flourishes greatly among Protestants; it is admitted more rarely by Catholics.

Defense of mixed schools.

Hence that system has also found Catholic defenders, who, speaking more moderately and abstaining from universal commendation of this institution, praise these schools because they imitate the

rationale of the family more closely; because by the contention and emulation of both sexes they add incentives to labor; and because girls, by their presence, influence the polished civility of adolescents. They themselves nevertheless do not will that this institution be destined for that age in which vain loves are to be feared.

But that the affections of the soul thereby become purer; that adolescents transfer more successfully to the other sex an inclination which sought a less good satisfaction among the same sex: Protestants or men alien from religion rather seem to contend these things [3].

[3] Cf. the authors cited in Mendousse, pp. 47-48, 62-65.

Therefore persons and places are to be distinguished by an equitable judge. Custom also must be considered. For it brings it about that certain things flourish without great disadvantages in one region to which you could not prudently give a beginning in another region.

A more just estimation.

Nevertheless, this common education seems to us to be little worthy of approval *in itself*. For:

1. Does not nature, which has so distinguished the two sexes that one would complete the other, seem to demand that they be formed under a distinct rationale, accommodated to the proper character and destiny of each sex?

Compayré himself fears this: "In this daily and incessant contact of the two sexes, it is to be feared that one may be drawn too much into the sphere of the other; that young girls, assuming boyish manners, may become too virile, or that, on the contrary, young men may allow themselves to be softened and rendered effeminate" [4].

[4] *Revue philosophique*, vol. 61 (1906), p. 583.

2. After the age in which boys are accustomed to repel girls, there follows the age in which they break forth into facile mutual loves.

At the former age, does not nature itself seem to demand separation by that very aversion of mind? But at the latter, who would not see the danger of constant association among adolescents of both sexes whose will is not yet firm? Nor let the example of the family be opposed. For the reverence of piety, which sanctifies the association of a brother with his sister, is absent from that fellowship of adolescents of different families.

As Mendousse himself writes [5]: "If one reflects that, during the first years which follow puberty, there is scarcely any excitation which cannot assume an erotic character, one is justified in asking to what point association with the other sex, and consequently the multiplication of stimuli for the senses and the imagination, could contribute to calming the obsession of desire.... Although the English 'experimentalists' believe coeducation advantageous at the beginning of adolescence, it nevertheless seems indeed that at that time it is not without disadvantages.... The comradeships which are established rarely have that mystical nuance in which nascent sensibility delights, and sometimes become a source of disenchantment."

[5] *L'âme de l'adolescent*, pp. 47 and 63.

What of the fact that marriages themselves can thereby become less desirable? "The adolescent... risks being immunized when his hour comes, and making himself a celibate before the name applies" [6]. They also observe in America that, on account of these mixed schools, loves among adolescents of the same sex are no fewer in number than elsewhere [7].

[6] Ibid., p. 64.

[7] Ibid.

Wherefore, in America itself, the fortune of the common school seems to be declining [8].

[8] Ibid., p. 63, note.

Conclusion.

This, therefore, will be our conclusion:

Mixed schools are never to be positively commended in themselves, or as though they were of themselves better than separate schools. Nor do they seem consonant with the wishes of nature. In some parts they do less harm than elsewhere, indeed they are seen to be almost free of disadvantages.

How much more prudently than the supporters of institutions of this kind did the pagan Quintilian write, when he disapproved schools common to various ages: "I do not approve of boys sitting mixed with adolescents. For even if a man such as ought to be placed over studies and morals can keep the youth also modest, nevertheless weakness must be separated from the more robust, and one must be free not only from the crime of baseness, but also from suspicion" [9].

[9] Book 2, chapter 2.

II. On the Utility of a Certain "Vaccination"

The opinion of non-Catholics and of certain Catholics concerning nude things.

180. - There are some among even honorable writers, at least non-Catholics, who think it expedient for strengthening the mind against temptations that children should learn to treat sexual matters openly but seriously and indifferently. This is to be procured in the school itself. Wherefore they say that Catholics are to be reproved who are unwilling that children should swim nude together.

Moreover, in visiting museums of art, or in explaining reproductions of images fashioned with excellent workmanship which higher schools procure, they think an opportunity is to be furnished to the pupils so that they may learn to behold nude images with a pure eye and to converse about them without lust. Cf. Seved Ribbing in Moll, pp. 981, 984, 986, 989.

Nor are there lacking, even among Catholics, those who, since today at least so many indecent things offend the eyes, proclaim the utility of a certain "vaccination." They say that dangerous things are to be approached in less dangerous circumstances, so that this may be obtained: "Passion does not arise from accustomed things."

This nevertheless must be observed at the same time. All who write with an honorable mind entirely reject obscene things and declare that they are most harmful to chastity. Wherefore, even among unbelievers, "societies" have been established for attacking commonplace license (*Pour combattre la licence des rues et des étalages*).

The common opinion concerning obscene things.

181. - Therefore it will be worthwhile first of all that we know in what respect an obscene picture or statue differs from a merely nude figure. For they are accustomed to use the word obscenity without explanation.

What are obscene things?

Come now, it seems to us that the matter can be explained in this manner.

Nudity can be one thing in occasion, another in intention. Moreover, nudity is either expressly sought for its own sake, or is chosen as a means for obtaining some end: for example (thus we take an example from art), that the beautiful harmony of the whole human body may appear. There is also simple nudity, which does not wish to capture attention, and affected nudity for enticing lust. But it can be affected from an accompanying gesture, from the signification of the countenance, or from the very display. Therefore whatever lacks clothing cannot be branded with obscenity. But affected nudity and, in the present condition of the human race after sin, even nudity sought for its own sake, are to be regarded as obscene.

Therefore a boy is not obscene who, where custom so bears, whether alone or before others, takes off his clothes to wash his body, or who shows himself to a physician to be treated; but one is obscene who has exhibited his parts to persons encountered. Nor will an image of the martyr St. Agnes be called obscene when fashioned by a painter who willed to represent the martyrdom according to the things narrated. Indeed, it is not repugnant that a nude figure should bear modesty or holy affections in the countenance which call attention away from the body and command chaste modesty. On the contrary, a certain manner of clothing which, rather than covering those things which are to be covered, seems to indicate or illuminate them, can render an incompletely nude figure obscene. Likewise, for historical truth, that which was nude can be recalled; but speech becomes obscene which seems to linger with pleasure in describing lascivious matters.

Therefore, the more a thing or narration is despoiled of a nobler idea while it draws attention to the parts to be covered or to dishonorable things, or the more there is added as it were a formal invitation to behold or turn over foul things in the mind, the more the narratives, pictures, or statues will have to be called obscene.

The obscene, therefore, can be described as: *a shameful manifestation of the mind, or a solicitation, in nudity*. Common usage accords with this, by which an alluring nude (*provoquant*) is called obscene.

It is established, therefore, that obscene things are not to be viewed; and this both from a certain sense of offended dignity and for the security of chastity, or at least its pleasing polish (*la délicatesse*), ancient prudence already admonishing us to flee temptations of this kind rather than to conquer them by attacking them directly.

Nor in this matter is there any diversity of opinions among honorable persons.

On curiosity for seeing indecent things.

182. - Thus far concerning obscene things. But concerning nude things, we indeed confess that account is to be taken of the present license which, at least in cities, offers many things insufficiently honorable to be viewed openly by the eyes of all in streets or shops; nevertheless, modesty is again to be cultivated diligently; nor is the rule which we handed down above as principal to be passed over or violated. According to it, however, care must be taken that the mind of a celibate man be detained as little as possible upon sexual matters. Cf. no. 16.

Human psychology concerning this matter.

Moreover, these things are observed in human psychology:

1. An infant and innocent child can survey sexual matters with a candid eye, without the appetite being stirred, so that he scarcely experiences of himself the necessity of modesty; but once puberty has been attained, and even as puberty is now approaching, indeed earlier if the appetite has been precocious, although he is well conducted, indeed ignorant of the sexual functions, he is accustomed to be borne by an insolent desire toward viewing nude things; and he eagerly seizes the opportunity to be able to cover a suspect desire with a more honorable pretext.

2. This suspect curiosity is not calmed once the thing has been seen, but seeks satisfaction again, which physi- cians themselves experience, who, although they have explored all the mysteries of the human body, are not freed from unhealthy curiosity.

3. Sights which do not immediately stir sense are nevertheless so implanted in the mind that impure phantasms can thereafter easily arise from them.

These things having been established, the question itself, which is posed especially concerning *visiting museums*, but more generally concerning *the moderation of the eyes*, seems to be resolved in this manner.

What visit to a museum of art is to be condemned, tolerated, or approved, and why?

183. - I. On visiting museums of art.

1. It is altogether to be condemned that anyone should enter museums in order to see nude figures or pictures.

2. Visits made from futile curiosity, in which, without any knowledge of art or intention of cultivating it, someone lightly surveys the halls, are sometimes to be tolerated. Visits of this kind are not to be positively approved or commended, because it will happen with difficulty that in viewing these pleasurable things nothing is conceded to sensuality; but the danger is compensated by no gain. Nevertheless, they will sometimes be to be tolerated, because, since the intention is not perverse and the danger of fully assenting to venereal satisfaction is not proximate, there is no place for a grave prohibition; and the custom itself, sufficiently received, of visiting these things furnishes some rationale or excuse. Those who go are nevertheless to be admonished not to fix their eyes upon obscene things.

3. We will fully approve only those rationales for visiting museums which manifest a noble intention: for example, if someone, in order to exercise the aesthetic sense, should wish attentively to consider a few things fashioned with marvelous art.

The utility of cultivating the aesthetic sense.

Hence today it seems greatly to be commended that this aesthetic sense should everywhere be cultivated in some manner in schools.

For while pupils learn to judge artifacts, they grow accustomed to turning over higher thoughts, and not immediately to investigating what nourishment is offered to the senses; they also learn to be honorably indignant if at any time a foul image, fashioned without art and care, seems to tempt them in a brutal manner. The Reverend Father Gillett, O.P., advises the same, *Innocence et ignorance*, p. 210.

Various counsels concerning the observance of more general modesty.

184. - II. On the more universal moderation of the eyes and modesty.

1. Let a generous cultivation of modesty be commended; and let adolescents be taught to establish this with firm mind: we will not seek to see nude things with our eyes.

And let them be formed to the greatest sincerity in all their action, even that which regards themselves. There will then be no formally obscene act of looking.

2. If something less modest should by accident be presented to their eyes, let them bear it in passing with an undaunted mind.

3. According to the custom of their country, some adolescents simply put aside their clothes to wash the body, while others, in doing the same thing, will not be free from a certain suspect boldness.

Nevertheless, as customs are almost everywhere today, it seems better that, certainly in the common use of baths, some garment be assumed, at least for professing modesty.

What is to be said concerning books to be read?

4. Similar things can be said concerning *books to be read*. He who, while reading an honorable book, has come upon certain things written less modestly, should pass lightly over them and continue to read the book with an undaunted mind. But no book is to be selected for the reason that such things can occur.

Summary conclusions.

185. - Finally, the sum is this.

1. In these matters, a right and sincere *intention* is to be regarded most highly. This, moreover, is easily had when someone accommodates himself to received customs; while the pure intention of one who departs from these customs in order to act more freely or wantonly is to be

doubted. But an end positively to be approved, for example, of cultivating science or art, is accustomed to reveal a right intention.

2. For the present condition of men, we ought rather to incline toward greater modesty, every anxiety and scrupulosity nevertheless having been laid aside.

For it is also necessary that Catholics show a brave spirit and not seem hesitant or hindered by unskilled timidity. They ought indeed to reject seeing and treating indecent things, but not for the reason that they are inferior in powers, but because they are moved by greater zeal for virtue and more intense hatred of foulness; so that the rationale for their acting or abstaining can and ought never to be rendered by these words, "They do not dare," but always by these others, "They do not will." Wherefore, lest they be driven into straits or be judged too inexperienced in secular affairs, it can be opportune that they sometimes attend certain things which are not strictly evil, yet are less approved (for example, theaters), which, this rationale of acting having been excluded, would be renounced altogether better.

3. By almost the same rationale by which we distinguished simple nudity from obscenity, nothing is to be conceded to an inclination toward reading or viewing nude things themselves; but if some figure has been fashioned with sufficiently excellent workmanship, although nude, it can be viewed with a pure eye.

4. One who, having attained a sufficiently adult age, bears with an uneasy mind that certain things, for example the forms of the other sex, are unknown to him, does not seem to be prohibited from dispelling that ignorance moderately and prudently. But he will easily attain this from a scientific book, or even from an image or statue; but let him never will to learn such things from another person whom he has made aware of the matter.

But it will benefit a younger adolescent more that he impose a bridle upon his curiosity and occupy his mind with different studies.

III. On the Utility and Method of Revealing the Mysteries of Life

186. - III. On the utility and method of revealing the mysteries of life.

The notion and ordering of the question.

By the name *mystery of life* we here comprehend *the process of human generation, sins against chastity, and venereal diseases*.

Is the explanation of these mysteries or is it not to be commended as a part of the discipline of chastity (*de l'éducation de la chasteté*)? This is the question, and today it is disputed with such force in books, writings, and speeches that it has seemed proper to propose at somewhat greater length a question so greatly agitated.

Wherefore, after certain *historical notices*, we shall allege and weigh the *arguments brought forward on each side and the opinions*, so that thereafter we may be permitted to put forth our *conclusion* concerning this matter more prudently.

I. Historical Notices — History of the question.

187. - In the first centuries of the Church, as the Reverend Father Ruiz Amado himself observes [1], Christian children could not have lacked instruction in sexual matters. For they were not prohibited from attending pagan schools, in which mythological fables and classical writers were explained [2].

[1] *La educacion de la castidad.*

[2] Cf. Tertullian, *De idololatria*, chapter 10 (M. 1, 675).

Yet at the end of the fifth century, Julianus Pomerius records that "it had been decreed by the ancients that none of the young should read the book of Genesis, and likewise part of the prophet Ezekiel or the Song of Songs, and other such things in which the generations and deeds and names of certain women are written.... Lest perhaps, being still carnal, they should receive these spiritual things according to the flesh; and should not consider the virtues which those women signify, but should perish by thinking carnally about the women themselves" [3].

[3] *De vita contemplativa*, book 3, chapter 6 (M. 59, 483).

What the subsequent practice was in concealing the mysteries of life is not altogether evident; this, however, can be affirmed: there was no pedagogical solicitude concerning this matter through the seventeenth century inclusive. The question is not even touched upon in Fénelon's *Traité de l'éducation des filles*, nor in the *Lettres et entretiens de Madame de Maintenon*. In the eighteenth century, however, J. J. Rousseau, in the famous work *Émile*, book 4, testifies that in his time it was often asked whether it was preferable to satisfy children who asked about sex or to deceive them with little frauds. He judges it useful to soul and body that a man become conscious of his sex only late; wherefore he counsels that, if it can be done, parents should repel the first questions about this matter, yet abstain from every lie. If it appears that an answer must be given, let the answer be simple, brief, and certain. But if you doubt whether ignorance can persevere until the sixteenth year of age, let the son be instructed before his tenth year [4]. Thus he seems to have been the very first to examine the question.

[4] Didot edition, 1793, p. 374 ff.

If the formal examination of the question has so recent an origin, and if we know little about the practices formerly received, then that Catholic tradition from which some contemners of sexual pedagogy would wish to argue is fictitious.

At almost the same time at which Rousseau was writing, several so-called philanthropists of Germany - Basedow, Campe, and Salzmann - proposed applying open explanations of these matters as a remedy for the corrupted morals of young persons; physicians such as Tissot (1759) and Peter Frank (1780) also began to commend this.

Discussion of these things then ceased for a sufficiently long period, until, a few years ago, similar efforts against the spreading excesses of young persons were attempted among the Protestant parties of America and Germany. In France also, a certain association named the *Société de prévoyance sanitaire et morale* was founded by Senator Bérenger and Professor Fournier; it planned to institute lectures on venereal disease for the use of lycées and colleges.

Hence pamphlets of the "Sex-series" were disseminated in almost every language; they bear titles generally such as these: *What Every Boy, Every Girl, Every Adolescent, Every Young Man or Marriageable*

Daughter, Every Adult, and All Spouses Ought to Know. In addition, many writings, including those of Catholics, concerning the cultivation of purity are circulated everywhere.

The German bishops took little pleasure in the general rule by which it was said that the ignorance of adolescents was to be dispelled; while several bishops of France praised works which commended a prudent, though not common or collective, method of explanation. In Spain the pamphlets of Sylvanus Stall and Wood-Allen gave occasion for a great controversy. But on January 18, 1908, the Sacred Congregation of the Index wrote back to the Bishop of Barcelona concerning two books, *Lo que debe saber el niño*, written by Sylvanus Stall, and *Lo que debe saber la niña*, written by Miss Wood-Allen: "It is by no means fitting that in Spain the adolescent age should be educated and formed according to the rules contained in the aforesaid books; but it is necessary that those same books be taken from the hands of the faithful, especially of adolescents" [5]. In Belgium, the Bishop of Bruges also disapproved the use of this method. At Liège, however, the Reverend Knoch, then a professor at the major seminary, wrote the pamphlet *L'éducation de la chasteté*, in which he imitated rather closely a pamphlet published in Austria by Fathers Gatterer and Kraus, S.J.

[5] Cf. Vermeersch, *Periodica De religiosis et Missionariis*, vol. 4, no. 250, p. 165.

188. - II. Arguments customarily adduced by the patrons and adversaries of the explanation that is to be made.

Arguments which recommend the explanation.

A. Arguments of the supporters.

1. All knowledge is useful of itself. But there is no reason why we should be ashamed of a faculty given by God. (Thus non-Catholics especially speak.)

2. This knowledge is necessary in order that a boy may perceive the reasons for his obligations and may become formally chaste. Thus the Reverend Fathers Gillet, O.P., and Castillon, S.J.

3. The Church conceals neither the Virgin's giving birth in the *Hail Mary*, nor, among the commandments, the sixth, by which adultery and lust are forbidden, and the ninth, by which carnal desires are forbidden.

4. In many ways, even by the very phenomena which are observed by accident or with deliberate intention in his own body or that of another, an adolescent is impelled to ask about sex, the passions, and generation. Unless the parents themselves satisfy him in an honorable manner, since that is the age of restless curiosity, he will seek light elsewhere, that is, in books or among friends, who sometimes offer themselves spontaneously. Not infrequently these are corrupt, and they certainly will give information about these matters only in a manner which teaches nothing about the most noble end of these functions, about the most exalted counsels of divine Providence, or about the duties joined to them - in brief, nothing which elevates the mind. Thus the boy or adolescent will be deprived of every positive formation in purity, but, in a most grave and delicate matter, will be left to himself and to companions of his own age. No sane person can approve, however, that young persons should be left to themselves in these matters while they are growing up [6].

[6] Cf. Gemelli, *Non moechaberis*, p. 18.

5. Nor is it necessary to reflect long upon the things which today are exposed to everyone's sight in streets and shops, or upon the things which are narrated in books and newspapers and read by all, in order clearly to perceive that no reasonable hope of prolonged ignorance can be entertained concerning many adolescents.

6. Knowledge prudently supplied will render, or can render, modesty itself more conscious, more attentive, and more meritorious.

7. Nor are the adolescents few in number who, having experienced pleasure from some accident, for example from riding a horse, or from a nocturnal dream, or at the instigation of a companion, begin to indulge it, and soon, in ignorance, commit material sins in such a manner that through ignorance they contract a habit which is already pernicious and obstinate in itself. There are also others who, terrified by a nocturnal pollution whose nature they do not know, begin thence to fear for their health and remain in anxious dread for so long that they bear the injuries of dejection throughout their whole life. For it happens that a certain class of charlatans deceives them and, through prolonged medical treatment, both confirms them in their fears and fleeces them of their money [7].

[7] A trustworthy witness relates that in America he saw a very great number - more than a thousand - of letters sent by fearful adolescents to a society which, while promising secret consultations, abused their innocence.

8. It is also certain that many adolescents of both sexes have joined an awareness of sexual matters with the most innocent morals. Approved witnesses affirm a fortunate, or at least not harmful, experience of instruction in many cases.

Arguments which oppose the explanation.

B. Arguments of the adversaries.

1. Knowledge of sexual matters, after original sin, has become dangerous. For it prepares temptations which younger persons are not yet able to bear. By declarations of this kind, while one curiosity is allayed, another is aroused, namely, to see the things which have been described and to experience the things which have been narrated.

2. No positive utility is present in this explanation [8], so that the question can concern only the prevention of an imprudent and impudent disclosure.

[8] Thus the Reverend Father Ruiz Amado, op. cit.

3. The sense of modesty is blunted by these declarations; shamefastness is diminished.

4. We have long since been taught by common sense that the demon of impurity is to be conquered by fleeing, not by attacking.

5. We are taught by the Church that these matters are to be treated circumspectly. Cf. the Roman Catechism: "In explaining this very matter of adultery, let the pastor be exceedingly cautious

and prudent, and let him mention in veiled words a matter which calls for moderation rather than copiousness of speech. For it is to be feared that, while he strives to explain at excessive length and fullness the ways in which men depart from the prescription of this law, he may perhaps fall into a discussion of those things from which matter for exciting lust rather than a means of extinguishing it is accustomed to arise" [9].

[9] Chapter VII, *On the Sixth Commandment*.

6. Everywhere, among civilized peoples, matters pertaining to generation are covered with some veil; everywhere various devices, indeed lying formulas, have been invented to conceal these things from children.

7. Nor are there lacking, even today, those who have gathered the fruit of a happy innocence from their ignorance, while moral ruin seems sometimes to have followed disclosure.

189. - III. Examination of the arguments.

Arguments omitted by us.

It seems worthwhile that we weigh these arguments in an even balance. The reader, however, will observe that we have passed over in silence those who so celebrate the honorableness of the sexual apparatus and of conjugal use that they call all things decorous and attribute the custom of using marriage in secret to vulgar error. We need no longer deal with "Naturalists" of this kind. From what was said above, their arguments, rejected by common sense itself, have already been fully refuted.

Care must be taken only that we do not unduly disparage the work of generation, which God blessed even after the flood, and therefore after original sin; that would indeed accord poorly with our regeneration in Christ and with the words of Paul concerning mixed marriages. For the Apostle wrote these things: "The unbelieving husband is sanctified by the faithful wife; otherwise your children would be unclean, but now they are holy" [10].

[10] 1 Corinthians 7:14.

Let us say instead that a function given for holy ends is now possessed and exercised in such a manner as to furnish us with this cause for shame.

The suitableness of equity in judgments concerning books.

Equity further demands that we take care not to impute to honorable men, even if they are non-Catholics, errors which they have by no means professed, merely because their counsels please us less. He who speaks temperately has greater authority for persuading; nor are false or rash accusations rendered honorable even by a good end.

Examination of the arguments which favor sexual instruction.

To come now to the former series of arguments: in the first argument, by which all knowledge is called useful of itself, too much hope seems to be placed in the illumination of the intellect alone, although most persons acknowledge that the necessity of educating the will has also been confirmed by modern experiments.

Nor do we know any Catholic writer who would not bring forward these or similar words with the Protestant professor Foerster [11]: "To know the right way is by no means sufficient of itself; but we must also be taught how we are truly to tread that way." All knowledge is indeed useful of itself, but in varying degrees of utility, and it can do harm *per accidens*. And that *per accidens* can occur so frequently in the concrete circumstances of persons that, because of the slight utility of the knowledge and the great danger of its evil use, ignorance is to be desired and preferred for those persons. Indeed, with Bucceroni [12], who marks this as a theological error, we judge it wholly alien to the truth to say that knowledge of sexual matters directly and formally assists chastity.

[11] *Lebenskunde*.

[12] *Casus morales*, vol. 2, Appendix VI, *De puritatis educatione*.

To the second argument we shall concede that formal or conscious chastity is to be preferred to material chastity; but if knowledge brings with it a danger of depravity, we ought to prefer one materially chaste to one formally wicked.

Concerning the third argument, we shall observe that the brief statements contained in the *Hail Mary* and in the formulas of the commandments have been so worn by long use that they have lost every power of exciting curiosity [13]; therefore, no argument for fuller and clearer explanations can be gathered from them.

[13] Experience testifies to this. For ignorant adolescents assign words which they do not understand to mysterious formulas of faith, whose explanation they do not seek because they seem to contain nothing alluring to nature.

The things proposed in the following arguments, however, are worthy of attentive consideration, nor do we judge them to be false. But they do not demonstrate the suitableness of an explanation made to all concerning everything.

Examination of the arguments which oppose the same explanation.

Concerning the other series of arguments, these observations occur to us.

We judge it altogether true that disclosures made to the unprepared can be full of danger. The first reason, therefore, proves the necessity of prudence.

But we cannot understand how, by the second reason, all utility is denied to that knowledge of the mysteries of life. And indeed, is it useless for a man to acquire for himself the merit of conscious virtue and to be able not only to believe, but himself to understand and ponder, the grave malice of lust? Is it useless for a son to know the intimate bond of nature by which he is bound to his parents, and to learn to venerate them as the true authors of his being and to love them with grateful affection? Is it useless for a daughter, once she has grasped her noble and laborious mission, to begin to lead her life more seriously and cautiously, and not to be wholly occupied with frivolous matters? Is it useless for a Christian believer to be able rightly to conceive the fundamental mystery of the Incarnation, and the dignity and privileges of the Blessed Virgin Mary? Is it useless for an educator to have the means of efficaciously instructing his pupils about the true meaning of life and the serious duties to be fulfilled?

Does not that levity and frivolity of mind which is sometimes not undeservedly cast against unmarried young women in the world have at least this partial cause: that, remaining ignorant of

their duty and vocation for too long, they were captured by vanities before they could meditate upon their own dignity and person? Furthermore, in our days, when doubt is so audacious and little is sworn upon the word of a master, do we not all perceive how expedient it is to hand down the intrinsic reasons of things, lest we seem to prescribe arbitrary rules, easily despised today, for caring for the body and restraining the senses, and to impute tyrannical wills to the most provident God?

From the manner in which an explanation is proposed, the sense of modesty can be blunted, but it can also be increased when its cause is disclosed. This had to be said concerning the third argument.

In what sense temptations of impurity are said to be conquered by flight.

As for the appeal to common sense by which we are warned that temptations of impurity are to be conquered by flight rather than by attack, we observe first that temptations are one thing and knowledge prudently supplied is another. But this is the proper force and meaning of the praised proverb: while there are passions, for example anger, which it is permissible and even expedient to summon as it were to combat, so that we may learn to repress their deliberately aroused impulse, it is not permissible deliberately to stir up in this manner, outside marriage, the venereal sense, which exists primarily not for the utility of one's own person but for the good of the species. Its allurements, moreover, are such that, when a temptation presses, the danger of consent is more prudently removed by diverting the mind. But the same thing is customarily advised concerning temptations against the faith. Are we not nevertheless warned at the same time that, after the temptation has withdrawn, we should strive to untie the doubts that have arisen by means of more perfect knowledge? Is ignorance of the things of faith to be commended for the sake of security? Although, for just causes, even the occasions of temptation must sometimes be approached.

On the passage of the Roman Catechism.

Moreover, the Roman Catechism treats only of a public explanation of sins, so that the passage has little bearing upon our matter.

On received practice.

But the practice of civilized peoples and the fruit sometimes gathered from ignorance prove that an inconsiderate explanation is to be avoided; they do not refute the utility of a circumspect declaration.

190. - IV. Diversity and concord of opinions.

From the opposing arguments, you would wrongly conclude that upright writers so belong to two contrary parties that some praise and commend every explanation, while others condemn every explanation. On the contrary, several opinions, diverse not only in genus and inclination but also sufficiently varied within the same genus, correspond to the aforesaid reasons. This variety of expression furnishes an occasion for confusion and error. Hence it happens that the fault of some is rather inequitably turned into a reproach of the whole class. For among those who write in favor of disclosure, some proclaim an exposition that is technical or scientific, simultaneous - that is, one which embraces the three things together: generation, sins with perversions, and venereal diseases - and deliberately delivered either commonly or collectively in schools, or through pamphlets from the "Sex-series"; while others - thus morally all Catholics - commend only an explanation that is simple

or destitute of scientific apparatus, successive, and prudently given to individuals either in writing or orally, according as the case or age counsels. But those who stand on the opposing side do not deny that disclosure is sometimes opportune and necessary; some will judge this necessity to be present more readily than others.

What is observed among non-Catholics.

To declare the same thing a little more definitely: non-Catholics, with few exceptions, exhort to complete disclosure with a more confident mind than Catholic writers, nor do they shrink from public explanations. The reason for this readiness is partly that they pursue a certain delicate modesty with less perfect cultivation and honor; partly that, deprived of intimate communication and direction in the sacrament of penance, they do not have the means of exploring accurately what each soul requires for itself; and partly that the kind of adolescents observed by them differs considerably from the kind to which Catholics intend to adapt their counsels.

Catholics disagree sufficiently little among themselves.

Catholics themselves, however, are in less disagreement than the first appearance of the controversies would lead one to say. For all disapprove of a simultaneous, technical, and public explanation in itself. Nor is there any Catholic who does not hold that, besides the instruction of the mind, the education of the will is necessary. Nor is there any who does not proclaim disclosure to be necessary at times.

But by different paths they arrive at sufficiently similar conclusions.

For some speak thus: we approve a prudent, gradual, and discreet explanation, but reject one that is superfluous; nor are we those who wish to disturb by an inopportune disclosure the simple candor of anyone who appears neither disturbed nor solicitous about the matter nor exposed to danger. Others, however, proceed from this beginning: we do not will disclosure unless it is shown to be useful or necessary for cutting off dangers or calming curiosity. And so the opinions of Catholics scarcely differ among themselves except in this manner: some posit the communication of knowledge *in recto*, and silence *in obliquo*; others, however, posit silence *in recto*, and disclosure *in obliquo*.

Nevertheless, they do not agree among themselves as to the moment at which a disclosure foreseen as necessary may be given more opportunely. Some - thus Fonssagrives, whom Castillon favors - judge it better that knowledge concerning generation and the passions be handed down before puberty, since it seems that it can then be received with a more tranquil mind and that the adolescents themselves will approach future struggles better instructed and prepared. Others, with whom we rather agree, take less pleasure in this anticipated knowledge. For this spontaneous explanation easily begets curiosity and expectation which can occupy the mind and stir the body more quickly. They seem to us to violate the canon or rule approved by all: *One must strive that the mind be detained as little as possible in turning over these matters.*

Writers are to be read cautiously.

Since, in the end, Catholics are separated from one another by slight disagreement, it will easily happen that you cannot yet gather the true mind of a writer from the few words of his conclusion. Thus, for example, the Reverend Father Gemelli begins [14] and ends [15] his exposition of the question

in such a way that you would call him strongly opposed to disclosure. But at the same time he renders the patrons of disclosure detractors of modesty as "a certain atavistic residue, as it were, from religious principles" [16], so that all Catholics ought surely to agree with him in attacking an opinion of this kind; yet in this matter he praises as writing exceedingly well Oppenheim, who in the place cited advocates the instruction of mature adolescents in sufficiently open words [17], and Fonssagrives, who, as we said just now, judges that disclosure is to be placed before puberty. Wherefore we think that the learned man is to be numbered among the supporters rather than the adversaries of gradual instruction.

[14] *Non moechaberis*, pp. 111, 113.

[15] Ibid., p. 117.

[16] Ibid., p. 111.

[17] Ibid., pp. 114-115, note.

We cannot deny, however, and we grieve, that certain persons sin by a manner of speaking that is too absolute and pretend that they are guardians of an ancient Catholic tradition which is neither demonstrated to have existed nor can easily be reconciled with the circumstances of the age in which sacred virgins were the glory and ornament of the Church, or with the very epistles of St. Jerome to the virgin Eustochium, or with several texts of the sacred liturgy, since this is accustomed to harm not a little the desirable concord of good men.

But this nearly concordant opinion of Catholics also gives us courage to say, concerning this very delicate matter, humbly indeed but more confidently, what pleases us, since we finally articulate a sufficiently common doctrine.

Consideration of the common multitude is too greatly omitted.

We should also like this to be observed: most writers who write about the matter with the best intention attend almost only to those select Catholic adolescents of honorable condition who complete secondary studies in Catholic institutes; but they pass over the multitude of those who, on account of their very social condition, are little aided by their parents and, after elementary school, are assigned indiscriminately with others to learn or practice a craft in workshops. Yet the greatest account must be taken of that people by us Christians, and in this "democratic" age.

V. - Conclusions.

This question is so complex and has so many aspects that, unless one chooses to speak either confusedly or too absolutely, we cannot solve it in one continuous treatment. Therefore, having divided the argument, we shall state, by several distinct assertions or conclusions, both concerning the things to be explained and concerning the manner and method, what we judge to be true and easily admitted by most persons.

General summary conclusion.

191. - 1. General summary conclusion. There are today so many men eminent in authority who defend the suitableness of some fitting and moderate explanation of the mysteries of life; and the wretched state of morals, which is not recent, renders moral progress so desirable,

that it can be affirmed without hesitation that there is a place for sexual pedagogy, and you would judge that serious controversy remains only about the manner and opportune time.

What sexual pedagogy is.

Ribbing [18] says that sexual pedagogy is "a discipline which strives constantly to assist or to be at hand for the adolescent, so that at each stage it may supply in a suitable manner the necessary and opportune knowledge concerning sexual matters; and at the same time the art of communicating that knowledge in such a way that it may induce a healthy, pure, and moral sexual life."

[18] In Moll, *Handbuch*, etc., p. 976.

But we think that we can conclude in a brief formula from what beginning or principle we proceed in giving counsels: *Natural ignorance is not to be destroyed of itself, nor is artificial ignorance to be procured. We approve an explanation of sexual matters not which increases but which diminishes solicitude concerning these matters.* We approve these formulas because the former savors of confidence in the paternal providence of God, while the latter is consonant with the received rule by which we ought to strive that continent persons, such as younger persons ought to be by reason of their age itself, should occupy their mind as little as possible with sexual matters. Nicolay confirms the former in these words: "We consider clumsy the procedure which consists in wishing to raise boys in an... artificial ignorance" [19].

[19] In the praised work *Des enfants mal élevés*, p. 112, no. X.

What matters seem to be handed down, and when.

192. - 2. Concerning the matters to be handed down gradually, this must first be observed. Of the three objects - the process of generation, sins with perversions, and venereal diseases:

An explanation of perversions pertains rather to a technical presentation, which is useless for laypersons and can harmfully disturb the imagination of women.

Likewise, there is no utility in explaining venereal diseases before the age at which illicit commerce with the other sex, especially with prostitutes, is to be feared.

The necessity of admonishing about the gravity and nature of certain sins is most closely connected with the state of conscience and the habits observed. It can happen, however, that this admonition ought to precede an explanation of generation.

A disclosure of the maternal office - of procreation from the body of a dear parent, of the long period during which the child is borne not without cares and discomforts, and of his then being brought forth by laborious birth and nourished with maternal milk - appears most efficacious for generating and increasing that affection of piety which is unknown not even to barbarians and which proves so greatly beneficial both to the offspring, to the esteem of the female sex, and to the whole of society. For already from the very conception, gestation, and birth of the offspring, the mother is shown to be worthy of love by an almost irresistible instinct; while the father is rendered worthy of love and confidence less from his active participation in the conception of the offspring than from the providence which he subsequently exercises toward the mother and the children.

What things are to be disclosed to adult girls.

193. - 3. Concerning girls who have left the boarding school, this also seems sufficiently evident: it is greatly to be desired that, when they have left the boarding school and are preparing to enter the world, as they say, daughters of honorable condition should then at least, unless they have already learned the matter before, be clearly instructed about human generation either by their mother or by another trustworthy person; and at the same time it appears worthwhile that, unless they have been endowed with a higher vocation, lectures should be given to them even expressly in a higher school about the end, burdens, and sanctity of legitimate love. In this matter we sufficiently approve the various counsels handed down by the noble lady d'Adhémar [20].

[20] *Nouvelle éducation de la femme*, by the Vicomtesse d'Adhémar, part 2, chapters 3 and 4.

For not a few who lead a secular life consume their days in frivolous matters, indeed in vain dreams and dangerous friendships; some appear modest and fearful in a childish manner, others freer through inconsiderate familiarity; they begin to burn with imprudent love toward young men who are little worthy, ignorant of their own rights and ignorant of the manner in which they may fittingly bear a worthy yoke. Hence marriages are contracted which bring them slight hope of a happy and Christian life.

I do not know whether this general norm of conduct could ever have been handed down to young married women who inquired: "Do whatever your husband shall ask." But in present circumstances, when daughters are so often given in marriage to men who honor neither Christ nor morals, that a young man, unless he is known to be distinguished by exceptional gifts and piety, should be proposed as the teacher of conjugal life - this is certainly too much. How many girls piously and delicately formed thence judge themselves compelled to serve foul concupiscences, and, in place of chaste embraces, have found foul carnal commerce and an abject life without decorum, without mutual esteem, empty of merits, and full of wearisome disgust!

In the absence of a school, let certain books be furnished which chastely and clearly explain the ends, dignity, rights, and duties of Christian marriage [21].

[21] Excellent counsels are contained in Father Hoppenot, S.J., *Petit catéchisme du mariage*, except that he presents in too obscure a manner what is permissible and what is forbidden between spouses. It would perhaps be better if works of this kind had both a physician and a theologian as authors; certain things could be written more securely and would possess greater authority.

Fables to be condemned.

194. - 4. On fables. It is also sufficiently agreed that lies are to be avoided. Wherefore Chauvin himself, who attacks disclosures rather strongly, has these words: "Let us resolutely set aside every lie. Above all, the child must not be deceived. His father and his mother most often appear to him as two superior beings, 'two impeccable angels,' according to the expression of Father Gratry: knowing everything and able to do everything. What a misfortune if they were to lose in part a confidence so sweet and so necessary to the success of their mission!" [22].

[22] *De la préservation morale de l'enfant*, p. 70.

Rousseau condemned these lies [23]; Foerster condemns them in Switzerland, Ribbing in Sweden [24], and Renault in Belgium [25].

[23] *Émile*.

[24] In Moll, *Handbuch*, etc., p. 980.

[25] *La pureté*, p. 41.

Therefore, the foolish fables by which children are said to have sprung from a mysterious plant in a distant region, to have been brought by ship and then exposed for sale in the market, or to have been placed in the hands of their parents by a certain stork, are altogether to be disapproved. It is true, before children begin to ask about these matters, let them learn some formula which is to be explained afterward, yet which is true: "Children have been given to their parents by God the Creator as a blessing of their union."

What answer is to be given to a boy who asks.

But what if a boy asks about the origin of infants?

You will observe that a boy asks in two ways. Through his thoughtlessness, a boy, led to it by some accidental occasion, sometimes poses questions which he himself forgets once the occasion has passed; at other times, however, he asks because he has his mind occupied with these things. Questions of the former kind are to be disregarded, with the answer deferred to a more opportune time; but the others are to be satisfied. Wherefore, if he asks in such a way that he seems to pursue the matter mentally by questioning, let the mother disclose his maternal origin to him.

Such an explanation is one which, as Ribbing himself observes [26], allows the mind to remain content for a long time of itself; for, if you add the blessing given by God to marriage, it seems adequate; it is free of every danger of sensuality; indeed, it is useful for increasing the affection of love and confidence with which the boy regards his mother. Once the information has been received, into what words does the boy spontaneously break forth? Several others, following Ernst, relate this [27]: "When I had finished" - these are the words of the mother who had explained the matter - "I felt two little arms encircle my neck, and my little boy press himself against me with a 'Dear, dear Mama, how I love you!' His childlike affection was transformed little by little into attentions, cares, and respect, which he has always lavished upon me since. While he was still very little, I accustomed him always to address himself to me when he wished to know or understand something."

[26] Loc. cit.

[27] For example, Chauvin, op. cit., p. 76.

What is to be said to one asking about menstrual flow or nocturnal pollution.

195. - 5. Let the mother not hesitate to indicate the true reason for the menstrual flow which her daughter has experienced.

But to a son asking about nocturnal pollution, either parent will say that it is natural. Having obtained this occasion, they will repeat the admonition that, also for preserving his strength intact,

he should abstain from touches that are insufficiently modest; and that, if he has any doubts, he should question either his parents or his confessors about them.

Are sins to be explained?

196. - 6. What is to be said about sins? Let both the confessor, through prudent questioning or from indications in the accusation, and the parents, through attentive observation, as it were accompany the pubescent son. But if any suspicion of either depraved touching or a troubled conscience should deservedly arise, let them give him courage to disclose his doubts and admonish him concerning the obligation of chastity. According to the disposition and age of the son, they will see whether or not the intrinsic rationale of the sin is now to be explained.

What of venereal diseases?

197. - 7. There seems to be no reason why a discussion of venereal diseases should be instituted before the humanities have been completed; but it is well that the merit and excellence of chastity, and the injuries of impurity, both physical and moral, be spoken of strongly and even openly in a discourse, in an explanation of the catechism, or when another occasion has been seized.

To whom a spontaneous explanation is to be given.

198. - After the humanities have been completed, it seems that fuller knowledge concerning human generation is to be given spontaneously even to those who do not know: both lest a chaste adolescent incautiously run into dangers, and lest he be mocked because of ingenuous and candid words and thus, conscious of his ignorance, be compelled to act more timidly with his companions and be unable to develop a manly spirit. Furthermore, the chaste young man is then at an age at which, his strength having been established, this knowledge can be called harmless, and at which it is fitting that he learn to pursue virtue with a deliberate mind. Nor does anything prevent - indeed, it is expedient - that certain things concerning venereal diseases should then be mingled in, as a secondary reason on account of which dishonorable embraces are to be avoided.

And thus we have now spoken of the gradual explanation of the mysteries of life.

On the manner of explaining.

199. - As for the manner and method:

On collective explanation.

1. With all Catholics and most prudent writers, a collective or common exposition of the matter in elementary schools (*primaires*) and middle-grade schools is to be disapproved in itself: both because instruction of this kind cannot be adapted to the variety of pupils, who differ in quality or virtue, cultivation, strength, and necessity; because pupils are thereby almost invited, which is the worst thing, to discuss these matters among themselves after school; and because a prudent exposition presupposes in the teacher an authority and skill which are by no means present in all.

On pamphlets to be handed out.

2. Before the humanities have been completed, pamphlets such as the *Sex-series*, in which the matters are presented rather fully, even with a right intention, are not to be handed to pupils. For why should we now give full knowledge when only partial knowledge, according to the necessity of each, is opportune? Would we not thus again violate the golden rule approved by all: *Care must be taken that, during studies, solicitude concerning sexual matters be as slight as possible* [28]*?*

[28] Ribbing himself, in Moll, *Handbuch*, etc., p. 896, warns that writings concerning sexual matters, even those composed with the best intention, should not be given to boys to read at the age at which they ought to attend schools.

But pamphlets written wisely and in a Catholic manner can be very useful:

a) For parents, that they may be better instructed in their duties. To them may be commended, for example, Ernst, *Elternpflicht*, and also the works written by Foerster; for although he is a Protestant, he is imbued with an almost Catholic spirit.

b) For those about to marry, that they may be well instructed concerning conjugal life and its connected obligations. They can be assisted, for example, by the work of Dr. Surbled, *La vie à deux* - except for the obscure passage about the first copulation "to be prepared little by little" - and by the already cited work of Father Hoppenot, *Petit catéchisme du mariage*.

c) For adolescents who attend universities. They can use, for example, Guibert, *La pureté*; Guitton, S.J., *De la chasteté*. Also to be commended to them are the *Lettres à un jeune homme* of Father Lacordaire, O.P.

In the pamphlet *L'éducation de la pureté. Faut-il parler? Que dire? Comment le dire?*, by a Father of the Society of Jesus, a young man who knows nothing and is at that age or in that condition in which all things seem to have to be disclosed to him at once will find a brief, clear, yet decently written exposition of sexual matters.

On private explanation: to whom it belongs.

3. But it pertains both to parents and to the confessor or director of a soul to provide in this matter for the need or utility of private persons. If anyone else should judge it expedient that someone's ignorance be dispelled, let it not be done without the parents' consent; otherwise, they could rightly complain that their province had, as it were, been usurped, and several have in fact complained. But let those who are not yet priests act with the greatest caution; and unless they are governed by the counsel of one much more prudent, for example a superior, let them be silent about these matters and not solicitous.

In what manner it is to be done.

But private information should be brief, simple, and without apparatus; for apparatus could give occasion for various suspicions. Let the higher end of the functions be treated, and let the adolescent be admonished not to communicate such things to his companions.

It is not necessary to have recourse to written methods concerning these matters. It is enough to attend to a few things. Let the mother, for example, not omit to mention her pains in childbirth, and

let her celebrate the wonderful Providence of God.

In explaining generation itself, let the first comparison be taken from plants rather than from brute animals. And in adducing animals it will be useful to emphasize the differences rather than the similarities; but chiefly to show how greatly bestial instinct differs from human love. And one must dwell upon explaining the parts which belong to God, so that it may be thoroughly known why the procreation of a married human being is holy of itself.

What is to be determined concerning adolescents who are educated less piously or are poor?

200. - But the things said thus far apply chiefly to adolescents who are educated in Catholic secondary schools.

But what is to be said of the others? What of the poor who, in workshops, almost necessarily associate with less good companions and hear their foul conversations?

These are accustomed to be ignorant of nothing concerning the mysteries of life, so that they are rather to be admonished about the vices to be avoided. If any are nevertheless found to be ignorant, it is better that they be taught about the matter.

"It does not appear doubtful to me that a preliminary initiation, not scientific and complete, but individual, prudent, conducted with tact and gravity by a person provided with moral authority, and presenting the mystery of the origins of life in the beauty of the providential plan, will most often, under such conditions, be a force and a benefit.

"It will be a calming influence upon the sensibility and upon the imagination. It will offer noble souls - and they are found everywhere - a higher sphere in which they may escape, at least in part, the surrounding coarseness and sensuality." Thus Chauvin himself, op. cit., p. 88.

We think it especially expedient for these that, even publicly, in schools or youth associations, they be advanced toward the consideration of higher things. Let them learn to admire the work of God in the multiplication of plants; let them become more certain of and be imbued with human dignity; let them know how to flee depraved companions according to their powers; and through positive associations let the good become accustomed to assist the good and to strengthen the fragile. For nothing will benefit them so much as an office assumed of exercising some apostolate for purity.

Therefore, neither here does a public explanation of human generation which is formal or direct seem to pertain to the discipline of purity.

A public and formal declaration of the mysteries of life nowhere pertains to the discipline of chastity.

201. - There remains, therefore, this universal conclusion. For enlightening the mind, deterring from dishonor, and exciting the love of chastity, many things can be handed down openly even in schools for boys. But nowhere does the cultivation of chastity command or counsel a public declaration of the mysteries of life, at least so far as concerns the rationale of carnal commerce and human generation. According to age, place, and circumstances, the pupils will

be presumed either ignorant of these matters or experienced in them, but they will not be taught them formally in playgrounds or schools.

Nor do we place the hope of purity in disclosure itself as such; but, when prudently made, we admit it as a non-principal part of sexual pedagogy rightly understood, which proposes to assist adolescents by a more ordered method: so that more than now may reach mature age without moral shipwreck. And we approve opportune indications which: a) forestall the disclosures of evil counselors; b) prevent young persons from bearing a mind disturbed by physiological phenomena; c) turn those more exposed and more mature away from illicit commerce; d) raise marriageable girls above the dissipation and dangers of trifles; e) introduce a stronger bond of confidence and love between parents and children; f) render conscious virtue stronger and procure a better understanding of the dignity of the Blessed Virgin Mary and the benefit of the Incarnation.

Thus we judge that we have proceeded by a middle way. Lehmkuhl confirms this middle way by his authority in these words: "It is disputed what ought or is fitting to be done concerning the instruction of sons and daughters about the sexual matter, since premature knowledge of these things can be dangerous and can induce sinful inquiry and easily render the incautious exposed to dangers and seduction. This instruction is surely to be given in diverse ways according to diverse circumstances, and is to be left to the vigilance and prudence of parents, lest there be sin toward one side or the other. Although it is fitting that parents communicate to them the general knowledge that the parents are those who gave life to their children, when, after their full use of reason, the occasion presents itself, nevertheless knowledge about the sexual and venereal matter itself, to be given soberly and briefly, is to be deferred until the time when they begin to mature sexually; nor, generally, are they to be left long in ignorance beyond that time. But the purer the education of the mind and the more removed from lubricious imaginations, and the more the cultivation of the body is alien to all softness but rather joined with a moderate hardness, the more happily can holy ignorance of sexual matters be prolonged, and the longer is the puberty of the body itself delayed" [29].

[29] *Theologia moralis*, I, 942.

Chapter II. On Preserving and Strengthening a Pure Life

Article I. On Safeguarding Purity Outside the Married State

What pursuits are to be commended to celibates.

202. - Purity is to be preserved by the same practices by which it is generated.

Therefore, for the celibate man who, whether by his own choice or compelled by necessity, must observe perfect chastity, these things are chiefly to be provided:

1. A sincere and firm will to seek no venereal pleasure directly or indirectly;

2. Such strength of soul as is equal to sustaining danger profitably, so that he need not timidly decline anything that befits his person, his duty, or his state;

3. Humble modesty joined to that strength, which of its own accord rejects things that are indecorous and insufficiently modest;

4. Prudence for averting those things by which venereal desires are inflamed.

But these things are: every intemperance of food, drink, and sleep; indeed, considerable use of intoxicating drink (alcohol); every sensible friendship which imitates sexual love; suspicious curiosity in reading lascivious books and in viewing lubricious things or spectacles; every lustful conversation, indeed even one which treats of indecorous or sordid matters.

For all agree unanimously that erotic incitements are to be fled by a celibate man.

"The life of luxury and pleasure to excess, such as it is practiced on so great a scale, leaves the young man defenseless against the impulses and seductions which lie in wait for his purity, a noble virtue which Christianity taught and realized, but by entirely opposite means. To permit the adolescent and the young man to see everything, hear everything, read everything, and grow soft amid the pleasures of the table, instead of laboring to acquire that noble endurance which labor, sobriety, and the wise government of all his senses confer, is to awaken lightheartedly the organic excitations and stimulations to which he will succumb.

One complains that chastity is impossible, and one does everything to prepare it to founder" [1].

[1] Dr. Warlomont, *Annales de la Société scientifique de Bruxelles*, 1906-1907, Supplement, discussion of the report of Dr. Francotte, *De quelques points de morale sexuelle*, etc., p. 44.

5. He who wishes to lead a life that is at once Christian and consistent with himself will renounce the worldly spirit under a more universal rationale. Let the most true maxim adhere deeply in his mind, that the spirit of Christ cannot be reconciled with the spirit of the world. Christ says, "Take up the cross," but the world, "Let us crown ourselves with roses" [2]; Christ commands us to do good, but the world commands us to seek pleasure. How can these things be joined with one another?

[2] Wisdom 2:8.

Wherefore neither dances nor the theatrical performances of theaters will be approved and accepted by a Christian.

Judgment concerning dances.

203. - Not dances. For everywhere, among barbarous nations and civilized peoples, dances, unless they strictly represent warlike actions, express or imitate amatory deeds, for example the pursuit by which the male follows the female. And although dances are also performed among us which contain no fiction, pairs of dancers composed of both sexes are accustomed to display an amatory signification [3].

[3] Moll, *Handbuch*, etc., p. 585.

And everywhere at least, even if this signification is absent or is not attended to, all things arising from the clothing, contact, and festive display dispose a person toward sensual emotions.

Wherefore, insofar as his social condition permits it, the true Christian abstains from these things and disengages himself from them.

Nor will he judge dances necessary so that daughters can be given in marriage. For how many daughters abstaining from dances have been placed in the most honorable families; how many others, on the contrary, assiduous at dances, have in vain called for a bridegroom with their wishes! But are dances happy auspices of marriage? I would not think so, nor does common sense appear to judge so, since there is a proverb: "The best things are found by buyers outside the market."

By these words, however, we do not deny that in certain places there are innocent and harmless dances, such as Berardi describes in his *Praxis confessariorum*.

On the theatrical performances of theaters.

204. - Nor can the public theatrical performances of theaters be loved by a Christian. For whether you consider the plots of most plays, the dances joined to them, the almost necessary or at least exceedingly frequent corruption of the girls who employ their labor in them, or the associations and pursuits of those who frequent the spectacles, must they not be pronounced most alien to the evangelical spirit?

Will you say that they are necessary to civilized life? How, then, are they found only in the larger cities? Is it not repugnant to the democratic pursuits of the present age that you should call necessary things which are inaccessible to most persons and from which the honorable common people are excluded?

Therefore, the frequent presence of Catholics in present-day public theaters is to be dissuaded. That presence which is occasionally chosen by way of recreation is to be tolerated. The fervor of piety, however, will abstain from recreation of this kind.

Only that presence is to be commended which a special utility or the decorum of one's state can require; in such circumstances, let Catholics learn to act both fearlessly and honorably.

The utility of an apostolic spirit.

205. - But counsels for fostering chastity will be promoted especially by an apostolic spirit, by which we wish both to devote ourselves to good works and to restore chastity itself to others or inculcate it more deeply. He who has brought the love of purity all the way to the apostolate will easily be chaste; he will enjoy an upright mind and, what must be added, he will possess a happy chastity.

The nobility of the Christian vocation.

Therefore, let us not hesitate to commend pursuits of this kind. Let us demonstrate that a life devoted to Christ and good works is not the singular vocation of a few, but the common vocation of Christians. For in every way we ought to foster that which they call the "sublimation" of souls. Cf. also no. 219.

Article II. On Preserving Conjugal Chastity

The rocks of conjugal chastity.

206. - Conjugal chastity is to be defended from adultery, from solitary onanism, and from conjugal onanism. For a spouse can be tempted to seek venereal pleasure inordinately either with another person, alone, or with the spouse.

The utility of preparing the soul for continence.

1. For guarding against these excesses, a general preparation of the soul for observing continence will be of very great benefit if anything should appear to hinder or dissuade the use of marriage.

But no one will be perfectly prepared for this who does not profess the absolute necessity of the moral law and does not hold God to be faithful, who will not permit us to be tempted beyond that which we are able, but will also make with the temptation a way out, that we may be able to endure it. Cf. 1 Corinthians 10:13.

A spirit alien to the world is to be fostered.

2. Under a general rationale, and especially against the first two abuses, it will also conduce that a spirit be procured which is alien to that worldly spirit which desires theatrical performances, dances, and the various external festivities of this world. Having proceeded from the error of seeking present ease, they are full of sins, allurements, and scandals of that world to which, because of scandals, Christ pronounced woe [1]. At these festivities, virtue is held up to mockery; snares are laid for the innocent; the desire to please, mingled with ease of living, exploring, and meeting, increases concupiscence, fosters every kind of ambition, inflames souls with suspect or impure affections, and turns them away from the ordinary and quiet manner of life.

[1] Matthew 18:7.

What of the fact that these worldly gatherings demand a liberty which offspring and the obligations connected with begetting and educating offspring do not allow to exist?

Already, relying upon the authority of St. John Chrysostom, Father Hoppenot defines the theater as: "Destroyer of family life" [2].

[2] *Petit catéchisme du mariage*, p. 188.

Moreover, it is our duty to cultivate a sincerely Christian soul, firm enough that, insofar as some higher rationale from the position which we occupy in society or from the pursuits to which we are devoted requires it, we can and will participate honorably in worldly things; yet noble enough that, despising these weak and vain allurements, we never seek or affect them for their own sake, nor place our delights and happiness in them: we have been born for greater things.

How greatly it is fitting to strive that persons fit for marriage be joined.

207. - 3. For guarding against adulteries and also solitary or conjugal onanism, something principal is that persons physically and morally fit be joined in marriage, who are prepared to bear the burdens of matrimony.

What therefore is to be procured?

Wherefore, a) Those who choose the married state, especially girls, should have the true rationale of marriage thoroughly considered, certainly before betrothal, indeed before they think about contracting nuptials, lest, ignorant of their duties, they afterward refuse them or at least bear them reluctantly and unwillingly.

As for young men: great care must be taken lest we recommend the conjugal state as an opportune refuge for all the lustful. Physicians, whether pious or unbelieving, hold the same opinion on this matter, namely, that marriage cannot be commended either to all who indulge in masturbation or to anyone who has a thoroughly inverted appetite.

Let the professor of medicine, Dr. Francotte [3], be heard: "Marriage, one sometimes seems to forget, is an affair between two. It would not be bad to consider the other party for an instant, that young girl, however anonymous she may still be, who must fulfill the office of remedy.

[3] *De quelques points de morale sexuelle*, etc., pp. 27 and 33.

"The matrimonial union is something other than a physiological coupling. It requires the union of souls, harmony of sentiments, love with the spirit of sacrifice and fidelity. 'It is the heart which is the architect of that august sanctuary called the family' (Bougaud). Certain persons seem to care nothing about all this, and they order marriage as they prescribe a purgative.

"And then, it is not unheard of for marriage to result in procreation. What will the children born of so bad a seed be?

"... I know that very estimable authors - Surbled, Heuschen, and Capellmann - recommend marriage as a remedy for masturbation. This recommendation does not fit all cases indiscriminately. Masturbation presents multiple modalities and affects varying degrees of gravity.... There are certainly cases... in which masturbation is only the epiphenomenon and in which it would be senseless and even culpable to push toward marriage. The counsel could be applied to light, accidental forms in healthy individuals without a marked heredity. But here especially it is fitting always to recall that 'the counselors are not the payers.' To push a deep-seated invert toward marriage is to risk, almost with certainty, the worst consequences for the subject himself, for the woman who will be united to him, and for his possible descendants."

Therefore, before counsel of this kind is given, an experienced and upright physician will have to be consulted absolutely.

b) It pertains chiefly to the mother not to conceal from herself bodily defects, especially those of her daughter, but to have them investigated; and, if anything obstructs marriage, to disclose it opportunely to the daughter, or so to govern her life that she never comes to a proposed marriage.

c) Since today there are many concerning whose health, strength, or physical aptitude there can be doubt, we ought by no means to oppose the growth of a custom by which one party - that is, the parents and the bridegroom or bride - offers and admits to the other party an examination of the person by an honorable physician.

d) But the greatest solicitude is also to be had concerning morals. Wherefore, unless the matter is plainly established from elsewhere, Christian parents, before they give consent to marriage, should become more certain concerning the right use of marriage and, if the case should occur, concerning honorable abstinence in marriage.

Indeed, an inquiry is to be made concerning the persuasions and intentions of the bride's parents. Does it not happen that worldly parents accuse a son-in-law of cruelty because he has given his wife a son or daughter, either in the first years of the nuptials or beyond the number which they consider just, that is, beyond two or three, which is the limit often set today? Shall we dare to yield to worldly parents who sometimes do not hesitate to impose conditions contrary to the substance of matrimony?

The hope of a happy marriage is to be increased. How?

208. - A special security from adulteries is to be sought by increasing in every way the hope of a happy marriage. To this pertains:

a) That a great esteem for Christian marriage be fostered. Consequently, today at least, let us not represent the conjugal state as less accepted by God, tolerated rather than permitted, and useful only to those whose weak virtue is not equal to observing continence. But rather let it be exhibited as a state which, according to the intention of divine Providence, is still destined for men as the common state; which, being enacted with great dignity in the Christian religion, is to be commended of itself to those who, physically and morally fit, do not seem likely to have, from the grace of God, an efficacious will for a higher counsel. b) That it take place between persons whom true esteem and true love have united in mind before body.

The error of those who desire only their daughter to be pure before marriage.

c) Consequently, that each may be able to praise the other for chastity preserved, and may find in past virtue a reason why he or she should not doubt future fidelity either.

Wherefore, scarcely anything more foolish is to be found than that worldly prejudice by which a husband who has had illicit relations is preferred for a pure daughter. Sensible physicians reject this, even in the name of science [4]. Bourgas says on this matter: "A strange mistake.... The experience acquired in easy loves is most deceptive, and can only become prejudicial to the man imprudent enough to believe that he will find its application in his household. For one cannot reason from the woman wanton with her body to the chaste and modest young woman. Between them, the difference is no less great morally than from the physiological point of view." *Le droit à l'amour pour la femme*, p. 74.

[4] Cf. Féré, *L'instinct sexuel*, p. 320; Ribbing, in Moll, *Handbuch*, pp. 945-949.

d) That both husband and wife be so instructed that each uses his or her right moderately and wishes to consult the satisfaction of the other more than his or her own. In a special manner, the words of the Apostle are to be applied here: "Not considering the things that are their own, but those that are of others" (Epistle to the Philippians 2:4).

e) That husband and wife become accustomed to leading a truly common life. Wherefore all who study anthropological matters agree in condemning the custom, not so infrequent today in certain cities, according to which both spouses have been accustomed to inhabit separate bedrooms. This not only provides easier occasions, especially for the husband, of committing adultery in the very conjugal home, but also of itself diminishes or impedes the mutual union and, as it were, fusion of persons. The separation of bedrooms, so it may be said, soon becomes the separation of souls.

In what manner spouses are to be turned away from neo-Malthusian devices.

209. - 5. As for neo-Malthusian devices, besides the things which we have already written above, these things are to be noted:

The formal error belongs to those who do not know that human happiness is to be sought by putting aside egoism, not by listening to it and satisfying it. Deceived by the appearance of an immediately delightful good, for example, of journeys, festivities, exemptions, and liberties, they have renounced the greater goods which lie hidden in the procreation and education of children.

They consent, namely, that they love less, that they be loved less, that they be less, and that they give less, in order that they may seize a foolish and fleeting joy!

But, if they wish to understand their error, it is necessary:

That, humbly as Christians, they live content with their condition and not be tormented by an impatient desire for higher things;

That, pious as Christians toward their children, they prefer virtue and honorable labor in them to riches and soft leisure;

That, mortified as Christians, they willingly renounce various pleasures in order to nourish and educate their children and fulfill their duties.

But since many men do not wish these things, or do not embrace them with a sufficiently firm will, it comes about that they are little moved by the arguments brought against neo-Malthusianism. That is, if you tear away some branch by means of refuted prejudices, the root of the error continues to live in the heart.

Therefore, until that root is torn out, only secondary reasons can be proposed to many, which can be assisted and strengthened, although rather inconsistently, by a certain sense of honor and by nobler impulses of the soul.

Most suitably, for this purpose, we shall allege:

a) *The fearful increases of the vice.* Since we wrote the booklet *Le problème de la natalité en Belgique* [5], matters have become even worse. In the year 1900, marital fertility had decreased by 28 per thousand inhabitants; at the end of 1907, by 58.2 per thousand inhabitants; in the year 1910, by 69 per

thousand inhabitants. If Belgium had preserved the fertility which marriages had in 1880, in the year 1910, 231,902 infants would have been born, whereas only 176,413 were born. Therefore, in that year 1910 alone, Belgium lost 55,489 infants. During the recent war of 1914-18, the dearness of all things added new pretexts by which the evils were increased, so that in several places more people died than infants were born, as had already been observed in France before the war.

[5] Cf. pp. 12-16.

How widely the neo-Malthusian plague rages, however, the following statistical ratios show, although they are imperfect [6].

[6] We borrow the catalogue from the cited *Declining Birth Rate*, pp. 3 and 22. We call the statistical ratios imperfect because births should be compared with existing marriages rather than with the whole population. For Germany in the year 1912, the two regions Mecklenburg-Schwerin and Strelitz are not included.

Country	**Decade of greatest fertility**	**Fertility**	**Year**	**Fertility**
England	1871-80 (about)	35.5‰	1912	23.8‰
Austria	1871-80	39‰	1912	31.3‰
Belgium	1871-80	32.7‰	1912	22.6‰
Denmark	1851-1860	32.5‰	1914	25.6‰
France	1801-1810	32.2‰	1913	19‰
Germany	1871-1880	39.1‰	1913	27.5‰
Holland	1871-1880	33.4‰	1914	28.2‰
Hungary	1881-1890	44‰	1912	36.3‰
Italy	1881-1890	37.3‰	1913	31.7‰
Norway	1851-1860	33‰	1914	25.2‰
Serbia	1881-1890	45.4‰	1912	38‰

b) *The detriments which the fatherland receives from this cause.* Through the war itself, was not the public condition of France brought into the greatest danger and almost the final crisis, so that, even with religious and moral consideration set aside, societies and laws began to restrain that vice? While Germany - which nevertheless is itself now being invaded by the vice - increases annually by 700-800 thousand persons, in France it has already happened more than once that in a year the dead were more numerous than the born.

c) *The evils which those devices produce for the health and happiness of the spouses*, so that they are numbered among the principal causes of divorces.

It nevertheless must not be denied that the economic conditions of families are not rarely adverse to great fertility, so that numerous offspring can be ascribed just as much to the sordid improvidence of those possessing nothing or hoping for nothing as to the highest rationales. Nor does the Church commend imprudent multiplication but the chaste use of marriage. Wherefore this is of supreme importance: that spouses devoted to good morals should be willing in no way to turn aside from the path of honor. Then the human race will be able to hope for those just increases for itself which the private condition of the spouses and public utility will have advised. Cf. our *Le problème de la natalité en*

Belgique, and the booklet of Professor E. Jordan, *Religion et natalité* (*Revue du Clergé français*, 1 and 15 December 1918; 1 and 15 January 1919).

Appendix. Remaining Questions

It is useful in this place to touch in a few words upon three things which, being connected with the guardianship of chastity, are greatly discussed today.

I. On the Relative Difficulty of Observing Continence

Who observe continence more easily of themselves, and who with greater difficulty?

210. - For those who have abstained from sexual intercourse, the path of perfect chastity is usually much smoother than for married and widowed persons.

Physicians and anthropologists testify to this. "As Acton says, each year of voluntary abstinence makes chastity less hard, through the force of habit. On the contrary, it is much more difficult when it succeeds a more or less prolonged period of sexual activity, as is the case for widowers and widows, in imprisonment, and in long sea voyages" [1].

[1] Dr. Francotte, *De quelques points de morale sexuelle*, etc., p. 22. Thus also is explained the manner in which excessive indulgence in lust has become customary in ports where seagoing ships put in.

Hence they also greatly condemn that most evil counsel by which someone might wish, in order to calm excessive concupiscence, to attempt the temporary use of a concubine.

The protection of noble love.

But when legitimate conjugal intercourse is in question, God Himself at the same time arouses a noble affection of love, in the constancy of which spouses and widowed persons can find protection against more vehement temptations. Nor are examples lacking of persons who, after they have experienced marriage, so devote themselves to the offspring born, or so preserve the dear memory of a lost spouse, that they reject other bonds, or even have professed the religious or priestly life and have led it unsullied.

For there is no difficulty which can or ought to deter a disciple of Christ.

II. On the Public Protection of Morals

What civil laws provide today.

211. - Besides the private guardianship of chastity, by which each person provides for himself, the public protection of morals is to be exercised through laws and decrees. But besides the rewards or subsidies by which the private efforts of individuals or societies are praised and assisted, public protection consists chiefly in sanctioning legitimate marriage and prohibiting offenses. By the sanctions of marriage, adultery is restrained, at least in certain circumstances, and rights are attributed to the spouse and legitimate children from which the concubine and illegitimate offspring

remain excluded. Prohibitions look chiefly to this: that the younger age be protected from force or snares, and everyone in public places from solicitations and obscene exhibitions.

It ought to be only too well known to all with how timid and slow a hand the civil power protects good morals today.

But although little assistance is to be expected from laws, nevertheless Catholics ought to foster every endeavor by which license may be more greatly restrained.

The mode of action of Catholics.

Therefore let them labor according to their strength that laws concerning marriage depart as little as possible from natural truth and from the rights divinely granted to the Church in the present order; that vicious decrees be prudently corrected; that their privileges remain with the legitimate bed; that the spread of the neo-Malthusian art be restrained; that orphans and children neglected by their parents be rightly educated; that theatrical plays and cinematographic images contain nothing that offends modesty, nothing that detracts from marriage and honorableness, and nothing that teaches the art of sinning or committing crimes. What more, since every attempt to protect or correct public morals, if it is reasonable, ought to find natural patrons in Catholics? Moreover, the efficacy of prudent and at the same time vigorous action is proved by recent examples themselves.

III. On the Toleration of Prostitutes and Certain Concubines

The present question concerning prostitutes.

212. - No small controversy has arisen today concerning women who are accustomed to prostitute their modesty. From antiquity it was already tolerated that women, at least adults, should make gain from their body; indeed, private houses were admitted in which hired prostitutes stood for sale to all.

But by the laws of a more recent age, only those women are permitted to exercise that shameful commerce who, having been examined rather often by appointed physicians, can give assurance concerning a healthy body. Their names are inscribed in special registers.

Now, there are not lacking those who strongly attack these hygienic precautions. For they are shown to be ineffective in averting the dangers of diseases; the force of seduction is increased by the false security which they seem to give; moreover, that public, as it were, protection of lust is scandalous; finally, in order to evade these laws, not a few public officials are corrupted by money or even by a worse means by the patrons of prostitutes or by the prostitutes themselves.

Furthermore, the "feminists" thus insist: is it not to be borne indignantly that such laws introduce that scandalous inequality between the two sexes by which men are permitted with impunity to infect wretched women with their diseases, while only the male sex is protected from contagion? Are not most women corrupted by men?

Why, then, must women alone, but not the young men and men who enter brothels, exhibit their body to a physician?

Hence they propose laws, and indeed have already obtained them, for example in Denmark, by which, in place of that required bodily inspection, penalties are established against anyone who deliberately or imprudently infects another with venereal disease. And in several regions already, for example in England, decrees concerning the registration and examination of women have been abolished. Supporters and opponents of liberty contend among themselves over the better or worse state of morals and bodily vigor thence resulting, and they appeal to "statistical" rationales. (Cf. Moll, *Handbuch*, etc., p. 361 ff.)

There is no leisure to consider these things at greater length. But it can be asked more universally whether reasons still remain why brothels, indeed the infamous trade in one's own body, should be tolerated. Formerly they feared that, if prostitutes were suppressed, honorable girls would be too greatly molested by impure men [1]. Since we now employ a stronger and more skillful public discipline (*police*), is there reason why we should fear such things? Nor are hidden ways of satisfying lust lacking to vicious men. Most prostitutes are clandestine and evade the laws, by which argument also it is contended that those laws should be abolished. In the year 1911, the city of Berlin counted scarcely 3,706 prostitutes inscribed in the registers, while about 25,000 seem to make gain from their body there [2]. "In Berlin," says Noldin [3], "there are 5,000 public prostitutes and 40,000 clandestine; in Vienna, 2,000 public and 20,000 clandestine." In Brussels (in the city properly so called) in the year 1904, only six brothels existed, which, taken together, contained about 60 prostitutes; but in all, 190 prostitutes were entered in the registers. Add now the social scandal flowing from that legal recognition. Because of prostitutes, the institution of marriage is mocked, and those who pursue innovations thence inveigh against the present order [4]. Certainly, in England, Mrs. Josephine Butler attacked the public tolerance of prostituting one's body. In Berlin and London, brothels have been proscribed; throughout Denmark and in the city of New York, prostitution itself is punished by penalties.

[1] Cf. St. Alphonsus, book 3, no. 434, where he cites the saying of Augustine: "Remove prostitutes from human affairs, and you will throw all things into confusion through lusts" (*De Ordine*, book 2, chapter 4, no. 12. M. 32, 1000). They also add that, if prostitutes were suppressed, worse sins of sodomy, bestiality, and masturbation would occur. But it has long since been answered that those sins are not removed by prostitutes, while many other evils are added. Cf. St. Alphonsus in the place cited.

[2] Moll, *Handbuch*, p. 371.

[3] *De sexto*, no. 18, note 1.

[4] Cf., for example, Forel, *La question sexuelle*, p. 327: *Prostitution et proxénétisme*.

These things are to be diligently observed by the theologian, lest he appear to adhere late to a useful reform, far from having laudably begun any himself [5].

[5] Noldin also reports the controversy concerning public prostitution; but brothels seem to him by no means tolerable. (*De sexto*, no. 18, at the end.)

Laws and institutions to be praised.

There is therefore no reason why we should despair of a better state of public morals. Meanwhile, we shall commend laws which, as in Belgium, strictly forbid taverns to be erected in a brothel; by this law alone the infamous houses have been greatly diminished in number. (Cf. Moll, *Handbuch*, p. 355.)

We shall also praise municipal authorities which attend with diligent care lest clandestine brothels be established.

Above all we shall praise laws and societies, such as the international association *Pour combattre la traite des blanches*, which everywhere endeavors to protect girls from seduction and servitude. For this end, the international work for the protection of girls (*Oeuvre catholique de la protection de la jeune fille*) also accomplishes many things.

213. - A related question, not yet treated by theologians, so far as we know, concerns the toleration of a certain concubinage in the colonies. For it is established that, in various regions of Africa or the Indies, not a few European officials of both the civil and military order, whether unmarried or separated from a spouse, take for themselves as a concubine a woman of an uncultivated people, for example of the Negroes, whom, while they remain there, they keep in place of a wife, but abandon when they return to Europe.

Certainly that manifestation of European corruption is to be lamented, by which our presence, which ought to have been beneficent and salutary, becomes scandalous and harmful; and the vices which, if the invitation of divine Providence is considered, ought to have been eradicated by us are confirmed.

There is added a most grave danger of abduction. For these women of a weak and little-cultivated people are commonly both lustful and exceedingly desirous of an easier life; many live in an abject condition of servitude; morally, all are in the hand and arbitrary power of some venal parent. How many occasions, therefore, can a European man seize to obtain these women by force, money, or seduction!

Wherefore these women, even when they consent to concubinage, cannot be compared with women of our regions who spontaneously and deliberately foster illicit relations; but their consent is to be regarded as proceeding from a minor.

Wherefore those commercial societies are greatly to be praised which endeavor so to select their agents that by their morals they may honor the name of Europeans and by their authority promote in no slight degree the preaching of the Gospel.

But so many and such kinds of men go to those distant shores that chaste morals cannot be hoped for from all. A law would attempt in vain to restrain or abolish concubinage with women of those regions.

In view of this difficulty, and in view of the opinion of those learned men who, in order to avoid the worse sins of sodomy, bestiality, and masturbation, did not condemn the toleration of prostitutes, at least in certain places [6], it seems that probable reasons can be adduced why the concubinage of which we speak can be tolerated - not positively approved.

[6] Cf. the author of *De regimine Principum*, book 4, chapter 14; St. Alphonsus, book 3, no. 434.

Nevertheless, this public power or the magistrates ought solicitously to take care:

1. That no woman who is a lawful wife, and likewise no woman converted to the faith, be permitted to be admitted as a concubine, so that fitting honor may thus be preserved both for nuptials and for religion;

2. That every concubinage with a woman who has not fully reached maturity be severely repressed, as well as every abduction and artful seduction of any woman;

3. That provision be made for exterior decency. It cannot be permitted that these concubines be presented publicly as such and be conducted about and treated with favors as if legitimate wives. On the contrary, it is necessary that the necessity of in some manner veiling or concealing that shameful commerce should contain a tacit reproof of the matter;

4. That those who preserve chaste morals, as being of themselves better for fulfilling their offices, be preferred to the others, at least other things being equal.

Finally, it is to be desired that in Europe we prepare better cultivators of those regions; and that, after a compact has been entered, those who are good there may be protected more fully from human respect and the contagion of vices.

Chapter III. On Restoring a Pure Life, or on the Amendment of Morals

Rationale of the order. The vices can be reduced to two kinds.

214. - Although the wounds to be healed are referred to three kinds - adultery, conjugal onanism, and solitary onanism - only a twofold lustful impulse is to be restrained in them and corrected by chastity, which we can call adulterous and onanistic. The former, as more physiological, betrays a corrupted love; the latter, as more psychological, manifests a disordered force of appetite; the former demonstrates a vice more in the object, the latter more in the subject. Nevertheless, a man is seen not so rarely to rush with a disordered force upon a forbidden object in such a way that he exhibits both vicious propensities.

But insofar as onanism is called *conjugal*, it indicates no new inclination of sense, but rather that fear of inconveniences or harms on account of which spouses offend nature, although the natural use of marriage affords a fuller delight of sense.

Article I. On Adulterous Desires

Remedies for adultery.

215. - Besides the general indications of Christian piety, these things are usefully to be advised:

1. *A diligent and complete flight from the proximate occasion.* Let the confessor endeavor to dispose the soul to the greatest liberality in this matter, so that he may obtain more than he could strictly command, and may lead the penitent to follow the safer parts.

The other spouse will sometimes have to be admonished of imprudence. Imprudent is the wife who, from religion, refuses to accompany her husband to the theater, for it is by no means expedient that the husband go alone to these places; imprudent is she who introduces or fosters her husband's familiar association with her marriageable but unmarried sister, for, by the very reason that two

sisters are accustomed to be similar, the husband is easily tempted by those allurements of that sister which he previously loved in his wife; he in turn is an occasion of temptation for that unmarried woman. Imprudent also is the wife who introduces or admits into the home governesses or maidservants who have not been cautiously selected; imprudent is she who desires to use a separate bed.

2. *The suppression of the cause which rendered the marriage less happy.* Let the confessor, insofar as discretion permits it, inquire attentively into those things which one of the spouses casts against the other or desires in the other, in case perhaps he can remove by opportune counsel certain things done unskillfully. It happens, for example, that the wife is reluctant in rendering the debt; that she does not provide sufficiently for domestic order; that she neglects cleanliness in clothing and body; whereas it contributes greatly to a happy family that all things be well polished and carefully arranged, that appetizing foods stimulate the appetite, and that no wrongly understood piety prohibit the wife from pleasing her husband.

3. *Discreet severity in judging the sin of adultery.* It cannot be tolerated that a Catholic man seem to make little of what he has committed against conjugal fidelity. Therefore, the adulterer will have to be reproved by the confessor with grave words, although without anger, especially if he seems to accuse himself of such things coldly and with an even mind.

Article II. On Solitary Onanism, or Masturbation

Various masturbations according to the age of the sinner.

216. - First, the different kinds of masturbation are to be distinguished.

1. Dr. Francotte [1] enumerates premature masturbation, in an infant or boy; the ordinary masturbation of adolescents, very frequent but nevertheless accidental, which is usually temporary; the extraordinary masturbation of the same, because of the duration by which it is prolonged into the years of full maturity; and late masturbation, which begins to rage after youth, indeed after mature age.

[1] *De quelques points de morale sexuelle*, p. 31.

The first, more than a moral vice, betrays a disease of the nerves; the second, being more moral, is corrected more easily; the third is of an ambiguous rationale, since it manifests either a moral vice confirmed by practice, or a nervous or psychological disease.

Finally, the fourth belongs either to those who, satiated with evil pleasures, begin out of a certain disgust to seek less natural devices of lust, or also to those whose nerves are badly affected.

According to the signification of the vices.

2. Under another respect, one kind of masturbation indicates perverted venereal instincts (*paresthesia*), another a natural appetite which cannot be satisfied.

According to the mode, kind, and time of the temptations.

3. One kind solicits the will both by day and by night; another is suggested merely during intervals of sleep; another allures almost perpetually, another only after fixed intervals of time.

4. One takes its beginning from impure phantasies, while another seems almost physiological.

5. Finally, some yield at once to the temptation or suggestion, others only after struggle and resistance.

According to the cure.

217. - The rationales of healing themselves are also found to be diverse. In some, health is restored suddenly and in one moment: upon hearing a certain maxim by which the soul is struck, or moved by a thought of one's own which has invaded the mind, the sick person completely breaks the habit. Something of this kind commonly happens on account of extraordinary circumstances by which, as it were, a new beginning of life is given: thus are corrected those who bid farewell to the world, those who begin to lead the clerical life, or even - but less often perfectly - those who receive holy orders, who celebrate betrothals, or who are captivated by honorable love for a pure young woman.

Others, on the contrary, are healed little by little and without perceiving it.

Some clearly apprehend the cause or occasion of health; others are healed without the cause or occasion being perceived.

Finally, some are healed forever, while in others, even after several intervening years, the disease or vice recurs again rather violently.

General remedies.

218. - Let us now set forth certain things concerning the general remedies for this most sorrowful disease:

Confidence.

1. This persuasion ought to be common to all who are truly guilty of the matter: that certain victory will be carried off by them, provided only that they continue to fight. The Apostle and the Council of Trent testify to this, in which the words of the Apostle are adduced: "God will not suffer you to be tempted above that which you are able. He will also make with temptation a way out, that you may be able to endure it" [2].

[2] 1 Corinthians 10:13.

This is manifestly gathered from the promise by which the Lord joined infallible efficacy to prayer rightly made. Innumerable deeds of those who have entirely cast aside the worst habits demonstrate this.

The persuasion of victory is accustomed to add strength to those who fight.

Hatred of the vice.

2. Nevertheless, they ought to hold their vice in hatred, especially because of its sorrowful marks of offense against God, neglect of their own dignity, violation of the sanctity of the body, diminution of the will's dominion, and also because of its physical consequences. Yet in setting forth these bodily detriments, temperance and a just discretion of persons are necessary. "One must proceed with tact and measure. Without proclaiming the harmlessness of onanism, he [the physician] will take care not to make a scarecrow of it and not to furnish materials for a possible hypochondria. He will seek to awaken moral energies and to stimulate the powers of resistance; he will apply himself to combating nervous weakness, a possible origin of the evil." (Dr. Francotte, ibid.)

The pursuit of fortitude and mortification.

3. The chief thing is that the will acquire strength. In all that he does, from the moment when he becomes awake until going to bed, let the sick person become accustomed to acting with a certain firmness and strength; let him conquer himself; let him exercise Christian mortification [3].

[3] Concerning the genuine manner of acquiring a firm will, Dr. Francotte, *Causeries sur des questions d'hygiène morale*, Liège, 1919, will be read with profit.

4. Does he wish to be cured with a sincere will? He must omit many things by which libido is aroused: a soft life; intoxicating drinks, foul speech, lascivious reading, immodest sights, and vain dreams.

The office of the confessor.

219. - The parts of the confessor as spiritual physician and counselor seem capable of being described thus:

1. The confessor, insofar as he has the opportunity, will endeavor to discern the kind of vice, which we have shown to be varied.

2. He will then procure above all that these sick persons conceive a serious and uncommon will to conquer the habit. Therefore, he will receive them benignly; give them courage; indicate reasons for abhorring the evil; admonish them concerning the occasions to be fled; and impose nothing which is displeasing to them.

Yet let him not attenuate the guilt, but bring it about that they themselves willingly admit sufficient penance.

3. After they have returned two or three times, he will suggest that it will be useful for that contest to be ordered more deliberately. According as circumstances allow and the case requires, he will invite them to deliberate about the matter with him outside confession, yet secretly. But if they agree, he will investigate accurately the causes of the habit, which can arise from heredity, bad education, the skill of a corrupter, alcoholic excesses, or voluntary faults.

4. If any progress appears, he will congratulate them upon the matter, for care is especially to be taken that they never lose heart. Wherefore, since by the very necessity of accusation they observe their sins or moral defeats, let him command them also to attend to the victories gained and to indicate them to him.

5. Not rarely, whether for strengthening the soul or applying physical remedies, it will be very useful that a thoroughly approved physician be consulted at the same time; so that thus, by combined effort, the physician and the confessor may be able to provide a more efficacious remedy.

Both, by combined effort, will be able more efficaciously to command or apply the following things, in accordance with what was prudently said by the Reverend Father Gemelli [4]:

[4] *Non moechaberis*, 4, pp. 189-192.

a) That the sick propose with a willing and strong spirit that they will give no voluntary attention to the sexual ideas or images by which they are besieged too often; wherefore, let them neither relate nor discuss with the confessor or physician the things which they experience in this matter;

b) Next, that they be disposed to give no attention at all to sexual ideas or sensations; if any movements, even vehement ones, arise, let them not reflect upon these in their mind, not even so as to be saddened about a disturbance of this kind;

c) That definite counsels be given, not counsels that are too general and indeterminate. For example, let it not be said to someone, "You need diversion and rest," but let the physician or confessor himself declare how the mind is to be diverted, to what occupations effort is to be given, and what kind and amount of rest is to be taken. In a similar manner, let the physician prescribe the order of living to be imposed upon the sick person as accurately as medicines;

d) That in their conversations they treat of the noble duties to be fulfilled and of the opportunity offered to them of leading a life useful to religion and society, so that higher ideas may thus gradually succeed the impure.

Dangerous counsels.

6. The following are to be regarded as dangerous counsels which nevertheless can sometimes, but very cautiously, be applied:

a) Penal works imposed under grave guilt: since they are easily neglected by men of weak will, they are the cause of a new difficulty of conscience by which the soul is depressed;

b) Dispensation from confession before Holy Communion, on account of doubtful guilt, when an exterior, gravely evil act has been committed. By a dispensation of this kind, the horror of the vice is diminished of itself, and the Holy Eucharist is less honored;

c) Delay of absolution;

d) A vivid description of the bodily detriment to be feared from the vice, as though this were the principal reason why one ought not to sin.

The best counsels.

7. On the contrary, we think that these are the best counsels:

a) A firm renewal of the resolution, especially when the hour is at hand at which temptation is accustomed to invade the soul; indeed, before a known occasion of sin, a vow made for an hour or for a day, with the quality and disposition of the penitent to be considered here;

b) Care for easy sleep, lest the tempted person be compelled to lie awake for a long time in bed;

c) A certain confidence by which this is avoided: that, immediately upon the occurrence of temptation, the weak person should think that he has inwardly consented and has fallen from the grace of God. This false opinion is often the cause why the evil exterior act is then completed;

d) A decisive but calmly undertaken will to refuse or repel suggestions of this kind, which are frequent: "Temptation is present; I shall sin again.... Since I am guilty, let us consummate the sin, or repeat the sin";

e) Higher aims - *a positive ideal* - concerning his future life. Let him not have an expectation that is too modest [5]: hope leads to strong deeds;

[5] In today's vernacular language this method is called the "sublimation of the sexual instinct." Cf. Gemelli, *Non moechaberis*, p. 12. Cf. the things said above, nos. 172, 178, and 206.

f) Constant and filial imploration of the Immaculate Blessed Virgin Mary, very frequent approaches to the holy table, with great confidence;

g) For many, although not for all [6], marriage can be advised.

[6] Cf. no. 207.

In what manner one must act with a certain kind of persons.

220. - There is nevertheless a kind of men who are accustomed to give the confessor little hope of proximate health. They suffer from their nerves, and there is even less certainty concerning their subjective guilt. They are not fit for marriage; but they can undertake the state of continence only imprudently. These persons are to be treated patiently. One must endeavor that, whenever they yield to a suggestion, they renew their resolution, be refreshed by absolution, and meanwhile never lose heart. Let healing be hoped for from a more mature age.

Conclusion of the First Part

Evaluation of venereal appetite. Whither our efforts and our hope ought to carry us.

221. - The same venereal appetite can prepare triumphs and defeats for us. It has a noble use, a nobler abstinence, and a shameful abuse. It gives place to the virtue of chastity, which especially ennobles private and social life.

There is no uncertainty about the direction in which one must strive: toward higher things. These are not only to be chosen by us, but must also be faithfully inculcated in others.

Let us not hesitate to preach to our contemporaries the same perfection which the apostles proposed to the Christians of their own age.

The author of the Epistle to Diognetus described that image of the genuine character of Christians: "They take wives as all do; they beget children, but they do not cast away their offspring. They have a common table, but not a bed. They are in the flesh, but they do not live according to the flesh. They dwell on earth, but they have their citizenship in heaven" [1].

[1] Funk, *Patres Apostolici*, vol. 1, p. 399.

"It is not," thus Pomerius in the fifth century, "that the soul ever ceases in this flesh to have conflict with the vices, but that the very multitude of triumphs nourishes and advances it and, insofar as it can be done in the present life, perfects it: provided only that, captivated by the delight of sensible things, it does not cast itself down into the body, but, sublimely strengthened by detestation of delights, raises itself above the body as victor over bodily things, and adheres to its God, under whom, while it lives, the desires it has repudiated do not conquer it, in order to be glorified forever" [2].

[2] *De vita contemplativa*, chapter 7. (M. 59, 484).

The world is to be won or restored to Christ through true Christians. It is of supreme importance that we procure such persons. Among the Protestants themselves, a league of young men has been formed for professing and promoting genuine Christianity [3].

[3] *Deutscher Verband von Jugendbund für entschiedenes Christentum.*

In France, what were young Catholic laymen not able to accomplish, so as to inspire several thousands, of every class, with unsullied morals by arousing a consciousness of dignity?

What can we not accomplish if we intend this end, if we carry this fixed in our soul: it is necessary that Christians be the salt of the earth?

Part Two: Casuistry

The argument of the second part.

222. - We call the second part casuistic because, in setting it forth, being less solicitous concerning the higher end and the universal direction of life, we have chiefly in mind to investigate what of moral goodness or guilt each particular case contains or introduces. Yet neither here will it be permissible for us to omit controversies and neglect efficacious demonstrations. Wherefore the appellation *casuistic* applies to the matters to be treated rather than to the method.

Rationale of the order.

Moreover, we shall arrange the argument by this rationale: in the first section we shall treat of the venereal acts of those to whom mutual carnal intercourse is permissible from their state, or of the venereal acts of spouses; but in the third section we shall treat of the venereal acts of those to whom every carnal intercourse is forbidden, or of the venereal acts of those who are not spouses.

For it seems to us that we must begin from lawful acts, not unlawful ones.

Moreover, between the first and third sections, that is, in the second section, we shall place the special question concerning the betrothed, who, since they are on the way to marriage, are situated in a certain mixed condition.

In the third section, we shall treat first of consummated sins and then of nonconsummated sins, for the latter are known better from the former.

Consummated sins will again be divided into sins according to nature and sins against nature.

But of nonconsummated sins, some can be exterior, others interior.

Thus far concerning direct lust; a chapter concerning indirect lust will follow it.

Finally, by the chapter which we judge to conduce most to practice, and which treats of masked lust, we shall place an end upon the work.

Section One: On the Venereal Acts of Spouses

Chapter I. On the Complete Use of Marriage, or on Perfect Conjugal Intercourse

Article I. Which Complete Use of Marriage is Morally Good

The notion of perfect intercourse.

223. - That is perfect intercourse by which both spouses, from the carnal union of both, with the seed of the husband within the wife's vagina, are said to become one flesh.

Intercourse between spouses is morally good from its object.

This act, between spouses, is morally good from its object. It therefore remains to inquire what it requires from the end and what, besides, from the circumstances.

§ 1. On the End of Morally Good Intercourse

From what end it is rendered morally good if it is requested.

224. - We consider here the proximate end of the agent. Now, with attention to the end:

1. Intercourse is honorably requested for the generation of offspring; for testifying love; and for calming concupiscence.

For nature itself has placed these utilities in conjugal intercourse; nor, by the separate pursuit of one end, is the other or the third impeded *per se*. "Because, although intercourse is not had for the sake of propagating offspring, nevertheless the propagation of offspring is not obstructed for the sake of this lust, either by an evil wish or by an evil deed": thus St. Augustine [1] confirms this doctrine, relying upon the very passage of the Apostle: "Defraud not one another, except perhaps by consent, for a time, that you may give yourselves to prayer; and return together again, lest Satan tempt you because of your incontinence" [2].

[1] *De nuptiis et concupiscentia*, chapter 15, no. 17 (M. 44, 423).

[2] 1 Corinthians 7:5.

If it is rendered.

2. Intercourse is honorably rendered to the spouse requesting it whenever no grave harm, whether one's own, that of the other spouse, or that of offspring already conceived, stands in the way.

For one who complies with the requesting spouse observes the right acquired by that spouse in an honorable matter.

One's own harm which can stand in the way.

a) One's own harm can nevertheless stand in the way, for example, on account of a disease with which the rendering spouse is affected or of which he must fear certain contagion to himself.

Nevertheless, if a grave reason for assenting is added, for example, lest the requesting spouse sin formally, especially lest he become an adulterer, or lest domestic peace be banished, the rendering spouse can permit this evil to himself on account of a proportionate cause of this kind, provided death itself does not seem to threaten from intercourse. For then intercourse is excused only on account of a most grave and most urgent necessity, such as can arise from serious threats of death or infamy.

The harm of the other spouse.

b) The harm of the other spouse can also stand in the way, who, for example, on account of a cardiac disease is prohibited by a physician from every use of marriage. For from charity and piety, one spouse ought to meet the grave harm of the other. This obligation, however, does not subsist with grave inconvenience, for the harm of one who wills it can more easily be disregarded than one's own harm. But if death threatens the other spouse who requests, the other cannot cooperate in that rash outpouring of life which the spouse requesting intercourse contemplates, unless excused by a most grave inconvenience [3].

[3] Cf. Lehmkuhl, II, 1083.

The harm of offspring already conceived.

c) The harm of offspring already conceived can also stand in the way. This harm must be guarded against more absolutely: for the offspring has an inviolable right, concerning which no other person can dispose, lest harm be inflicted upon it; and the parents are bound by a grave duty of piety to guard against these harms. Therefore, in order that a spouse, by rendering the debt, may cooperate materially in this harm, the harm must at least be truly grave. Nor will the rationale of preventing the sin of the other be sufficient.

What concerning offspring to be conceived?

But if it is a question of offspring to be conceived, which is foreseen to be born either dead or infected with disease, some hold the use of marriage not for that reason unlawful, since it is better for the offspring to be or to have been than not to have been [4]; others concede the use of marriage, at least in the danger of incontinence [5].

[4] Cf. Sanchez, *De matrimonio*, book 9, disputation 21, nos. 24 and 25; Génicot, II, 544.

[5] Thus Lehmkuhl, II, 1064, 3.

Unless we were prohibited by a consideration of a different order, we would rather assent to the former. For the patrons of the other opinion also concede that it is better for the offspring to be born infirm than not to be born, and they consequently require the condition of the danger of incontinence less consistently. But the essential subordination of spouses to the species, or the primary end of marriage, not only forbids them to generate contrary to the order which the good of the species demands, but also imposes upon them the positive duty of bringing it about that birth occur in that manner which the good of the species demands, and consequently that a living and healthy fetus be brought forth. Yet, because the duty is positive, it admits excuse from a proportionate reason; and such a reason is had more easily here because fertilization after intercourse is uncertain and because no harm is inflicted upon the offspring perhaps to be conceived. And the harm of incontinence is also social. Wherefore intercourse is excused by the danger of incontinence.

Corollaries or applications. Intercourse dangerous to the wife.

225. - Hence the following cases are resolved:

1. If a physician declares that a new conception will certainly be fatal to the wife, the wife ought to decline intercourse. But if death does not threaten so closely, the wife can place herself in

the danger for a grave cause. For, since conception itself is doubtful, the danger seems neither certain nor proximate. (Cf. Lehmkuhl, II, 1082.)

On these matters, however, one must approach a physician who is at once expert and God-fearing. For there are not lacking those who, because of slight indications, inconsiderately prohibit persons who are little continent from the honorable use of marriage. Wherefore Génicot [6] judges that it is very rarely established that there is such a danger from a future birth on account of which there is a grave obligation to abstain from the use of marriage.

[6] Vol. 2, no. 544, 5.

Intercourse of consumptives.

2. For those suffering from consumption, intercourse is harmful to themselves rather than to the other party, though not always gravely so. Therefore, spouses of this kind are not bound *per se* by a grave obligation of abstaining; but excuse from a moderate obligation is easily at hand. Wherefore, while nevertheless observing the diseased condition and the counsels of the physician, moderation alone in use is to be preached to them. This will be very opportune, since they are accustomed to be ardent.

Intercourse of one who is infected with venereal disease.

3. That, for a grave cause, the infected party should request intercourse by which venereal disease seems likely to be introduced, after the other has been admonished and consents, can be tolerated [7]. But the other party is certainly permitted to admit that intercourse on account of a cause of this kind, for example, if otherwise prolonged abstinence would be imposed with danger of the husband's incontinence.

[7] Génicot, II, 544; Lehmkuhl, II, 1083, V, 2.

Intercourse useful for the common good.

4. Necessity or common utility of having, for example, one who may succeed to a kingdom can make intercourse, although it be gravely dangerous, not only morally good but also obligatory [8].

[8] Cf. Sanchez, *De matrimonio*, book 9, disputation 24, no. 11.

Intercourses to be condemned.

5. Unless they are excused by a grave cause, such as the danger of incontinence, spouses cannot use marriage when they foresee a certain necessity of applying a remedy or treatment from which abortion, although not intended, will certainly or probably follow if the intercourse has been fruitful.

6. Furthermore, intercourses harmful to either party, or which give no hope of living offspring, are prudently to be dissuaded, just as they are condemned by the common opinion of men. *Prudently*, I say, that is, with the cause for using marriage also considered. But above all we

shall turn away from intercourse those who thence incur common reproach, such as those who, infected with syphilitic disease, have not recovered sufficiently to be judged harmless by an upright and expert physician. The use of an antiseptic ointment can sometimes be permitted here, at least if the probability of conception is not removed by its use.

What of one who seeks intercourse for the sake of pleasure?

226. - You will ask whether one who has requested intercourse for pleasure alone sins.

Concerning this matter there is this statement of St. Thomas: "It is disordered and vicious if anyone uses food and venereal things for pleasure alone" [9]. And among the propositions condemned by a decree of the Holy Office on 2 March 1679 by Innocent XI, at least as scandalous and pernicious in practice, there is found this one, no. 9: "The work of marriage exercised for pleasure alone is entirely free from all guilt and venial defect."

[9] *Contra Gentiles*, book 4, chapter 83.

The question, however, is easily answered in this manner. One who explicitly thinks of nothing except pleasure either positively excludes or does not exclude a further or different end. If he has positively excluded a further or different end, he sins, because he repudiates an honorable good, or refuses to act honorably; for man was created for an honorable end.

But if he has not excluded a different end, he will not sin except through an immoderate desire, by which he wishes to be delighted contrary to some duty, or through immoderate use. For it is honorable in this life to admit permitted pleasures moderately. Therefore, while he explicitly seeks moderate pleasure alone, he tacitly approves and intends that moral goodness. Wherefore one who acts thus will also be conscious of an honorable action, unless he has been deceived by the dicta of the rigorists.

To use other words: one who wishes pleasure only moderately wills it insofar as it is suitable to man, and consequently refers it tacitly to the utility which pleasure is seen to have in the present life.

Although, therefore, we profess that it is unlawful for you to use marriage, even moderately, for pleasure alone, we shall bring no scruple of sin to those who seek pleasure in the moderate use of marriage, as though they had acted for pleasure alone. Indeed, we shall tear scruples of this kind from the soul, lest Catholics appear fearful, but rather that they may strive toward better things with a nobler affection.

But the sin of a spouse who has wished to use marriage immoderately is to be measured from the duty which he omits, and does not exceed a venial sin [10].

[10] Cf. the learned dissertation of Ballerini, *Opus theologicum*, vol. 6, nos. 323-361.

The moral goodness of conjugal pleasure.

Moreover, it is established among all that no one is prohibited from receiving the pleasure joined to the right use of marriage. For "the pleasures of good operations are good, but those of evil operations are evil" (I-II, q. 34, art. 1).

§ 2. On the Circumstances of Morally Good Intercourse

The circumstances. What each signifies.

227. - We shall consider in order the circumstances: who, why, when, in what manner, by what aids, and where. This one thing remains to be noted. To the question *why*, through the principal end itself and proximate, an answer can be given. But since we have now considered this, concerning the more remote or less principal and more extrinsic end something must be said in answer to the question *why*.

I. Circumstance: Who

Intercourse of a sterile or impotent spouse.

228. - One who is naturally sterile, indeed, as many hold, one who is impotent if it is that impotence which does not impede intercourse, whether the impotence be temporary or subsequent to marriage, is not prohibited from the complete use of marriage, insofar as he is capable of intercourse, that is, of penetration with seminal emission broadly so called.

In our opinion, no discussion of impotence subsequent to marriage is to be had here. For we judge all who are able to exercise intercourse to be potent; but concerning the others, that is, concerning those who are unable to copulate, the question of the lawfulness of intercourse is moved uselessly [1]. We have therefore mentioned impotent persons on account of the opinion of those who think that a wife who is unable to furnish an ovum, or a husband who is unable to furnish prolific semen because of a defect of an organ, is impotent.

[1] Concerning some, however, who, for example, at an advanced age, are able to pour out semen only at the opening of the vagina, something will be said below, no. 240, 4.

After marriage has been contracted, a man from whom both testicles are removed does indeed become impotent, but not immediately: he remains capable of fertilization for some days and of intercourse for some time.

What if impotence is doubtful?

229. - What if someone is doubtfully impotent?

R. 1. One who is doubtfully impotent does not lawfully contract marriage unless, after a diligent investigation, he has first found himself to be either certainly or at least probably potent [2]. For in a serious doubt concerning potency or impotence, the natural law seems to be interpreted in such a way that it does not impose celibacy, but permits access to a state lawful in itself for all, whose faculty is most useful to uprightness of morals. Moreover, sufficient provision is made here, as in other administrations, for the reverence owed to the sacrament through a conditional intention. This is now confirmed by canon 1068, § 2: "If the impediment of impotence is doubtful, whether by a doubt of law or by a doubt of fact, marriage is not to be impeded."

[2] St. Alphonsus, book 6, no. 1102; Lehmkuhl, II, 977.

A doubt is understood to be prudent [3], not that slight doubt which does not exclude moral certainty. Now a doubt of law will be present if it is disputed whether such a defect, for example, an occluded

deferent canal, deprivation of the ovaries, or the necessity of undergoing a grave operation, renders someone impotent or sterile; a doubt of fact, if the necessity of the operation, or the capacity for erection and emission in the man, has not truly been established.

[3] Cf. Wernz, vol. 4, part 2, no. 216, VIII.

Moreover, Lehmkuhl [4], following St. Alphonsus [5], wisely warns that a party whose potency alone is doubtful will be gravely injurious to the other unless he makes the other more certain concerning his condition.

[4] *Theologia moralis*, II, 977, at the end.

[5] Book 6, no. 1102.

2. After marriage has been contracted (even if an injury was committed against the other party), those who are doubtfully capable can, with the law of nature considered, attempt intercourse as long as some true hope of potency remains.

Formerly, at the petition of the other party, an ecclesiastical judge granted an experience of three years [6], to be computed from the sentence rendered or from the attempted intercourse, according as the complaint had been moved soon after the marriage or only later. If, after three years had elapsed, the impotence was at least morally established, the judge, sometimes after a supplementary oath and the testimony of the seventh hand had been requested, gave a sentence concerning the nullity of the marriage; this sentence, however, never passed into a res judicata, so that, if potency supervened, the marriage was to be restored of itself.

[6] Cf. chapter *Laudabilem*, *De frigidis et maleficiatis* (IV, 15), or Sanchez, *De matrimonio*, book 9, disputation 17, no. 26, or Ballerini-Palmieri, vol. 6, no. 887.

But from the year 1817 the Holy See no longer had recourse to an experience of this kind, and this manner of proceeding was suppressed by the new Code.

Therefore, spouses of whom one is doubtfully potent will now be permitted to attempt intercourse (although a useless pollution is to be feared) as long as hope of potency remains. Likewise, for a just cause, either both by common consent or either one separately can petition for the dissolution of a ratified and nonconsummated marriage: where the nullity of the marriage is probable and nonconsummation certain, this is to be granted *ad cautelam*.

What if impotence is certain but perhaps temporary?

230. - N.B. A spouse whose impotence for having intercourse is certain at present, but perhaps temporary, cannot meanwhile attempt intercourse himself, since the matter would certainly fall into simple or double pollution [7]. But if the impotence in the man is a defect of erection which it is hoped will gradually be corrected by repeated attempts, or in the wife is vaginismus which perhaps will admit penetration, the man will be able to make these attempts, provided that he procures the introduction of semen in the best manner he can. For the individual attempts will have the character of intercourse rightly begun.

[7] Wernz, vol. 4, part 2, no. 346.

But if the wife suffers from a narrowness of the vagina which can be opened more by an easy operation, will the spouses be permitted, before the operation is performed, to use marriage, taking care that the semen be placed at the opening of the vagina? This depends upon the more general question whether such a use of marriage is ever lawful: this we shall see below, no. 240. For we cannot approve the distinction which Alberti [8], speaking of subsequent impotence, makes between those temporarily and perpetually impotent, as though more were permitted to the former than to the latter.

[8] *De sexto et nono*, etc., no. 121.

What if sterility has been procured by artifice?

231. - But what if sterility has been procured by artifice?

Alberti simply permits the use of marriage, because it makes no difference "whether sterility has proceeded from nature itself or from art [9]." But a distinction seems necessary.

[9] Ibid., no. 160.

If fecundity is now impeded by a perpetual impediment (suppose, in our opinion, that the ovaries have been removed), the use of marriage remains honorable. It will therefore suffice that, if any have been authors of or accomplices in sin in this matter, they do penance for the sin committed.

But if they have placed a temporary impediment (for example, if the oviducts have been tied), they must remove that impediment as soon as possible; without this sincere will, intercourse cannot be honorable: it would be infected with the vice of onanism. But if, for a few days, the matter is incapable of remedy, the guilty party *per se*, apart from a grave cause, for example, the danger of incontinence, ought to abstain from requesting intercourse. For the will for sterility of this kind, for example, for tying the oviducts, could not have been honorable except with the intention of abstaining from intercourse in the meantime. Therefore, if it was evil, it must be recalled to honesty through the intention of an abstinence not excessively difficult. Or, if this other form of reasoning is more pleasing, the positive duty of taking care by ordinary means that generation not be impeded by one using marriage contains that obligation. Nor can malice make for him who intended formally to procure sterile intercourses for himself a better con- dition than is that of one who, with the will of abstaining from intercourse, placed a temporary impediment to generation. But if only one was or remains guilty, the innocent spouse who did not participate in the offense is not deprived of his right of requesting the conjugal debt.

What if a pact not to request has been made?

232. - One who, by a promise made to the other, renounced his right of requesting cannot exact the debt; he is not prohibited from asking amicably, since the other can remit the pact. This promise can be contained in a unilateral pact (by which someone wished to bind himself in justice) or in a bilateral pact. Each is valid of itself. Each can be removed by common consent. Indeed, where the other seems to be situated in an excessive danger of incontinence, charity of itself will oblige one to meet the need of the spouse by admitting some intercourses or by renouncing the pact itself. Cf. Sanchez, *De matrimonio*, book 9, disputation 37, nos. 18-23.

What if a vow of chastity has been emitted separately or simultaneously?

233. - What if one requesting or rendering is bound by a vow of chastity? Various cases must be considered here.

1. A vow *per se* changes no rights. Wherefore, one who, bound by a vow, has unlawfully requested the debt nevertheless exacts his own right. The other ought therefore prudently to turn him away from this intention out of charity; or, if he himself is free from a vow, by requesting the debt he can very well render the act of the other lawful. Yet if the one requesting perseveres in his intention, the other is permitted to render the debt. He ought neither to render judgment nor to respond concerning the subjective guilt which the one requesting contracts before God. Cf. St. Alphonsus, book 6, no. 944; Lehmkuhl, II, 1089.

And the same is to be said if each, with the assent of the other party, has separately been bound by such a vow. By a vow of this kind no right is removed. Cf. St. Alphonsus, book 6, nos. 994 and 948.

2. But a request is of itself impeded by a vow which was made before marriage, or which is emitted within marriage with the assent of the other spouse.

A vow made during marriage without the assent of the other, whether of not requesting or of not rendering, is null; a vow simply of not requesting is valid in the wife alone, because the husband by a similar vow would render the use of marriage excessively impeded for his wife: for wives are accustomed, because of timidity and modesty, to shrink from requesting the debt. Furthermore, a probable opin- ion adds to the husband the faculty of directly invalidating the vow of his wife.

3. But a simultaneous vow of chastity emitted by both with mutual consent contains of itself a pact by which each renounces his right of requesting (at least as regards its exercise or use). Wherefore, *per se*, neither can then either request or render the debt, since the one requesting now requests without a right. By the vow itself, however, the spouses are prohibited from rescinding the pact by mutual consent. Yet the husband, using his probable power of invalidating, is not prohibited from removing the vow of his wife. She can then remit the pact and indirectly invalidate the vow of her husband, since, unless the husband can request the debt, she is not judged to have the unimpeded use of marriage. Cf. Sanchez, *De matrimonio*, book 9, disputation 37, nos. 9, 10, 15-17, 24; Ballerini-Palmieri, *Opus theologicum*, vol. 2, nos. 689-693; vol. 6, no. 404.

What if the husband vows that he will not use his power of invalidating?

What if a husband vows that he will not use the faculty of invalidating a vow of chastity made by the wife alone, or in common by himself and his wife?

By a vow of this kind he cannot take away from himself the power of invalidating. Hence, even if such a vow is violated, the invalidation will be valid. But if there is a just reason for freeing the wife from her vow, we do not think the use of the power is then prohibited by the vow itself, because a vow in which this case would be included would not have concerned a better good. Nevertheless, it will be

more suitable for the husband, before he invalidates the vow of his wife, first himself to be dispensed from his vow not to invalidate.

The sin of spouses who neglect a vow.

But since they cannot cast off the conjugal state by their vow, spouses who, having neglected the vow, have unlawfully requested or rendered intercourse sin against religion, but not against chastity.

What vows are to be approved?

And it is manifest of itself that spouses ought not to make vows unless seriously and prudently: seriously, lest God seem to be mocked; prudently or circumspectly, lest of themselves they give place to a reasonable penance. Spouses are, however, to be turned away from an unreasonable penance, or from inconstancy of soul in a good resolution.

What concerning an incestuous person?

234. - By the former law, chapter *Si quis*, 1, *De eo qui cognovit consanguineam uxoris suae vel sponsae suae* (IV, 13), incest consummated by either spouse with a blood relative of the other in the first or second degree deprived the guilty spouse, at least if he was not ignorant of the penalty, of the right and faculty of requesting the perfect debt. The law established nothing concerning imperfect acts.

But that penalty was removed by the new Code and therefore must no longer be attended to.

What concerning one who doubts the validity of his marriage?

235. - A graver question must be raised concerning those who have a doubt not to be disregarded about the validity of their marriage: what use of marriage can they make, and what must they avoid?

Here we examine only a doubt concerning the validity of the marriage contract. For in our treatise, which is not about marriage but about chastity, the question does not come up for consideration as to how far it is permitted to enter the matrimonial covenant with a doubtful impediment.

The difficulty and obscurity of the question, as must also be observed in the argument of probabilism in general, proceeds from this: while three states of mind - affirming, denying, and doubting - are clearly distinguished, there can be only two resolutions of the will: I shall act or I shall not act, so that no mean can be placed between action and omission. Wherefore, the practical conclusion cannot be perfectly adapted to the cognition of the intellect, but at first appearance will seem either more severe or more benign: more severe, if, in the case, you say to Titius, "You are forbidden to dismiss Caia, who perhaps is your wife, yet you cannot have carnal intercourse with her"; more benign, if you answer the same man, "You can freely use a woman who perhaps is not yours, who perhaps belongs to another."

But if the other spouse requests the conjugal debt, especially if he is in good faith and does not doubt, a perplexing case arises: for by denying the debt, the danger of injustice is incurred; by conceding the debt, the danger of fornication or adultery (and therefore also of injustice) is incurred.

A prudent use of a reflex principle is therefore to be applied here. Now, in order that we may distinguish the cases:

Before a diligent examination of the case.

1. Before a serious investigation of the matter, or unless he can render the marriage certain by a dispensation (which he must then do), the one doubting, on his own part, must abstain from every active use of marriage, perfect or imperfect; for with a conscience which would be vitiated by a vincible doubt, he would expose himself to fornication or adultery.

In the meantime, however, he can and must render the debt to the other party who is in good faith. "When conscience strikes the soul from a probable and discreet belief, although not an evident and manifest one, he can indeed render the debt, but he ought not to request it, lest in either matter he commit an offense either against the law of marriage or against the judgment of conscience." Thus Innocent III himself authentically resolved the case in chapter *Inquisitioni*, 44, *De sent. excomm.* (V, 39).

Nor is he bound to disturb the good faith of the other party by an admonition which would often be full of inconveniences.

As the rationale for the reply, Sanchez alleges a perplexing case in which the lesser evil, that is, the danger of fornication, is to be chosen before the greater evil, or the danger of injustice [10]. This rationale seems to have less force when the cause of the doubt is a preceding marriage perhaps not dissolved by death. For then the danger of injustice toward the prior spouse is added to the danger of fornicatory intercourse [11]. But possession in good faith gives to the spouse requesting a certain right which, according to the opinion of Sanchez, prevails over the right of the prior spouse, which he calls uncertain because it belongs to an uncertain subject, that is, one perhaps not living (*De matrimonio*, book 2, disputation 42, no. 6). Wherefore, concerning one who contracted a second marriage before the death of the prior spouse was established for him, the Pontiff decreed: "If anyone... still thinks that the death of the prior spouse is to be doubted by him, let him not deny the debt to the one who married him when she requests it, yet let him know that it is by no means to be exacted by himself" [chapter *Dominus*, 2, *De secundis nuptiis* (IV, 21)].

[10] *De matrimonio*, book 2, disputation 41, no. 45.

[11] St. Alphonsus, book 6, no. 903.

Exception.

But if, as Sanchez rightly excepts, the spouse who does not doubt has been deprived of the right of requesting, for example, because of adultery, the doubting spouse cannot assent when that spouse requests.

For then the danger of injustice disappears; only the danger of fornication remains, and this can and must be avoided by denying intercourse.

What if both doubt?

It is evident that, if the doubt is common to both, every use of marriage must be suspended before an investigation or an obtained dispensation.

After an inquiry, if the marriage was contracted in invincible good faith.

2. After the inquiry has been made, if the doubt has become invincible - and the matter stands in the same way if from the beginning it is demonstrated that an inquiry will be fruitless or useless [12] - the opin- ion which St. Alphonsus [13] judges by far the more common and more probable permits every use of marriage, even active and spontaneous use, to those who married in good faith; and this on account of the right of possession, which, according to the opinion that St. Alphonsus [14] holds sufficiently probable and defends with arguments, is admitted to remain even if, apart from possession, another probable rationale for the validity of the marriage is lacking, provided it is not morally established that the marriage is null. Therefore, the force of a positive argument for nullity will have to be weighed.

[12] Sanchez, *De matrimonio*, book 2, disputation 41, no. 47.

[13] Book 6, no. 904. But, from the sixth edition, he seems to hold otherwise concerning one who doubts, even on account of probable reasons, the death of the prior spouse, because the prior marriage then possesses.

[14] Ibid., no. 905.

If nuptials were contracted with a doubt, but the doubt does not concern a prior marriage?

3. If a marriage was contracted with a doubt concerning an impediment, or in bad faith, so long as it is not a question of the impediment of a bond, after a fruitless investigation a probable opinion permits the use of marriage to persons married in this way. Although they cannot allege good possession, they are nevertheless protected by the principle: "In doubt, one must stand for the validity of the act"; this has greater force concerning a favorable cause such as marriage. This seems sufficiently proved even to St. Alphonsus, book 6, no. 906.

This opinion becomes common when a probable rationale for the validity of the marriage can be adduced. Thus Sanchez and others cited by St. Alphonsus, loc. cit. For it is manifest that the possession itself, formally begun badly, confers no advantage.

What if the doubt concerns a prior marriage?

4. But if it is a question of a doubtful impediment of a bond, many [15] deny active use to either one who doubts, or every use of marriage to both when both doubt.

[15] For example, Lehmkuhl, *Theologia moralis*, II, 1076, 1077; De Smet, *De sponsalibus*, etc., no. 238.

Yet not a few concede use in an invincible doubt if a probable rationale for validity can be alleged. "Because," says Sanchez [16] - who, according to Lugo [17], treated this whole matter excellently - "in morals it is enough to embrace a probable opinion." For even if - thus we think the argument should be perfected somewhat - the probability of the death of the prior spouse is only a probability of fact, from it comes about that the spouses have a probable right, and weighty authors permit that probable right to be satisfied. For we are dealing with a matter of justice. It is a question of a thing which cannot be divided among several, so that the solution by division must also be excluded.

[16] *De matrimonio*, book 2, disputation 42, no. 9.

[17] *De iustitia*, disputation 17, no. 87.

Come now, in a matter of justice, a probable right, although it does not excuse occult compensation, or does not permit a thing to be taken from another who possesses it, nevertheless permits one who holds the thing to enjoy it, provided he is prepared to return it, in the state in which it is found, to him who proves a certain right [18].

[18] Lugo, *De iustitia*, disputation 17, no. 91.

It therefore seems consonant with reason that we concede the same in this matter. Certainly, the danger of intercourse with one who is not one's own is not excluded; but even if they contracted in good faith, that danger fully subsists. Therefore, by what certain argument will you bring it about that spouses ought to neglect their probably acquired right because of the uncertain right of another? Why would you afflict the other party, who for the most part exists free from every other bond, with that severe penalty by which, since he is permitted neither to leave the spouse nor to enjoy that spouse, he is compelled to observe perfect continence? Does not the very rationale of the common good demand that continence not be imposed upon the unwilling beyond what is strictly required? Wherefore, that indulgence by which, after a sinful celebration, the use of marriage is permitted to those who have a probable right and are situated in invincible doubt is not a mere favor granted to one who sins, but is that rationale of composing rights which does not omit to provide for the common utility. Sanchez [19], Bonacina [20], Sporer [21], Roncaglia [22], and the Salmanticenses [23] did not see an argument by which these spouses ought to abstain from the use of marriage; St. Alphonsus did not see one in the first five editions of his moral theology, nor in his work *Homo apostolicus* [24]; Ballerini did not see one [25]. R. P. Noldin [26] likewise, with another distinc- tion omitted, judges that the use of marriage is lawful for those who are situated in invincible doubt.

[19] *De matrimonio*, book 2, disputation 42, no. 9.

[20] *De matrimonio*, question 4, point 4, no. 10.

[21] Treatise 1, chapter 1, no. 77.

[22] Treatise 21, last question, sole chapter, question 6, response 2.

[23] *De matrimonio*, treatise 9, chapter 15, no. 48.

[24] Cf. the note of Gaude's edition at no. 906.

[25] *Opus theologicum morale*, vol. 6, treatise 10, no. 424.

[26] *De sexto praecepto et usu matrimonii*, no. 98.

Observe finally, if only one contracted with doubtful faith, how little severity benefits the prior spouse (if he exists). For then all permit the debt to be rendered to the other when requesting. But once the unilateral active use of marriage has been conceded, how will it benefit the prior spouse if the other is prohibited from requesting the debt?

And this restriction of rights will often be inconvenient and unwelcome to the other spouse; indeed, if a wife in good faith is protected by the privilege, it does not suffice that she be able to make a request from which she is of herself impeded by modesty.

What while a suit is pending?

236. - When a suit concerning the validity of the marriage has been moved, from the words of chapter *Laudabilem*, 2, *Ut lite pendente nihil innovetur* (II, 16): "That either one of the spouses who has been accused cannot, before the accusation is proved, be deprived of the right which he has in the other," Sanchez [27] gathers that "the same right to request or to render which the spouses had before the suit was moved" remains. Indeed, that right perseveres until a twofold sentence for nullity has been rendered.

[27] *De matrimonio*, book 2, disputation 41, no. 50.

What if two uncertain marriages concur?

237. - This question is proposed chiefly when it is uncertain whether or not a prior marriage, certainly valid, was dissolved by the death of either spouse. Wherefore, the conclusions drawn will have greater force if that union was of uncertain validity. But it also happens that, after a marriage of uncertain validity but both of whose parties certainly live, another is contracted in good or bad faith, whose validity depends entirely upon the nullity of the prior marriage. The same principles must be used to resolve this knot. But whereas, in the case which we were considering above, the right of the prior spouse was certain, while possession, because of his uncertain life, was uncertain, in the present case the possession of the prior spouse is certain, but the right is uncertain.

But for both fora, "in an equal cause, the condition of the possessor is stronger [28]." Wherefore, the prior marriage is *per se* to be preferred. Nor could the privilege of that marriage be diminished by the departure of a spouse. Hence, *per se*, always supposing an inextricable doubt, the one departing ought to restore the prior marriage if he can do so; or observe its rights if he is prohibited physically or morally from returning. For in this cause of marriage, the fault or consent of one party of itself can do nothing to change the rights, since these are inalienable. Therefore, he will not be able to use the second marriage after departing. Nevertheless:

[28] Rule 65, *De regulis Iuris*, in the *Liber Sextus*.

1. If the person whom he married second was ignorant of the matter and contracted in good faith, possession favors this person and, because it is more closely joined to the present fact, seems to be preferred to the other possession, that of the prior marriage.

Wherefore, the bigamist, who cannot request the debt, can and must render the debt to this person.

2. If the second marriage is valid by a far greater probability, it can be preferred, since approved authors admit that the cause is then no longer equal. And thus a marriage which a converted unbeliever contracts after baptism will be preferred to nuptials which he had probably contracted in unbelief; a marriage contracted in legitimate form before a sacred minister will not rarely be preferred to a doubtful clandestine marriage.

Moreover, that one who contracted doubtfully in unbelief can contract new nuptials with a Christian party after baptism is permitted by a positive disposition of the Holy See [29].

[29] Cf. canon 1127: "In a doubtful matter, the privilege of the faith enjoys the favor of law."

II. Circumstance: Why

What effect does the extrinsic end of not having offspring produce?

238. - In this place, the intention by which spouses have endeavored to avoid the generation of offspring must chiefly be considered. They can comply with this intention both by abstaining and by acting: by abstaining, through omitting intercourse on days on which there is greater hope of fertilization, or through declining a better manner of intercourse; by acting, if through an action done for that purpose they place a positive impediment to fertilization, for example, through exercise which gives hope of sterility.

Come now, spouses are altogether prohibited from acting anything, with an intention contrary to the end of nature, by which conception is impeded or rendered less probable; and this under guilt of grave sin, at least if they have judged that they would effect a serious or notable difficulty. But when that use of marriage is made which, considered in itself, is either honorable or only lightly sinful, that act cannot be substantially vitiated if one abstains from a better use lest offspring be generated. For since there exists of itself no positive obligation to generate offspring or to cooperate positively in its generation, this intention, indifferent in itself and capable of becoming positively honorable for just causes, will indeed be blameworthy if, with the circumstances considered, it is infected by self-love; but this vice does not exceed venial guilt. Cf. Noldin, *De sexto*, no. 68; De Smet, *De sponsalibus*, etc., no. 209; Aertnys, *Theologia moralis*, vol. 2; Alberti, *De sexto et nono*, nos. 125, 130.

III. Circumstance: When

At what time intercourse is permitted or not. — What if the wife is pregnant;

239. - 1. While the wife is pregnant, intercourse with her is by no means prohibited. Nor does the slight utility which abstinence can have for avoiding abortion of itself impede intercourse, or at least gravely prohibit it. For even if she knows that she is disposed to easy abortions, the wife is not bound under grave obligation to flee even slight causes of abortion. But if some circumstance, suppose the weight of the man, induces a special danger, it must be avoided with moderate diligence by choosing a prudent manner of intercourse.

or gives milk;

2. She who gives the breasts (or nurses an infant) is by no means prohibited from intercourse of itself.

For the very detriment which at least the quantity of milk would receive from it is disputed. Nor, especially after some months, are means lacking to supply what may have been lacking in milk. Cf. Alberti, no. 24.

or suffers the menstrual flow?

3. While the wife experiences the menstrual flow, the Mosaic law severely prohibited the use of marriage. But since that law has been suppressed, intercourse is now forbidden by no positive

law.

Nor is harm to the wife, at least grave harm, to be feared. There remains a certain natural horror or aversion which, if it is contemned, betrays a man of insolent and insufficiently ordered concupiscence. Wherefore, mutual esteem and love by no means profit from this kind of intercourse. Yet it can happen that, to obtain the fertilization of a sterile wife, the time of menstruation may be indicated by a physician as more suitable; in which case, as is evident, use will now contain nothing unbecoming. Cf. Capellmann-Bergmans, *Medicina pastoralis*, 206.

What if there is an extraordinary flow?

Concerning a special and more prolonged flow, nothing peculiar occurs that must be said. It is a disease concerning which the counsel of a physician must be sought; and then, according to the general principles concerning the use of marriage which is permitted or prohibited to the sick, judgment will be rendered concerning intercourse then to be exercised.

Intercourse after childbirth;

4. Sufficiently near after childbirth, a sensible and somewhat humane man will request no intercourse from a wife who is fatigued and whose soul is then accustomed to shrink from carnal intercourse, unless she herself suffers from puerperal nymphomania. But this is not to be complied with. The husband will abstain from the use of marriage until the organs have been fully calmed and the uterus has been perfectly restored, that is, for about six weeks.

Provident care of this kind conduces to the very happiness of the marriage.

But in the first days after childbirth, intercourse is dangerous to the wife. Wherefore, a request made then would have to be judged deadly and cruel. And abstinence for one, indeed for two weeks, will have to be commanded more strictly.

when either spouse is sick;

5. When either spouse is sick, intercourse must be evaluated from the harm which it seems likely to bring either to the spouses or to offspring already conceived. The one requesting will be more guilty, while the one rendering is more easily excused. Cf. what we said above, nos. 224, 225, concerning harm to be avoided.

after a meal;

6. After a meal, after a bath, nothing, at least nothing serious, seems of itself to stand in the way of intercourse. In doubt, let a physician be consulted.

before Holy Communion;

7. On the night before Holy Communion, spouses are prohibited by no positive law from using marriage. Nevertheless, the Apostle himself seems to exhort them sometimes to abstain by mutual consent, for example, on more solemn days of Holy Communion, out of reverence

toward the Most Holy Eucharist, in these words: "Defraud not one another, except perhaps by consent, for a time, that you may give yourselves to prayer [1]," that is, at that time which you destine in a special manner to piety.

[1] 1 Corinthians 7:5.

These things, therefore, are to be guarded against: that a spouse not be withdrawn from a more frequent use of the Holy Eucharist because of the conjugal debt; that the other spouse not be rendered less content because of the piety of the other; yet that the propriety by which perfect purity of body and mind pertains to the worship and reverence of the angelic banquet also be observed, so that the pursuit and love of purity may be exercised and promoted by the honor rendered to the Most Holy Eucharist.

At the beginning of marriage.

And indeed those spouses are to be praised who, imitating Tobias, wished voluntarily to dedicate the first fruits of their marriage to God by a three-day abstinence [2]. This will also profit the health of the body, which is already sufficiently fatigued by the affectionate commotions of those days and the beginning of a new life; and, through increased mutual esteem, this temperance can contribute not a little to the happiness of the marriage.

[2] Tobias 8:4.

IV. Concerning the Circumstance: In what Manner

What is the natural manner?

240. - 1. The natural manner, which is to be observed *per se*, is that the man, lying above, know the wife lying beneath and turned toward him.

[1] *On the title above.* Cf. also no. 166.

What if it is changed?

But there can be a just cause for changing this position. Changed without a cause, because of a less ordered rationale of appetite, the manner contains venial guilt.

Nor will the change be mortal, as long as the manner permits sufficient seminal emission within the vessel, so that the intercourse *of itself* (that is, considered precisely in itself, with other circumstances which can exclude that hope omitted) affords a truly probable hope of fertilization. It matters sufficiently little that part of the semen be lost whenever the intercourse seriously cooperates *per se* with the primary end of nature [2].

[2] Alberti, no. 123, following Berardi, warns that penitents speak ambiguously when they declare that "they had intercourse from behind." For by these words both unnatural intercourse and lawful intercourse performed in the manner of beasts can be signified. By asking whether or not the act was nevertheless sufficiently perfect, the ambiguity will be dispelled.

But if, the natural position having been changed, it is established that all the semen is lost, for example, because of the laxity of the vessel, authors agree that such a position cannot be chosen

without mortal sin. For then this manner becomes of itself improper for generation and is not natural. Cf. Sanchez, *De matrimonio*, book 9, disputation 16, no. 5; St. Alphonsus, book 6, no. 917; Aertnys, II, 492.

What if it is done with affection toward another person, or by a phantastical representation of that person?

2. A spouse who, while exercising the conjugal work, delights in a fictitious intercourse with another person, sins gravely with an adulterous affection.

Nevertheless, a husband is not guilty of this sin if, in order that he may obtain the desired heat more easily, he imaginatively adorns his own wife, as it were, with the beauty of another person (living or depicted), and thus increases his affection toward his own spouse. But if it is a question of the appearance of another living person, let him take care lest he be held or captivated by desire for her.

What union of the heat of each is required.

3. It is consonant with nature and to be commended for the sake of health itself that both spouses experience the heat of pleasure at the same time. And wives who deliberately restrain their commotion are to be reproved, especially if by this means they wished to manifest a less benevolent disposition toward the husband. Yet this frigidity, since it does not impede generation, cannot of itself be accused of grave sin. Men likewise are to be reproved who, solicitous only concerning their own satisfaction, take no care for the wife's participation in pleasure.

Nevertheless, it seems to suffice for the law of union that the heat of each be morally joined. Wherefore, whether when intercourse is imminent or immediately after intercourse, if the wife is brought by her own touch or the touch of her husband to enjoy perfect pleasure, this is not grave, and, if some cause is added, it will be free from every fault. For through a moral union the heat preserves the utility which it ought to have, from God's providence, for human generation itself. There will be a just cause if, because of lesser heat, the wife could not be moved in the intercourse itself, or if the man himself is scarcely aroused otherwise than by seeing the arousal of the wife and can thereby complete intercourse.

But take care that you do not permit the same thing to the man after the wife has withdrawn herself. For on the part of the man nothing but a useless pollution would take place. Cf. Noldin, *De sexto*, etc., no. 70, c.

Seminal emission at the opening of the vagina.

4. It is by no means lawful for one who is impeded neither by the avoidance of the contagion of disease nor by physical impotence from penetrating the vagina to place semen only at the opening of the vagina. And this would be grave. For this manner renders fertilization not probable but merely possible.

The unanimous opinion of Catholics.

Wherefore, there is no approved author who permits this manner with the intention that offspring be avoided or that, with the hope of fertilization diminished, dangerous or fatal childbirth for the wife be forestalled. Let Bal- lerini be heard: "It must not be judged lawful for spouses to use matrimonial rights in a most imperfect manner for this reason, whenever they are able to come together in a more suitable manner. For although in general they are not bound to employ the greatest diligence so that the effect intended by nature may follow more certainly, they are nevertheless obliged, insofar as it is within their power, to avoid that manner of the work by virtue of which generation could not only be impeded but even could not be obtained except with the greatest difficulty [3]." Let Noldin be heard: "If a more perfect manner is possible, it is not lawful to exercise the conjugal act in this imperfect manner, because this would be the same as morally impeding generation [4]." Wherefore, it is also manifest that the words of Lehmkuhl [5], by which he tolerates this intercourse "in the case of a certainly validly contracted marriage, when it is impossible, or gravely harmful to the woman, to come together more perfectly," are to be understood of harm which would arise from the intercourse itself, as such, and not from the consequent conception or childbirth, lest, contrary to the most manifest mind of the celebrated theologian, he seem to connive at neo-Malthusianism.

[3] *Opus theologicum morale*, vol. 6, treatise 10, no. 874.

[4] Noldin, *De sexto*, etc., no. 68.

[5] *Theologia moralis*, II, 1065.

What if it cannot be done otherwise?

For what if, through an impediment of a physical kind, for example, the excessive heat of the man, who immediately experiences pollution, or a nervous incapacity for erection, or vaginismus which does not tolerate contact, or the avoidance of contagion (if this case is granted), the spouses are prohibited from using marriage otherwise?

The opinion of the author and of others.

That we may speak first from our own persuasion, the placing of semen at the opening of the vagina does not seem to us to have the character of true intercourse: rather than intercourse, we would say that two simultaneous pollutions are exercised by the spouses. We do not deny that the end of nature can be obtained even in this way; but this does not suffice for acting honorably if you rupture the order of nature through the separate complete use of the genitals.

Yet not a few approved authors judge that this manner is lawful for spouses to whom another is inaccessible: thus Ballerini-Palmieri [6]; Cardinal d'Annibale [7]; Lehmkuhl [8]; Cardinal Gasparri, in the first edition [9]; Noldin [10]; Alberti [11]. Some of these, excessively solicitous concerning the end of nature alone, formerly thought that even artificial fertilization, condemned by the Holy Of- fice, was permitted from necessity. We therefore fear lest they be deceived by an error of the same kind. Nevertheless, because, while the semen is placed at the vessel, both spouses operate together in the emission and reception of the semen, and this sufficiently immediately, the matter is not openly unlawful, and the probability of the opinion of weighty authors can be conceded until the Holy See decrees otherwise.

[6] Loc. cit., no. 873.

[7] *Summula*, vol. 3, no. 431, note 10.

[8] Loc. cit.

[9] *De matrimonio*, no. 1061. But in the third edition, nos. 575, 576, he adheres to the different opinion, with reasons added, although he says that the Holy Office is to be consulted.

[10] Loc. cit.

[11] *De sexto*, etc., no. 122.

But even according to this opinion, since such a manner is not indulged to spouses except because they are unable to use a better one, they must then, by ordinary means, assist the introduction of semen into the vagina, so that they may truly come together in the best manner they can, and may endeavor to render fertilization probable rather than merely possible.

From the same opinion this follows, that "the case in which, by reason of impotence, intercourse ought to be forbidden to spouses as unlawful will be very rare" (Ballerini-Palmieri, vol. 6, treatise 10, no. 873).

The same writers will permit this use of marriage to those who are otherwise unable, not only for having offspring but also for the other ends of marriage. Wherefore, an old man who, having become incapable of penetration, uses his marriage by this means is not to be strictly reproved. Cf. Ballerini, vol. 6, treatise 10, nos. 873, 874.

N.B. Several things must be accurately distinguished here.

What concerning a slight penetration of the vagina;

1. It is one thing to deposit semen at the opening; another, to penetrate the vagina a little. One who, being capable of another manner, chooses the former manner will sin gravely; but one who chooses the latter will be guilty of venial fault. (Aertnys, II, 497, 1; Alberti, *De sexto*, etc., no. 122.)

concerning an old man, or a husband attempting a more perfect intercourse?

2. Even in our opinion, it will be lawful to attempt intercourse for old men who preserve hope of some penetration; it will likewise be lawful for a husband whose wife perhaps will be able to admit penetration, although she suffers from vaginismus, and this even if emission very often occurs outside the vessel. Cf. what was said in nos. 229, 230, and Aertnys, II, 497; Ballerini, vol. 6, treatise 10, nos. 873, 874.

Comparison of impotence, the lawful use of marriage, and consummation.

3. Cardinal Gasparri, loc. cit., resolves the questions concerning impotence, the lawful use of marriage, and the consummation of marriage by one and the same rationale. Although we think this opinion reasonable, we distinguish these matters rather with others. For the respects seem to us to be diverse, and we think the conclusions must be drawn from somewhat

diverse rationales. The immediate object of the contract is one thing: from this potency or capacity for marriage must be evaluated. But after marriage has been validly contracted, the very difficulty of continence between the spouses counsels that we easily concede to them the use of marriage which alone remains possible; finally, we shall call a marriage consummated where the rationale of the greater firmness of a consummated marriage is found. Wherefore, we hold certainly impotent one who cannot do anything except deposit semen at the opening of the vagina (cf. no. 72), since such a use of marriage is too distant from the intercourse intended; but with less certainty do we prohibit that use to spouses in the necessity explained above, because it seems to preserve something of intercourse; we judge marriage to be consummated by every introduction of semen, lest, in some case, we be compelled to admit the conception of offspring without the consummation of marriage, since offspring is the greatest argument why marriage, even in the natural order, cannot be dissolved. Cf. nos. 80, 87.

V. Concerning the Circumstance: By what Aids

When artificial fertilization can be honorable.

241. - 1. Artificial fertilization (cf. no. 88) is unlawful, according to the very declaration of the Holy Office [1], whenever the semen to be infused is to be obtained by a prior pollution.

[1] On 24 March 1897, to the doubt "Whether the artificial fertilization of a woman can be employed," the Sacred Roman and Universal Inquisition replied, "It is not lawful."

2. But if, for begetting offspring, it seems conducive that semen, after it has been received within the vagina in the natural manner (therefore not in a condom), be subsequently withdrawn so that it may be projected higher into the vagina, the matter seems to incur reproach neither from the end, which is excellent, nor from the manner, inasmuch as it contains no venereal abuse. Cf. Génicot, II, 547, VI; Eschbach, *Disputationes physiologico-theologicae*, etc., p. 70 ff.; Bucceroni, vol. 4, no. 1052, pp. 142-143.

3. Furthermore, if by some method of puncture semen (that is, spermatozoa) is taken from the epididymis of the husband so that it may be infused into the vessel of the wife, this method of artificial fertilization does not seem to be condemnable, since without any venereal abuse, that is, without any sexual commotion, it procures the end of marriage.

But it is not lawful to receive semen in this manner from another man, even with the assent of the husband, and it would be contrary to the laws of marriage: for the wife can conceive from her husband alone, so that the care of each parent may of itself fall to the child.

Arousal procured through obscene images.

4. Finally, if a man had need of obscene images to arouse himself, the sight of them before intercourse, with evil desire excluded, will be rendered honorable through that utility and end. Cf. no. 240, 2.

VI. Concerning the Circumstance: Where

In what place.

242. - The very natural sense of shame teaches man that a secret place is to be chosen for the conjugal work.

What if the spouses are discovered?

Wherefore, if perhaps they are discovered in the act of marriage, the spouses can interrupt intercourse, even with the certain foresight of pollution (without consent to the pollution).

In this matter parents must take care lest children, even those scarcely emerged from infancy, be able to observe the carnal intercourse of their parents.

What in a sacred place?

From the reverence owed to a sacred place, it is evident that one must abstain from the conjugal act in a sacred edifice. This formerly, by positive law, was prohibited as a grave local sacrilege, so that a voluntary and at the same time notorious emission of human semen profaned a church. This cause of profanation is now passed over in silence in the new Code. Cf. canon 1172.

Even formerly they excepted a case of necessity, as if, being detained in a church, with another choice of place excluded, they were situated in danger of incontinence, or foresaw that they would remain there for a long time (for several weeks or for a month).

Article II. What Use of Marriage is to be Desired

The use to be desired, with attention to frequency.

243. - As we have already warned above, nos. 109, 3, 208, and 240, it is to be desired that the use of marriage take place when the spouses have consented to it with a willing disposition. For through intercourse of this kind, greater satisfaction of soul and a happier conjugal life are obtained for each than through more frequent intercourse in which one is almost unwilling.

With attention to occasions.

The use of marriage is also to be desired when one can impede the sin of the other by requesting or rendering the debt.

Opportune counsels.

Moreover, a moderate and gentle use of marriage is usually to be counseled to the man, but a will prompt to assent to the wife; although matters sometimes stand differently, so that the man, detained by a certain fear, exercises intercourse less willingly than the wife. Cf. what was said in no. 208.

Article III. What Use of Marriage is Owed

The obligation of rendering.

244. - 1. By the mutual handing over which is contained in marriage, "the woman does not have power over her own body, but the man. And similarly, the man does not have power over his own body, but the woman [1]." The tenets of Kant [2], according to which, in marriage, one person is said to be acquired by the other partly as a thing, are entirely congruent also with these sayings of the Apostle.

[1] 1 Corinthians 7:4.

[2] *Rechtslehre*, book 1, chapter 2, section 3, § 25.

Wherefore, out of justice, one must comply with the express or even tacit request of the other by rendering the conjugal act. This obligation is grave in kind.

And you will observe that the express request of the wife is easily impeded by modesty.

The obligation of requesting.

2. But the obligation of requesting is only one of charity and piety. It arises when this is necessary to avert the imminent danger of incontinence of the other spouse, or to strengthen peace and mutual friendship; when the fatherland demands an heir to the kingdom, or the peace and tranquility of the family demand a son who may succeed the parents.

N.B. Because charity is owed to every neighbor, but piety to a spouse, the fatherland, and the family, the debt is jointly urged under each title. Often, however, because the respect of charity is accustomed more formally to govern relations between spouses, but that of piety relations toward the fatherland and family, what is demanded for the good of the spouse is said to be exacted by charity, but what is demanded for the common good of the fatherland or family by piety.

The right to intercourse of itself fecund. Hence unjust arts.

245. - 1. It is also the right of each spouse to obtain from the other party that intercourse which affords the hope of offspring that the circumstances of the person can of themselves afford. Wherefore, against the will of the other party, a wife who, without another and proportionate cause but for obtaining sterility, procures for herself the excision of an ovary or interruption of the oviduct violates not only the fifth and sixth precept as regards herself, but is also most gravely or gravely injurious to the other spouse.

In the same manner, a wife violates the right of her spouse if she places a pessary at the opening of the uterus, or, after intercourse, against the will of her husband, endeavors to expel the semen.

When is excision of an ovary lawful?

You will therefore rightly observe that no danger of a future fatal childbirth, but only a present disease (*infection*) or necessity, furnishes a just cause for removing an ovary; and that physicians who, when some occasion is given, remove the ovaries of a wife who has labored excessively in childbirth so that she may thereafter be able to exercise the conjugal work with impunity are guilty of grave sin.

The unjust arts of the man.

2. In a not dissimilar manner, a man will sin or be unjust if, against the will of his wife, he admits vasectomy for the purpose that he be unable to generate, or so weakens his body that he renders himself almost unequal to the conjugal act, or practices neo-Malthusian arts.

The sin of denying the debt.

246. - With the circumstances prudently weighed, it will be a light sin to deny the debt to one requesting if, with the frequency of use considered, the matter appears slight, or the other is not gravely unwilling: for example, if he is led by entreaties to change his intention, provided that the proximate danger of incontinence or of another grave inconvenience is truly absent.

But it happens that, because of a psychological state and neuropathy, one spouse is invaded by a fear of, for example, childbirth or offspring that can scarcely be overcome, and therefore abhors the conjugal act. Cf. no. 243. This person is to be exhorted and turned away from this fear by an efficacious argument, rather than that you cast scruples upon him with modest hope of success and not without disturbance of soul. For the healthy spouse, although the matter is unwelcome to him, is nevertheless easily judged to remit enough of his right for the other to be excused from grave sin. For by urging his right, he exposes himself and his own to a graver evil than the inconvenience of abstinence. Here, therefore, there is place for prudence and discretion.

What if intercourse is deferred to days on which there is less hope of offspring?

247. - The use of marriage is commanded by no positive law. Wherefore, by mutual consent, spouses can exercise the conjugal act either not at all or only on those days on which there is less hope of offspring [3]. This is lawful for them, with attention to the object of the counsel or resolution, and also with attention to the end, if it is reasonable. Theologians acknowledge that the intention of not further increasing offspring already sufficiently numerous can be such an end.

[3] Cf. no. 10.

Although this rationale seems today scarcely to be mentioned by a priest.

What if an insane or drunken person requests?

248. - The debt ought to be rendered neither to an insane person, outside lucid intervals, nor to a drunken person, since their request is not a human act. Yet it can be rendered, unless the danger of killing a fetus already conceived seems to stand in the way.

What if one has committed adultery?

249. - The debt can be denied to the party who has committed adultery (by adulterous, sodomitical, or bestial intercourse): for faith is broken with impunity toward one who breaks faith. Except if the other also sinned similarly, or was an accomplice in the sin, or knowingly and willingly forgave the sin.

This received doctrine of theologians is also confirmed by canon 1129 of the Code.

Modern doctors are not accustomed to explain further that compensation by which the right lost by the sinning party is restored through the sin of the other party. But theologians of the former age strictly urged this compensation, even if the offenses were equal neither in number nor in weight, as if one committed adultery voluntarily and spontaneously, but the other because he had been unjustly abandoned by the spouse; or if one committed adultery only once, but the other several times. Thus Sanchez, alleging others [4]. We confess that the opinion of those who required for this compensation offenses equal in quantity and quality is more approved by us, as more consonant with equity [5]. Yet we concede that a lesser injury is inflicted upon marriage through acts against nature than through perfect adultery, so that an adulterer cannot *per se* deny compensation to one who has sinned by sodomy [6].

[4] *De matrimonio*, book 10, disputation 6, nos. 4-8.

[5] Ibid., no. 4.

[6] Cf. Sanchez, op. cit., book 10, disputation 6, no. 5.

But adultery committed by the innocent party after separation does not now compensate for adulteries previously committed. Wherefore, "the innocent spouse is never held by any obligation to admit the adulterous spouse again to the consortium of life [7]."

[7] Canon 1130. Cf. Sanchez, book 10, disputation 9, no. 30, who adduces this rationale: that the adulterer, through the sentence of separation, was deprived of a right over the body of the other, so that the subsequent adultery of the innocent party is no longer injurious to him. But the Code says the same where separation has been made by private authority.

Excuse because of harm.

250. - Grave harm or danger to life or health, either one's own or that of the offspring, excuses from rendering the debt. Suppose danger of contagion, a sufficiently notable illness of one's own, or extraordinary pains of childbirth.

because of another cause.

251. - Another just cause also excuses from rendering the debt. Many, to whom we assent, though others deny it, judge that a great danger of bringing forth a dead fetus is a just cause. And the same must be said concerning monstrous or wretched offspring. For then the primary end of nature is not obtained in that manner which is useful for the common good; and it is very harsh to the wife that she must bear all the inconveniences of pregnancy with the danger of some infamy or dishonor.

But offspring multiplied too greatly to be suitably reared does not seem capable of furnishing a just cause for denying the debt. At most, the matter can be arranged in such a way that the use of marriage takes place only on those days on which fertilization is less probable. Cf. what was said in no. 10.

If that means of arranging the matter is omitted, the intended end could not be obtained without a prolonged denial of the debt, joined with the danger of excessive incontinence, which the other spouse, who wishes to exercise his right according to the primary end of marriage, is not bound to admit. Cf. Laymann, *De matrimonio*, chapter 1, no. 16; Palmieri, *Opus theologicum*, ed. 3, vol. 6, treatise 10, no. 401.

What if it is requested in an unnatural manner?

252. - Intercourse requested in an unnatural manner, which is nevertheless substantially honorable, is not owed in justice. The rationale of charity can counsel or even command that it be conceded, lest a graver evil arise.

What if the one requesting lacks a right?

253. - Intercourse, as is evident, is not owed to one who has fallen from his right of requesting. And the renunciation of a right is not repugnant of itself. Cf. what was said in nos. 232, 233.

What of the two months' option under the former law?

254. - By the former law, neither spouse was obliged to render the debt for two months, since the law conceded that time for deliberating about entrance into religion [8]. Some thought that this time had its beginning from the day appointed by the ecclesiastical judge. And they conceded to the bishop the faculty of extending the time. Once the marriage had been consummated, the faculty of deliberating was removed. Cf. Ballerini-Palmieri, *Opus*, etc., vol. 6, treatise 10, nos. 482 ff.

[8] Chapter *Ex publico*, 7, *De conversione coniugatorum* (III, 32).

This option was deservedly suppressed by the new Code. Wherefore, let canon 1111 sound: "Each spouse has, from the very beginning of the marriage, an equal right and duty with regard to the acts proper to conjugal life."

If some special rationale, from the manner in which the marriage was celebrated or from the unhappy beginnings of common life, seemed to give a just cause for an exception, this remedy is at hand: that by authority of the Ordinary, or even by his own authority if the cause is established and there is danger in delay [9], a spouse separate himself from the other and petition the Holy See for a dispensation from a ratified and nonconsummated marriage.

[9] Cf. canon 1131, § 1.

Must intercourse be rendered to one requesting unlawfully?

255. - The debt, as we have seen, can *per se* be rendered to one unlawfully requesting an act which is nevertheless lawful of itself and to the other party (as if one alone bound by a vow requests, or one to whom intercourse is excessively harmful).

But whether it is owed is disputed. Palmieri [10], following many, affirms.

[10] *Opus theologicum*, vol. 6, treatise 10, no. 404.

Since it is a question of a person so closely joined that solicitude concerning the spiritual or physical good of the other cannot reasonably seem importunate, we think that the obligation is rather to be denied. The other is not reasonably unwilling. The words of St. Thomas are consonant, at least when it is a question of physical detriment: "When the thing to be restored appears to be gravely harmful to him to whom restitution is to be made, or to another, it ought not then to be restored to him, because restitution is ordered to the utility of him to whom it is restored [11]."

[11] II-II, q. 62, art. 5, ad 1.

Appendix. On the Consequent Duty of Cohabiting

The principle of the obligation of due cohabitation.

256. - 1. The obligation of cohabiting follows upon the obligation of rendering the conjugal debt. Moreover, cohabitation is consonant with the nature of marriage, since, from the very definition of law, marriage is "the union of a man and a woman, containing an undivided manner of life" (*Institutes*, book 1, title 9, *De patria potestate*, § 1).

The new Code of Canon Law sanctions the same in these words canon 1128: "Spouses must preserve the communion of conjugal life, unless a just cause excuses them."

Therefore, when the other is unwilling, one spouse cannot be absent for a longer time without necessity. Except the case of adultery, as was stated in no. 249.

Limits.

2. Nevertheless, this obligation is to be understood in a human manner. Wherefore, with a burden plainly extraordinary and unforeseen, the wife will not be bound to follow her husband into a distant region; and a more excellent good, or certainly one more due and more necessary, can excuse spouses from cohabitation. It must be left to the judgment of prudent persons to determine when, in proportion to the gravity of the cause, a husband or wife is judged to be absent longer than the obligation of cohabitation permits. But if it is necessary for the husband to be absent for a long time, he must take his wife with him, if he conveniently can. Cf. St. Alphonsus, book 6, no. 939.

Moral sanction.

3. When the other spouse is unwilling, to be absent without a sufficient cause will be *mortal*:

1. Whenever it includes a mortal denial of the debt;

2. If it is not for a short time: this will have to be weighed both in itself and from the harm or sadness of the other.

Just causes of absence.

4. Just causes can be: honorable recreation, care for health; the necessity either of avoiding one's own harm, of supporting the family, or of administering the family property; the demand of the public good.

Thus, for the sake of religion, they permit a man a brief pilgrimage, while the wife, since the man is her head, has need of the husband's permission.

What if the other consents?

5. But neither, "when the other consents, is it therefore at once lawful, without another just cause, to depart for a fixed time, unless provision is made against the probable danger of

incontinence in either party, no harm comes to the family, and scandal is absent" (Palmieri, vol. 6, treatise 10, no. 388).

The more humble are to be assisted.

In this matter, it will be necessary that the richer assist the poorer or more humble who, seeking richer wages outside their homeland, can easily be exposed there to many sins against religion and morals. Cf. the institutions in Belgium for assisting those who, each year, are accustomed to go to France for several months for the sake of work; and what Kolping devised to protect those who learn a trade even in a foreign region (apprentices).

Cohabitation denied for obtaining the dowry.

Formerly writers permitted that, in order to obtain payment of the promised dowry, the man refuse cohabitation for some time, if this seemed to be an efficacious means. And they dispensed the man from providing support to a wife whose promised dowry had not yet been paid. Cf. St. Alphonsus, book 6, no. 939; Palmieri, vol. 6, treatise 10, nos. 390, 391. These things now have little practical use.

Spouses should use a common bedroom.

6. It is also to be desired, and care is to be taken insofar as possible, that spouses use not only a common roof but also a common bedroom. For the separation of bedrooms, besides providing an easy occasion for sins and suspicions, is shown to be not slightly harmful to mutual love and, as experience testifies, is a frequent cause of unhappy marriages and divorces. Cf. nos. 208, 3, and 215, 1, and Forel himself.

Chapter II. On the Incomplete Use of Marriage

What is the incomplete use of marriage?

We call every use of marriage other than perfect intercourse *incomplete*, that is, intercourse so performed that, on the part of the spouses, nothing is lacking for generation.

Article I. On Onanistic Intercourse and Similar Violations of Nature

Thesis VI — Position.

257. - Complete pleasure sought by spouses in such a manner that they at the same time positively impede generation, or in such a manner that "for the sake of lust the propagation of offspring is opposed [1]," that is, the onanistic use of marriage, is intrinsically and gravely evil.

[1] St. Augustine, *De nuptiis et concupiscentia*, chapter 15, no. 17 (M. 44, 423).

By the words "for the sake of lust," we do not assert that the exclusion of offspring itself is commanded by lust, since childbirth itself can be morally impossible; but even then, onanists, merely for the enjoyment of carnal pleasure, abuse marriage when they are invited by divine Providence to noble and fruitful continence. Lust, therefore, designates the intention with which they have intercourse, not necessarily that with which they oppose generation.

Proof from revelation.

258. Arguments. 1. The theological argument. Sacred Scripture itself [2] declares detestable the fraud by which Onan, lest a son bearing his brother's name rather than a son bearing his own name obtain the primacy of the tribe of Judah, indeed approached the widow of that brother according to the law of the levirate, but spilled his seed upon the ground. And, from the context of the discourse, his brother Er himself seems to have been condemned to death by God for some similar abuse of marriage [3]. Nevertheless, we do not wish to press this passage too much, since it is not so clearly established from the text itself whether God struck Onan for the conjugal crime itself or for the fraud mixed with it.

[2] Genesis 38:9-10.

[3] Thus Hummelauer, on this passage.

But Catholic tradition, proceeding from the Holy Fathers themselves [4], which the unanimous opinion of theologians and the ordinary magisterium of the Church so attest that there was no need of any formal condemnation of the contrary error, plainly proves the matter.

[4] Cf., for example, St. Jerome, Epistle 22 to Eustochium, no. 13 (M. 22, 40).

From reason.

2. The argument of reason. In the onanistic use of marriage, both spouses or either one, carried away by venereal passion, exercise carnal commerce in that manner which deprives the act of its relation to the species and refers it to the spouses alone.

But this use, as such, violates the essential order of man in himself, both as he is an individual person and as he is a part of the human race.

Therefore this use is intrinsically and gravely evil.

It violates man as he is an individual person: for spouses are carried away by passion to act thus against reason, while the essential order of man in himself demands that reason dominate sense.

It violates man as he is a part of the human race and, as such, essentially subordinated to the species. For spouses exercise as an individual and in their own name an act which in its primary rationale is an act of the species, to be exercised by spouses representing the human species and acting for it.

That is, the human race, as it is a moral person, provides for its perpetuity through conjugal intercourse. Onanists positively exclude this perpetuity by the manner in which they unite.

To the consequence. That act is *intrinsically and gravely evil*. It is intrinsically evil: for, when the notion of onanistic intercourse has been perceived, the malice appears. It is gravely evil because it substantially violates the essential order. But man must attain his end by observing his essential relations.

The utility of the proof made.

This rationale is free from every consideration of the importance which that moral uprightness has for private or common good. Indeed, provident God Himself, while imposing the order to be observed, is the guardian and protector of the common good. But we must not weigh what utility or detriment individual acts bring, so that from this we may determine the guilt to be grave or light.

Mortal sin, as is demonstrated in the treatise on sin, is formally an act substantially against the order imposed by divine law, but is not formally an act against the common good.

A fuller explanation of the order toward the species which is violated.

It seems worthwhile for us to speak a little more distinctly or explicitly concerning that specific respect which we have shown to be required in the conjugal act and violated by the onanist.

The venereal appetite, in the first instance, is perceived to be directed toward the common operation of both spouses, which was instituted by God, the author of nature, for the due multiplication of the human race.

It is possible to act against this order, which belongs to the whole faculty, in two ways: either by breaking the relation of the appetite or faculty to the common operation itself, which happens when the appetite is satisfied outside intercourse; or by breaking the relation of the completed operation to the end of nature, when this end is directly impeded.

Now, according to the different manner in which it is exercised [5], the onanistic use of marriage breaks either one or both relations.

[5] Cf. the introduction, no. 45.

The man who withdraws himself or puts on a condom violates the relation *to the operation*. For then he either interrupts intercourse, or, from the very beginning, deprives intercourse of the essential element of seminal emission, so that in either case pleasure is obtained outside intercourse.

The spouse who, by obstructing the uterus, or destroying spermatozoa, or expelling the semen, renders intercourse artificially sterile violates the relation *to the end*.

Spouses who, as not rarely happens today, mix the arts in order to obtain a double security from offspring violate *both relations*.

Evasions foreclosed.

259. - By our manner of demonstration, various evasions of those abusing marriage are foreclosed: that the use of marriage is permitted to the sterile; that the same use can be limited to those days when there is no or only slight hope of offspring.

For as long as the use of marriage itself is completed in a natural manner, no substantial violation of order is committed; but pleasure is sought from an act which is performed according to reason. For spouses need not be positively solicitous concerning the efficacy of the act for human generation, either because of the order of reason or because of the common good. Not because of the order of reason, since the conjugal act can be reasonable without a positive intention of generating [6]; not because of the common good, for which provident God has made sufficient provision without this solicitude. Provided that men have intercourse according to the laws of nature, God has so arranged matters that men are born in sufficient number, just as sufficiently many also depart from among the living without the necessity of suicide. But what moral difference there is between omissions of a more suitable manner or time and actions contrary to the end of the institution of marriage, we saw above, no. 238.

[6] Cf. no. 224.

This also can be added. As long as no other choice besides natural intercourse or continence is allowed, the common good is always served, whether through the use itself, which strengthens the union of the spouses and of itself brings the hope of offspring, or through abstinence itself, which strengthens the soul and renders the mind ready for higher pursuits.

Secondary reasons.

260. - Nevertheless, various reasons which are more extrinsic or are drawn from harmful consequences are usefully alleged, so that they may dispose the mind to grasp the intrinsic rationale more easily and firmly, and may more efficaciously call men away from those wicked counsels.

Accordingly, approximately the following can be proposed.

1. Obvious common sense itself perceives the matter to be evil and grave. Wherefore, anthropologists observe that by intercourse of this kind, because conscience disapproves it, the mutual esteem and love of the spouses are by no means fostered. And since the good of the species is at issue, it is sufficiently manifest that a crime in this matter will be punished by provident God with a most efficacious sanction.

2. But if you consider the innumerable excesses to which the very vehemence of passion, when its reins have been broken, leads; how much it has already harmed the good both of the private household and of the state; how much lamentable increase it has given to "egoistic" pursuits; how widely this disease has already been disseminated or threatens imminent invasion; in what manner the academies themselves and all who are zealous for the fatherland now call with all their desires and efforts for more fruitful marriages: can you doubt that so great a vice is prohibited under grave guilt? From the very harm which it brings to the health and happiness of the spouses, this vice is proved to be abhorrent to nature.

In a word, it can be said that the dignity of marriage is at stake unless this abuse is restrained.

3. But if spouses offer the difficulty of continence as an excuse, let its nobility and merit be extolled. Can they say that to be impassable for themselves which so many men must endure throughout their whole life or choose voluntarily? If they insist that they were not called to continence and that the conjugal state was chosen by them for the conjugal work, it can be answered that many, after a similar choice, have been driven as if by physical necessity to preserve continence, and they can confidently ask and expect from God the grace of continence. Does the moral law bind the conscience less imperiously than physical necessity binds the body? What of the fact that they themselves were often the architects of all their own trouble and difficulty through the imprudent manner in which they chose a spouse?

Nevertheless, that the answer may sound gentler, it can be added that they are not prohibited from imperfect acts (of which mention will be made later); and that there are many spouses who are content with these; also that days less favorable to fertilization can be chosen for the complete act (cf. no. 10).

4. Finally, let them be refuted by the grave words of St. Augustine, or by others similar to them: "Those who do this (oppose the propagation of offspring), although they are called spouses, are not spouses, nor do they retain any reality of marriage, but they extend an honorable name as a covering over their shamefulness [7].

[7] To render this in French words: "Under cover of marriage, an agreement is made for debauchery between two."

"Certainly, if both are such, they are not spouses; and if they were such from the beginning, they came together not by wedlock but rather by debauchery. But if both are not such, I dare to say that either she is in a certain manner her husband's prostitute, or he is his wife's adulterer" (*De nuptiis et concupiscentia*, chapter 15, no. 17, M. 44, 423. 421).

Cf. also what was said above, no. 209.

The tenets of the adversaries.

261. - Besides those who, unconcerned with doctrine, allege only various pretexts or special reasons for exercising onanistic arts either outside or within marriage, we can gather into two classes those who dare even theoretically to deny and attack the unshaken principles of the right use of marriage.

Some profess that they are solicitous not concerning the number of men but concerning their quality. Let those who are vigorous in body, intellect, and character beget as many children as they can; but for the others let means of sterility be at hand, and indeed at a cheap price, so that thus they may enjoy conjugal pleasure without social harm. Thus, for example, Forel [8], who does not wish to be confused with the neo-Malthusians, whom he regards as harmful to the common good.

[8] *La Questione sessuale*. Cf. pp. 355, 356, 438, 471 of the Italian version.

The neo-Malthusian doctrine.

Among those who openly defend neo-Malthusian tenets, the secretary of the Malthusian League in England [9], Dr. C. G. Drysdale, thus described neo-Malthusianism before the National Birth-Rate Commission on 24 October 1913:

[9] In other regions also, for example in Holland, a league of this kind has been established.

"Neo-Malthusianism is an ethical doctrine, based on the principle of Malthus that poverty, disease, and premature death can only be eliminated by control of reproduction, combined with a recognition of the evils inseparable from prolonged abstention from marriage. It therefore advocates nearly universal early marriage together with a selective limitation of offspring to those children to whom the parents can give a satisfactory heredity and environment so that they may become desirable members of the community. It further maintains that a universal knowledge of hygienic contraceptive devices among adult men and women would in all probability automatically lead to such a selection through enlightened self-interest, and thus to the elimination of destitution and all the more serious social evils and to the elevation of the race [10]" (*The Declining Birth-Rate*, p. 89).

[10] That is, in Latin: "Neo-Malthusianism is an ethical doctrine, founded upon the principle by which Malthus asserted that poverty, disease, and premature death cannot be eliminated except by the restriction of generation. It joins that principle with the recognition of the evils which cannot be separated from prolonged abstention from marriage. Wherefore, it commends almost universal early marriage and at the same time a discriminate limitation of offspring, so

that only those may be born for whom parents can procure a natural temperament and the external conditions of life, whence they may become desirable members of the community. Moreover, it contends that the general dissemination among adult men and women of hygienic means for avoiding conception would, in all probability, automatically and of itself, with the aid of an enlightened sense of their own utility, bring it about that this selection of offspring take place, and that thus destitution and the worst social misfortunes be suppressed, and the human race ascend to a better state."

Thus both classes are solicitous concerning a better, more perfect human race, and differ little from one another, since both favor the selection of offspring.

It is refuted.

But they are deceived by common errors, which we note briefly as follows.

1. They err by that false and fatal principle, "the means are rendered honorable by the end," so that they omit or deny the moral consideration of the means.

2. They are deceived by a marvelous "utopia," when they appeal to men's own utility in order to obtain actions useful to the common good, as if those utilities did not often conflict with one another in the present state.

3. Wherefore Forel himself objects against the neo-Malthusian school that in America and New Zealand, the offspring of better men are becoming ever rarer, while the Chinese and Negroes are multiplying more and more; and that, in place of a more select human race, they are preparing one more barbarous and idiotic [11]. And Dr. Drysdale himself confesses that in most regions, if Batavia is excepted, the effects of the doctrine have been unfavorable (*anti-eugenic*); he imputes this outcome to cultivated men, who themselves practiced what should have been inculcated upon the poorer and more wretched, and thus candidly confesses that "altruism," as they call it, advances little from "egoism." That he may escape the evidence of the facts, Forel denies that this selection which he favors can be hoped for before many centuries. Wherefore they are refuted from their own mouth.

[11] *La questione sessuale*, p. 471.

This objection is heard not rarely: it is better to feed and educate a few children well than to neglect numerous offspring.

To this difficulty it is answered that the question concerns not the number of children but the uprightness of conjugal morals. What the adversaries vainly expect from wise egoism, we demonstrate can much better be hoped for from incorrupt morals. Where pure morals exist, let a moderate cultivation of the mind be added: as many children will be born as will be advantageous to the state. Although it can also be doubted whether fewer children are better educated, unless you wish to regard as better that softer education by which families decline so rapidly.

Corollaries.

262. - From the proof made, the following several points pertaining to practice are gathered.

The intention of impeding intercourse.

1. The wife sins gravely in intention who wishes by an inefficacious means (a vain remedy, restraining her own emission, rising to urinate) to render intercourse sterile. Nor can she obey a husband commanding such things unless she first warns him of his error.

Complaints concerning offspring.

2. She also sins gravely who, directly or indirectly, through complaints concerning numerous offspring, etc., draws her husband to the onanistic use of marriage or confirms him in it. And since every formal cooperation is to be gravely condemned, she must retract her counsels.

The man using a condom, etc.

3. The wife cannot permit the man to place a pessary in her, or to approach with the male member covered, or to abuse her body so that he may emit semen in a place other than the proper one. She can yield only to overpowering force, almost as an unmarried woman who is assaulted.

This much alone differs: she is judged to be more often in a necessary occasion, because most grave inconveniences are to be avoided or because her own rights are to be protected. Wherefore, with the proximate danger of consent excluded, she does not seem to be obliged to leave the bedchamber out of fear of abuse or to remove from her husband the opportunity of abusing his strength.

But it will be sufficient for the confessor to teach her that this abuse can in no way be permitted. Concerning the manner and degree of resistance to be opposed, it will regularly be better for him voluntarily to add nothing, lest he render the condition of the wife, which is already difficult of itself, still more impeded.

Confirmation.

263. - This severity, which we also demonstrated in our pamphlet *Un grave péril moral* [12], is excellently confirmed by two recent responses of the Sacred Penitentiary, of 3 April and 3 June 1916, which we transcribe in this place.

[12] Cf. *Nouvelle Revue Théologique*, 1919.

Response of 3 April 1916. - Whether a woman can lawfully cooperate with an action of a husband who, in order to indulge pleasure, wishes to commit the crime of Onan or of the Sodomites, and threatens her with death or grave vexations unless she complies?

Response. a) If the husband should wish to commit the crime of Onan in the use of marriage, namely, by pouring out the semen outside the vessel after intercourse has begun, and should threaten the wife with either death or grave vexations unless she accommodates herself to his perverse will - the wife, according to the opinion of approved theologians, can lawfully, in this case, have intercourse thus with her husband: since on her part she gives her effort to a lawful thing and action, but permits the sin of the husband for a grave cause which excuses her; since the charity by which she would impede that sin does not oblige with so great an inconvenience.

b) But if the husband should wish to commit with her the crime of the Sodomites, since this sodomitical intercourse is an act against nature on the part of each spouse thus having intercourse,

and is gravely evil in the judgment of all the doctors: hence for plainly no cause, not even for avoiding death, can the wife lawfully comply in this matter with her impure husband. And the Sacred Penitentiary marvels greatly that the contrary opinion, with dishonor to human nature, could have remained in the minds of certain priests (as is reported).

Response of 3 June. - I. Whether a woman, in the case in which the man wishes to use an instrument for exercising onanism, is bound to positive resistance?

II. If negatively, whether reasons equally grave as for natural onanism (without an instrument) suffice to render passive resistance on the part of the woman honorable, or whether most grave reasons are instead altogether necessary?

III. Whether, in order that this whole matter may be developed and taught by a safer path, a man using such instruments should truly be equated with an oppressor; to whom, consequently, the woman should offer that resistance which a virgin should offer to an assailant?

Response to the first: Affirmative.

To the second: Provided for in the first.

To the third: Affirmative [13].

[13] These responses first appeared in the work *Institutiones Alphonsianae* of Cl. Marc (1917), vol. 2, nos. 2116 and 2117. On this occasion, *Nederlandsche Katholieke Stemmen*, 1917, opportunely warns that by these responses the assertion of Rev. Fr. Prummer, O.P., is at the same time disapproved, by which he wished to distinguish here the case in which the man merely withdraws himself and the case in which the man uses a covering.

Washing of the vagina.

264. - A wife who, after intercourse has been completed, washes the vagina in order to expel the semen and thus impede fertilization is to be said to be gravely guilty of onanism.

Wherefore, it is also unlawful for spouses deliberately to choose that hour for intercourse at which the wife is accustomed to wash the vagina.

But, with all fraud set aside, must the wife omit the customary washing because intercourse took place a little beforehand? In our opinion, she does not seem obliged to do so. The thing is performed for another utility. Besides, when there is a regular use of marriage, that solicitude concerning the fruit of individual acts of intercourse is not to be employed which would oblige her to postpone the washing. We shall permit the same thing even more easily if the wife has already conceived; although not even then can washing with the intention of removing the semen be permitted.

We would answer more severely if intercourse were rare, especially because no reason of health demands that the wife wash the vagina at this hour rather than another.

In order that we may judge rightly concerning the interval to be interposed, the following points are to be assumed from recent physiological experiments.

In individual emissions, spermatozoa are contained in an immense number which they estimate at 250,000,000 to 260,000,000. And if the man has perfectly penetrated the vagina, already in the act of intercourse itself many spermatozoa enter the uterus. Yet we know that fertilization can be completed by one spermatozoon which enters the female ovum.

Moreover, such is the movement of spermatozoa that they traverse one centimeter within ten minutes (sixtieth parts of an hour). But the beginning of the vagina is distant from the opening of the uterus by 2 1/2 to 3 1/2 centimeters; but by 10 to 15 centimeters from the fallopian tubes, where fertilization is accustomed to take place, unless it occurs in the ovaries themselves [14]. After half an hour or one hour, so many spermatozoa have been received into the uterus that the hope of fertilization has become such as no better can morally be expected. For the fluid with which the vagina is moistened impedes the movement of the spermatozoa, while the moistened uterus excites their motive power. Therefore, the spermatozoa which remain in the vagina can scarcely contribute to fertilization.

[14] When all things proceed very well, fertilization takes place already an hour and a half after intercourse.

If matters stand thus, since we know from elsewhere that it is not grave of itself to waste part of the emitted semen, provided that another sufficient part is preserved, it seems to be concluded that already after an hour the vagina can be washed without notable harm to fertilization, and that this is lawful for any cause. Those who more severely demand an interval of six hours tacitly suppose that no part of the semen, even if there is a reasonable cause, can be voluntarily lost.

The man withdrawing himself.

265. - 5. When the man abuses marriage by mere withdrawal, the act is exercised entirely lawfully until he has withdrawn himself. Wherefore, on the authority of the Sacred Penitentiary itself, "since in the proposed case the woman indeed does nothing against nature on her part, and gives her effort to a lawful thing, while the whole disorder of the act proceeds from the malice of the man," she can render the debt. [Responses of 1 February 1823 and 3 April 1916 [15].]

[15] The cited responses of the Sacred Penitentiary suppose that a grave, indeed a most grave, cause is present; but this mention is to be attributed to the special circumstances of the proposed case, "nor is it to be concluded that, in the absence of this grave inconvenience, it is not lawful for the wife to render the debt" (Ballerini, *Opus theologicum morale*, vol. 6, treatise 10, nos. 245, 246).

Is a grave cause required for rendering the debt?

266. - It is asked whether a grave cause is required for the wife to render the debt to a husband requesting thus, or whether she is simply excused.

There are those who demand a grave cause, because the wife cannot, without a grave cause, cooperate mediately in the sin of the husband [16]. Others deny that a special cause is required, because the wife gives her effort only to a lawful thing [17]. This indeed pleases St. Alphonsus himself, since he judges it more probable that the wife, in these circumstances, not only can but must render the debt [18]. We judge this excessive, since the request of a husband who wishes to interrupt intercourse is irrational; indeed, if he is unwilling to use marriage otherwise, it is injurious to the unwilling wife. Leaving this aside, therefore, let us consider the matter more closely.

[16] Thus formerly certain older authors, and now Rev. Dr. Smet, *De sponsalibus et matrimonio*, no. 146.

[17] Thus, after several older authors, Ballerini, *Opus theologicum*, vol. 6, treatise 10, no. 244.

[18] Book 6, no. 947.

It has a twofold respect: cooperation in the sin of the husband and fraternal correction. Under the rationale of cooperation, no special cause is required for the wife to be able to render the debt to the man. For, as St. Alphonsus very well observes, "she does not even cooperate materially in his sin, since she does not cooperate in emission outside the vessel, but only in the intercourse begun, which of itself is certainly altogether lawful." Nor by her refusal does she impede anything other than the external act of the sin which the husband has already committed by his depraved intention. Moreover, intercourse is owed to the wife. By cooperating, she obtains at least an imperfect rendering of the thing owed to her. Besides, a grave cause for rendering will scarcely ever be absent. And even if the wife should wish to request the debt from an onanistic husband (who withdraws himself), no cause need be added to that which of itself benefits the wife: for this cause is that it is grave for a wife who desires intercourse to be deprived of it. It is the same as if you were to impose perpetual or prolonged fasting upon a hungry person. Wherefore, St. Alphonsus himself [19] denies that the wife must for this reason abstain from her right of requesting more than once or twice. She requests a thing to which she has a right; the husband sins only because of the evil will, the habit of which he otherwise bears.

[19] Ibid.

But the respect of fraternal correction is another. For it can happen that, because of a refusal made by the wife, the husband is led to use marriage rightly. Then, if the hope is not too remote, or if it is not grave for the wife to abstain from intercourse, charity will oblige the wife to procure the amendment of her husband in this manner.

Nevertheless, as men are affected by self-love, the supplication of the wife and her sadness, joined with a resignation which in no way offends the self-love of the husband, will generally be more efficacious.

Duties of the wife.

267. - But lest she appear to consent to the sin, she must "turn the man away from this crime by warnings and entreaties, repeated several times according to the hope of fruit (it is not necessary that she do this on every occasion) [20]." And if the man declares that he requests for the sake of abuse, she cannot render unless she professes that she consents only to lawful copulation. (Cf. Lehmkuhl, II, 1094.)

[20] St. Alphonsus, book 6, no. 947.

But after the man has withdrawn himself, if she herself has not yet experienced satiating pleasure, it will not be lawful for her to procure it for herself. For neither physically nor morally can this pleasure be a part of one perfect copulation [21]. But since she abstains with difficulty, she will generally have to be left in good faith. Above all, silence must be maintained concerning the consent which she cannot easily give to pleasure once it has arisen. (Cf. Lehmkuhl, II, 1095.)

[21] Berardi, *Praxis*, etc., I, 993, permits this completion because an act lawfully begun can be brought to its due end. "But one must plainly assent to Lehmkuhl" (Noldin, *De sexto*, etc., no. 70). Cf. also Aertnys, vol. 2, no. 497, III, question 2. Capellmann, *Medicina pastoralis*, ed. 15, now omits the more benign opinion of the 9th edition.

But the wife has the right to deny the debt to a man whose evil will is known to her. Indeed, she can separate herself from his bed.

Finally, simple complacency concerning the effects of onanism (freedom from childbirth, etc.) is not indeed unlawful of itself, but it is not entertained without danger.

But as long as intercourse lasts, consent to it as such and to its pleasure is not prohibited.

The wife using a pessary.

268. - If the wife herself should wish to use a pessary or to expel the semen after intercourse, the man, by reason of the authority which he possesses, must forbid this to her. But if he accomplishes nothing and grave inconveniences are to be feared, he himself seems able to request the debt for a just cause. The act itself is performed well; the vice is subsequent to it and is to be attributed to the wife alone; indeed, immediately after the act it can perhaps of itself still be corrected.

Finally, this culpable wife is to be equated with one who, against the will of her husband, has had her oviduct tied.

Scholion. On the improper vessel of seminal emission.

269. - One who has poured out semen within an improper vessel of the wife (suppose, the anus) is commonly charged with imperfect sodomy. Nevertheless, we judge that this is to be evaluated from the affection by which he is led; and unless the wife supplies, as it were, the place of the male sought, we do not see why that crime should be called by the name of sodomy. Now it can happen that, while preserving an altogether normal appetite, someone sins by this sin merely because he is prevented from lawful intercourse by a physical impediment or fear of offspring. Generally, however, he will suffer from sexual paresthesia.

However the matter may stand, this sin, distinct from sodomy and from onanistic intercourse, and to which the circumstance of an injury done to the wife and of the violated sanctity of marriage also adds a species, will be sufficiently accused in this manner: "I had intercourse with my wife outside the natural vessel." For it does not seem relevant to the species in what part of the body (even if only between the thighs) the abominable thing was done.

The manner of acting of the confessor.

270. - The confessor will question and admonish penitents concerning these matters according to the general principles. Nevertheless, the following things are to be noted particularly.

1. Since controversy concerning these arts is heated, so that even newspapers not rarely discuss this argument, good faith can scarcely exist in penitents, nor at least persevere for long.

2. Those who, while frequenting the sacraments, err in this matter easily become harmful to others through their words and imprudent counsels; and because of a slight indication, they judge that the matter is permitted or at least tolerated by the confessor.

3. It is a question of a most grave evil which, for the sake of the common good, must be fought everywhere.

With these things considered:

1. The confessor will ask spouses unknown to him by a general question whether all things stand well in the marriage or whether they are troubled by any scruple. Nevertheless, he will not do this if there is a positive indication that this vice is not to be suspected in the penitent.

2. Those whom he discovers to be onanists, he will regularly admonish concerning their crime.

3. If the wife, with attention to the manner in which the excess is committed, can admit intercourse well begun, as we said above, he will instruct her concerning her faculty, lest she begin or continue to perpetrate formal sins.

4. In some rare case in which good faith is joined with extraordinary circumstances, and the danger of scandal together with the danger of excessive abuse has ceased, he will suppress the fault in silence.

Good faith will be more readily present in a wife who, having denied assent, thinks that she can cast all the guilt upon the man and does not distinguish among the manners in which the abuse is committed; or also in grave illness. Nor then are excessive abuses to be feared of themselves.

Response of the Holy See.

The responses of the Holy See are consonant with these rules; with attention to the manner in which the unspeakable vice has prevailed, they urge the obligation of questioning more severely than about the middle of the nineteenth century. In the year 1886, the Sacred Penitentiary gave this response:

"Doubt I. When there is a founded suspicion that a penitent who is entirely silent concerning onanism is addicted to this crime [22], may the confessor abstain from prudent and discreet questioning because he foresees that several persons will be disturbed from good faith and that many will desert the sacraments? Or is the confessor rather bound prudently and discreetly to question?

[22] Noldin deservedly observes this: "In those regions in which the vice of onanism rages widely, the confessor can almost always reasonably suppose that the penitent deliberately conceals that sin. Nevertheless, let him abstain from special questions: whether they poured out the semen outside the vessel; whether they impeded generation by withdrawing themselves, etc." *De sexto praecepto et usu coniugii*, no. 76. And Palmieri also acknowledges that the probability of the vice acquires force from its wide propagation, and adds: "It is difficult to suppose good faith in those addicted to this vice; but if perhaps it is present, prudent questioning will do no harm" (note to vol. 6, no. 247).

"II. Is the confessor who, either from a spontaneous confession or from prudent questioning, knows that the penitent is an onanist bound to admonish him concerning the gravity of this sin and of other mortal sins, to rebuke him with paternal charity, as the Roman Ritual says, and to impart absolution to him only when it is established by sufficient signs that he is sorry for the past and has the resolution of no longer acting onanistically?

"Response to I. Regularly, negative to the first part; affirmative to the second.

"To II. Affirmative, according to the doctrine of approved authors."

The efficacious instructions given by the bishops of Belgium in the year 1909 are consonant. (Cf., for example, *Nouvelle Revue théologique*, vol. 41 [1909], p. 616 ff.) And approved authors hand down things

consonant with these. Cf. Lehmkuhl, II, 1907; Noldin, *De sexto praecepto et usu matrimonii*; De Smet, *De sponsalibus et matrimonio*, nos. 145, 146.

An evasion is excluded.

Nor is the evasion of some valid who allege that "only the good of the penitent is to be cared for by the confessor." For he exercises the office of fraternal correction, not formally as confessor, but as a neighbor to whom an excellent occasion is available from confession. Wherefore, the ordinary rules of fraternal correction come into use, which command that we consult the common good first.

This must indeed be guarded against altogether, lest the very silence of the confessor be regarded as a certain tacit connivance, which today would easily be scandalous [23]. But by prudent and general questioning the confessor neither disturbs good faith of itself nor can now reasonably seem to connive at anything.

[23] A rumor concerning an indulgence by which some approved man conceded something is immediately spread; and what was permitted because of particular circumstances is reported as lawful of itself. We ourselves thus knew, in the year 1915, of an abuse made of counsel which a Catholic physician had given to a sick person.

Article II. On Other Mutual Incomplete Acts

General consideration. Among spouses, imperfect acts are honorable in themselves.

271. - The principle concerning incomplete and mutual acts. Imperfect venereal acts, that is, those which do not lead all the way to the full satisfaction of the venereal appetite, contain in themselves a certain beginning and preparation of the perfect act, or are added to it as completions. As beginnings or completions, they participate in the moral rationale of perfect use. Wherefore, since the complete use of marriage is permitted to those legitimately joined, the incomplete use is honorable of itself.

Again, since spouses are not obliged to exercise the perfect act of marriage, imperfect acts preserve their uprightness even when completion is lacking. And just as they dispose toward the perfect act and generation [1], so also they assist, or can assist, the secondary ends of marriage: the good of mutual concord, and even the quieting of concupiscence.

[1] Cf. nos. 11, 17.

They are therefore, according to themselves, even without a present relation to the complete act, truly honorable *from their object*, so that their pleasure can also be taken honorably. Cf. what we wrote concerning pleasure, no. 226.

Which acts are honorable with attention to the end?

272. - With attention to the end, those acts which are assumed so that the conjugal act may be performed more easily and perfectly are altogether to be approved.

Those acts which are employed to testify to love, or to give sufficient satisfaction to concupiscence so that the fault of incontinence may be more easily avoided, are also to be approved.

Nor is it repugnant to uprightness that spouses should wish to draw from these acts those moderate solaces and joys which pertain to the virtue of eutrapelia.

What manner is honorable?

273. - With attention to the manner or rationale, the best counsel is that spouses, in their intimate intercourse, should strive gently to join personal dignity with tender affection, and should not wish to be delighted by base acts.

On an improper manner.

Concerning intercourse which the husband wishes to complete in the due vessel but to begin in an improper one, not a few say severely that grave imperfect sodomy is committed in this manner because of the affection and the beginning. Others, on the contrary, excuse it from mortal sin. Certainly, if this manner is employed with the affection of completing the act in the improper vessel, sin is committed gravely by the corrupted affection itself. But, with this affection excluded, grave guilt is not demonstrated to us. But if a frigid man can scarcely be aroused otherwise and therefore begins intercourse thus, can he even be accused of venial guilt from this?

On the effect of pollution.

274. - With attention to the circumstance *what*, or with attention to the effect, since we are occupied with the strictly venereal genus (of deliberate venereal pleasure), the influence which these acts have upon pollution is to be considered.

We omit here an orgasm or pollution intended or voluntarily admitted in itself, which will always be grave.

But the effect of pollution itself is imputed in its venereal cause (as we shall see later, no. 374), unless a proportionate rationale excuses its active permission.

In what manner are acts to be distinguished, and when are they lawful or not?

Here, with most authors, acts lightly influencing pollution, acts gravely influencing pollution, and acts so proximately joined with pollution that they are said to be its beginnings are to be distinguished. The first acts are joined of themselves with possible pollution, the second with probable pollution, and the third with morally certain pollution.

Which acts influence lightly?

1. Acts lightly influencing are modest signs of love (kisses, embraces, tender words), and also less modest acts done in passing, or those which the experience of the spouses itself shows to be ineffective for inducing pollution of themselves (in ordinary circumstances).

Those honorable acts are never to be omitted under grave guilt because of a subsequent pollution (with the danger of consent excluded). For pollution, if any should arise, will always be accidental and will have to be attributed to another cause that is not voluntary, for example, to the excessive

heat of the spouse. Nor does the frequency of the event change what has been said, provided that consent to the pollution is always truly absent.

Which acts gravely influence pollution?

2. Acts gravely influencing are immodest venereal acts, unless, either from the manner in which they are performed or from their own experience, the spouses know that they are not gravely moved by them, so that they bring no serious danger of pollution. Nor then, because of an imminent pollution, with the danger of consent to it removed, are they compelled to exercise the conjugal act.

Moreover, spouses cannot perform venereal acts which gravely influence pollution except in circumstances in which, if pollution presses, they can and wish to complete the conjugal act, or unless they are excused by a grave cause.

For then either the danger of pollution, because of which alone they are gravely to be reproved, is removed; or, besides the probable effect of pollution, which is not intended but permitted, another immediately good and proportionate effect is obtained of itself.

Which acts are an incipient pollution?

3. Among acts which we would call shameful in unmarried persons, there are some (suppose, the handling of the sexual parts, "irrumation [2]") so lustful that of themselves they terminate in pollution as in a proximate end.

[2] St. Alphonsus, book 6, no. 935.

Spouses must abstain from these acts under grave guilt unless they take place where they can and wish to exercise conjugal copulation. Otherwise, they manifest a depraved intention; nor are these acts in any way necessary for the honorable ends of signifying love and tempering lust; indeed, neither do they regularly foster or strengthen mutual love itself.

Nevertheless, because there is some distance between these acts and pollution, because they are not yet a direct induction of pollution but have a different immediate terminus, in some extreme case, shall we condemn a wretched spouse who, in order to avert a most grave evil, unwillingly cooperates in such an act, provided that the express intention of pollution is always excluded?

Grave excusing causes.

275. - You will ask, concerning the second genus of acts, what causes are judged to be grave excusing causes.

Now, grave causes are judged to be: the necessity of fostering mutual love which is growing languid; the averting of a suspicion of infidelity or at least of an inclination toward another person; the cutting off of the beginning of adulterous lust; the compensating for the perfect use of marriage when the spouses cannot exercise it, or, for a just cause, do not wish to increase their offspring in number; finally, the request itself of the other party made insistently or so made that the denial is borne with

difficulty. For then either the request itself reveals a grave cause, or the inconveniences of denial create such a cause.

What do these causes effect?

276. - You will ask to what extent, because of a grave cause, acts gravely influencing pollution are excused from sin.

These acts, thus excused, are lawful, yet not simply, but insofar as they are demanded by a grave cause, and not beyond. Wherefore:

1. When spouses perceive pollution to be proximately present, they must cease from these acts or interrupt them. Concerning this imminent commotion, if it can conveniently be done, one must be admonished by the other.

2. Unless a grave rationale does not permit this delay, or copulation itself is otherwise to be avoided for a grave cause, the acts are to be exercised in that place where, through the completed use of marriage, the spouses can forestall pollution.

3. The graver the danger of pollution, the graver the cause required. Nevertheless, this is to be accepted without anxiety, nor are troublesome comparisons or collations of gravities to be instituted, but it is sufficient that the matters appear proportionate to moral intuition.

On interrupted intercourse without an intention of pollution.

277. - On a certain compensation of the perfect use of marriage. Because of the very accustomed use of marriage, it happens that spouses are affected much less by acts which, considered according to themselves, must be numbered among those which proximately or at least gravely influence pollution, so that, for definite persons, certain acts which of themselves pertain to the third or second genus can be ascribed to the second or first. "Imperfect acts," says Lehmkuhl [3], "which are to be prohibited absolutely and for all under guilt of mortal sin are found with difficulty, since the same acts do not bring the same danger of pollution to all."

[3] *Theologia moralis*, II, 1068, 1.

Thus, for example, to cease from intercourse already begun induces of itself in either party, especially in the man, a proximate danger of pollution. Nevertheless, there are spouses who know from experience that pollution does not threaten them from this. Wherefore, although other spouses generally cannot experience or attempt this even by mutual consent without grave guilt, others who have been instructed by experience of this kind will be able to deny that incipient pollution is present to them in the inhibition of intercourse already begun. Nor, because of pollutions which sometimes occur, will the interruption of intercourse become an incipient pollution, provided that pollution does not arise so often that it can no longer be called accidental. Wherefore, with the circumstances prudently weighed, a grave cause will bring it about that spouses exercise this incomplete use of marriage without grave sin. Indeed, all guilt will be absent if the cause is urgent and pollution occurs most rarely.

Moreover, it is established that spouses who, because of the weakness of the other, are prohibited from completing intercourse act honorably and, in this manner, provide for the quieting of concupiscence and the fostering of mutual love.

Guilt is more readily absent when intercourse is prohibited physically and involuntarily than when only the will, even a reasonable will, of no longer having children stands in the way. Indeed, unless a truly grave cause underlies that will, these spouses, if pollution would otherwise be imminent, must complete intercourse thus begun.

N.B. One who, when the other rationally dissents, interrupts intercourse thus will have gravely violated justice, since each has a right to perfect intercourse. Cf. what was said in no. 245.

Chapter III. On the Non-Mutual Venereal Acts of Spouses

I. On the Separate Complete Act

On complete pleasure sought or admitted separately.

278. - Neither spouse can seek or admit complete pleasure separately. One who has done so will have committed a thing intrinsically and gravely evil. All have affirmed and do affirm this concerning the man. Concerning the wife, there was one who doubted [1], since she emits nothing essential to generation in the heat of intercourse itself or in solitary pollution.

[1] Ballerini, in a note to Gury, I, 429, doubts whether complete pleasure sought in a woman would have the proper malice of pollution. But if this were so (although Ballerini affirms grave sin), since separate imperfect acts in marriage are excused from grave guilt, grave malice would consequently have to be excluded from acts by which the wife seeks perfect pleasure separately. Cf. Van Roey, *Quaestio specialis*, p. 6.

This doubt coheres with the defective argumentation by which several endeavor to derive the proper malice of pollution from the pouring out of semen. But since the true rationale of malice, to be handed down below, is common to either sex, we establish the certain conclusion thus briefly.

Thesis VII — Thesis.

Complete pleasure sought or admitted separately by a spouse, in either sex, adds to the malice of pollution a grave malice against justice or against the sacrament.

Therefore, much more than the pollution of an unmarried person, because of this twofold cause, it contains a grave sin in itself.

Demonstration.

To the antecedent. That the malice of pollution is contracted is manifest of itself, unless this malice is placed in the pouring out of semen necessary for generation: for then, since the woman pours out nothing essential, she would have to be said incapable of true (moral) pollution. But we shall refute this opinion below.

Moreover, since from the mutual handing over of bodies in marriage one spouse possesses the body of the other as regards complete venereal use, the spouse who seeks or admits pollution sins by the

sin of imperfect adultery if it is done against the will of the other; but if the other spouse assents, it is nevertheless not to be doubted that the sanctity of marriage is violated, in which God wishes this faculty to be reserved for the common use of both.

But the opinion which excuses the wife from grave guilt, must today be judged devoid of solid probability, even extrinsic probability. Suggested by a few in the nineteenth century, it has no approved doctor as a true patron.

II. On Separate Incomplete Acts

Corollary concerning acts which induce grave danger of pollution. What concerning other imperfect acts?

279. - Imperfect venereal acts exercised upon his or her own body by either spouse, if they induce of themselves and for that spouse a grave danger of pollution, are for that reason prohibited under grave guilt. For the effect of pollution is imputed to one acting in such a manner. Cf. Lehmkuhl, II, 1073, and others generally.

Thesis VIII — Thesis.

280. - With the grave danger of pollution excluded, some solitary imperfect acts are simply honorable, while others at least cannot be gravely blamed in spouses.

Demonstration.

For, as we saw above (nos. 11-17), a lesser exercise can be necessary or useful for obtaining the heat which is necessary for true intercourse, at least in the man, or which, in the wife, is a part of normal intercourse. Therefore, these acts contain of themselves the utility of preparation for the perfect act, which is honorable and praiseworthy.

Wherefore, if they are formally referred to intercourse, for example, when the spouse is present with whom the other wishes to unite, these acts are entirely honorable; if they are not referred to intercourse of this kind, or indeed, insofar as, for example, the other spouse is absent, cannot be referred sufficiently proximately to intercourse, then it is disordered in some manner for a spouse to seek separately for himself the pleasure which pertains to a common work. Nevertheless, they do not oppose the essential order of the present marriage; indeed, they preserve some utility (sought inopportunely) of fostering the venereal appetite, which, in the matrimonial state, is a good of itself. Wherefore, with Sanchez [1] and most modern authors, we judge that only venial malice is present in these acts. opinion also prohibit to spouses mutual acts which are not referred to intercourse or, when intercourse is impeded, cannot be referred to it. Cf. Sanchez, disputation 44, nos. 11, 12, 15.

[1] *De matrimonio*, disputation 44, no. 16. Observe that several who are alleged for the stricter

Vasquez [2], however, responds more severely, unless they should be done with the intention of uniting with the spouse who is expected to arrive soon, in which case he excuses the acts from every guilt. St. Alphonsus [3] regards the stricter opinion as more probable and pronounces that it is to be counseled in practice, both because a spouse cannot use his own body, which he has handed over to the other, except by disposing himself toward intercourse, while intercourse cannot be had; and

because lingering touches are proximately connected with the danger of pollution. But the patrons of the former opinion reply that these acts by their nature dispose toward intercourse, and that it is not required that individual acts dispose toward a definite intercourse, but it suffices that they nourish the appetite by the perfect use of marriage; and they exclude those touches which bring a proximate or grave danger of pollution. Wherefore, Bucceroni (vol. 4, no. 1082) judges that the probability of the more benign opinion is demonstrated by the very arguments of the stricter opinion. Rev. Dr. De Smet [4] gravely reproves acts which cannot have a positive order toward intercourse, as when they are performed, for example, while the spouse will be absent for a long time. Nevertheless, he permits the confessor whose intrinsic improbability of the more benign opinion has not been perceived to use it.

[2] I-II, question 74, article 8, D. 113, no. 4.

[3] Book 6, no. 936.

[4] *De sponsalibus*, no. 213, 2°.

The same author, consistently enough [5], evaluates carnal pleasure itself concerning intercourse had with the wife in the same manner as other imperfect acts, and consequently, in the same circumstances, reproves it gravely, as does St. Alphonsus himself. But this consequence militates against the stricter opinion. That a spouse cannot enjoy thought concerning an absent spouse any more than a widower can enjoy thought concerning his deceased wife: this seems excessive severity, full of scruples and dangerous to morals. One who permits nothing sometimes excites toward everything.

[5] Yet this difference exists between the two kinds of acts: external imperfect acts are of themselves to be performed in a mutual relation, while interior pleasure necessarily remains the proper act of each individual.

Acts exercised with others.

281. - Perfect or imperfect external acts exercised with other persons add to the malice of lust the malice of complete or incomplete adultery, as will be explained below.

Interior acts.

282. - Interior acts must be judged from their object. Wherefore, morose pleasure (strictly understood) concerning intercourse had or to be had, desire for future intercourse, and complacency in past intercourse are indeed venial of themselves. Sensual pleasure, with pollution excluded, will at least not be grave. Cf. what was just said in no. 280.

But if they concern illicit objects, the interior acts will be gravely or lightly illicit according as the object is such. Concerning these acts, cf. St. Thomas, *De Malo*, question 15, article 2.

Which readings, looks, etc., will be grave sins for spouses?

283. - Corollary. This seems to follow from what has been said. Libidinous looks, readings, and conversations are to be blamed gravely in themselves for spouses only when they either foster adulterous desires or induce a grave danger of pollution.

It also follows from this that "books which professedly treat, narrate, or teach lascivious or obscene matters," and which as such are prohibited by the law itself [6] and proscribed under grave guilt, can be understood differently, when there is question of reading, for spouses and for those who are not

spouses. For the principle is that books which are of themselves (and therefore less universally) a proximate occasion of grave sin for readers are universally prohibited under grave guilt. Therefore, books which are not such of themselves for spouses are not positively prohibited to them under grave guilt. Cf. our booklet *De prohibitione et censura librorum,* nos. 54 and 57.

[6] Canon 1399, 9°, q. 2.

Diversity of opinions, especially that of St. Alphonsus.

284. - Concerning copulation and pollution, considered in themselves, the opinion of the doctors is indeed in agreement. But concerning the incomplete venereal acts of spouses, whether mutual or non-mutual, some speak more severely than others; and, with intrinsic consideration omitted, not a few so combine the opinions of several authors that their conclusions can scarcely be joined to one another by a strict nexus of consequence.

Because of the authority of the Holy Doctor, it is useful here briefly to recount the assertions of St. Alphonsus.

He condemns as mortal lust against nature copulation begun in an improper vessel or in the mouth, although it is completed in the due vessel [7]; he judges that mutual acts which induce a grave danger of pollution are not excused from grave guilt by a grave cause, unless they were modest signs of love [8]; he considers shameful touches which a spouse exercises upon himself or herself while the other is absent more probably grave [9]. Wherefore, pleasures concerning past intercourse which cannot be repeated in the present are not excused from mortal sin if the pleasure "is had not only with a commotion of the spirits but also with titillation or venereal pleasure [10]."

[7] *Theologia moralis,* book 6, nos. 915 and 935.

[8] Nos. 923-934.

[9] No. 936.

[10] No. 937.

We have endeavored so to defer to authority that nevertheless we have approved or reproved nothing except according to intrinsic reasons.

Appendix. What is to be Observed in Practice concerning Civil Marriage and Civil Divorce

To what extent Catholics can comply with the law concerning civil marriage.

285. - Although the question of civil marriage and civil divorce has its proper place in the treatise on Matrimony, nevertheless, because of the force which institutions of this kind exert upon chastity itself, we discussed each argument theoretically in the former part; it is useful here to say in a few words what Catholics can or ought to do in this matter.

Therefore, Catholics not only can but also must comply with the law concerning civil marriage: both in order that they may obtain civil protection for their marriage celebrated or to be celebrated before the Church and confer upon their offspring the civil benefits of legitimate marriage, and in order that

by their voluntary compliance they may take care not to give the civil power a pretext or occasion for promulgating prescriptions which would be more contrary to ecclesiastical laws [1]. Cf. the response of the Holy Office, January 12, 1881; the instruction of the Sacred Penitentiary, January 15, 1886. And the opinion of the doctors is in agreement.

[1] The neglect of certain faithful persons was the occasion for the fundamental law of Belgium to prescribe that "civil nuptials are to be placed before the nuptial blessing."

Nevertheless, they cannot approach the civil magistrate with the intention of attempting to contract a true matrimonial covenant before him; rather, they must wish merely to place their union under civil protection and reserve the intention of celebrating marriage for the day or hour at which they express consent before the minister of the Church.

Moreover, insofar as it can be done, they will impede civil divorce and defend the rights of the Church over the marriages of baptized persons.

What civil magistrates may do.

286. - It is disputed whether or not, in regions where the civil law has introduced divorce, it is lawful for magistrates to apply that law to parties petitioning for it, so that judges render a sentence for divorce and officials designated by law, for example, syndics, assist at new nuptials. In this controversy, the influence of local circumstances appears not inconsiderable. For approved authors who write in Italy or in a region which is free from a law of divorce are accustomed to answer more severely than inhabitants of regions where such a law has been received into custom. Nor ought we to wonder at this. Where that law does not exist, Catholic writers must strive by every effort, and by the very severity of their reprobation, that it not be introduced; but where it is so established that no hope of suppressing it shines forth, they are more solicitous about the possible manner in which good magistrates can both remain such and discharge their office. Yet even those who defend the stricter position, if they speak moderately, for example, the Most Illustrious Dr. Rosset [2], acknowledge that the opinion which denies the intrinsic unlawfulness of the cooperation of a magistrate is defended by distinguished patrons. Cardinal Gasparri, who nevertheless professes that he inclines toward the stricter position, says that not a few prelates who are learned, pious, prudent, and most devoted to the Apostolic See, in Germany, England, America, and France, "retain the more benign opinion, whether in theory or in practice, at least as probable [3]." And he alleges Lehmkuhl (II, 921, note) as the principal author of that opinion.

[2] *De sacramento matrimonii*, vol. 6, no. 4084.

[3] *De matrimonio*, vol. 2, no. 1554.

To say what we think, this question does not have a universal solution.

For the law of divorce itself - just like the law of civil marriage itself, which we judge worse because it contains a more open profanation of marriage itself, because its use is more daily and necessary for most persons, and because it at least remotely prepares the law of divorce itself - can, according to a diverse intention and diverse circumstances, be a law of positive approval and concession or a law of mere permission or toleration; and it can intend to concern true marriage or only a legal institution. Wherefore, the very principle from which the absolutely stricter authors proceed now wavers: "The law is intrinsically evil." And a consideration of no little weight arises against them from the fact that,

before our age, several supreme doctors regarded the law concerning a bill of repudiation as merely permissive and therefore not evil [4]; and that Barbosa [5] and Sanchez [6] excused, as merely permissive, the laws by which Christian emperors did not refuse complete divorce. Moreover, even an evil law can gradually change its meaning through jurisprudence, so that a sentence of divorce and applications of the law are understood as mere toleration. And thus the minor premise of the syllogism which the stricter authors oppose to the more benign authors also wavers: "The practical application of an evil law is also evil." For this reason, and also with scandal taken into account, a recent law must be distinguished from an old one. It can happen that a new law must be resisted with every force, in order to inculcate right principles and to try whether perhaps it can be abrogated, while, when a hope of this kind has been removed and the principles have been established, a milder response can be given concerning necessary cooperation. Wherefore, we readily reconcile the stricter response of the Holy Office, which was issued for France soon after the new law of divorce (May 27, 1886), with the response by which the Holy See declared (September 14, 1886) that nothing in the condition of Belgium had been changed by this response. This response signifies at least that no universal force is present in the declaration for France, so that no judgment concerning the application of the law in Belgium was pronounced [7]. And rightly so, since the judgment can vary.

[4] Cf. the note of Wernz which is altogether to be pondered, vol. 4, note 115 to no. 750.

[5] On the Digest, title *Soluto matrimonio*, etc. (book 24, title 3), rubric 2, part beginning at no. 10.

[6] *De matrimonio*, book 10, disputation 1, no. 12.

[7] We prefer this simple and reasonable interpretation to the subterfuge of others who see there merely a "diplomatic" response. Alleged subtleties in moral matters rather offend the pious ears of the Christian people. Moreover, the responses of the Holy Office given for Switzerland on April 3, 1877, and for France on July 26, 1887, confirm that peculiar circumstances were considered in the responses of the Holy See.

But Catholic judges will endeavor to lead the parties toward better counsels, nor will they themselves inconsiderately treat such grave causes as though they were light matters.

Nor is it repugnant that, in circumstances which contain no approval of an adulterous marriage, a civil magistrate, compelled by law to act in this manner unless he prefers to resign his office, should for a reason of public policy assist at the civil marriage of those who omit the essential solemnity prescribed by the canons, or who, indeed, because of a prior covenant, are unable to contract marriage validly. Cf. what Cardinal Gasparri wrote, op. cit., nos. 1530-1533, and Lehmkuhl, II, 952, note 1. Palmieri, vol. 6, no. 530, responds more severely concerning this case, though in nos. 519-531 he not obscurely favors the more benign opinion concerning a judgment of divorce.

What of advocates and procurators?

287. - Since advocates, or patrons of causes, represent the parties, they cannot defend causes of divorce unless the parties themselves are permitted to institute the action. Nor are they excused of themselves by any obligation of the civil law, since it is in their power to decline causes. Indeed, even those newly admitted to the bar who conduct causes under the direction of a senior advocate (*les stagiaires*) cannot be compelled to undertake the defense of any cause against their conscience. It can happen, however, that the errors of the laity and the excessive benignity of priests have brought it about that an excuse in causes of divorce is not admitted. The matter must be evaluated from the fact. Certainly, for causes similar to those for which Catholic magistrates are

permitted to do this, advocates are not prohibited from cooperating materially in civil divorce. Génicot therefore writes well: "But if, in a case that is indeed very rare, an advocate could not decline a suit of this kind without suffering a most grave harm, for example, exclusion from the roll of advocates, the cooperation could be excused, provided that it is not requested in contempt of religion." *Theologia moralis*, II, 562, 2°.

The same is to be said of procurators (*avoués*) as of patrons of causes.

Can the parties sometimes petition for civil divorce?

288. - In order to avert greater evils which cannot otherwise be avoided, it will sometimes be lawful for the Catholic party himself or herself, where the remedy of separation is not sufficient, to petition for civil divorce: for example, lest adulterine offspring be imputed to an innocent husband; lest afterward, with immense harm, divorce be pronounced against an innocent party who has obtained a sentence of separation. But the civil forum is not to be approached by the Catholic party in this matter before the local Ordinary has given permission.

What theologians and priests must beware of in this matter.

289. - Theologians and priests must conduct themselves in these matters with the greatest prudence: lest, by excessive severity and with the greatest common harm, they make civil public life inaccessible to Catholics; lest, by excessive subtlety, they ascribe to the Holy See diplomatic subterfuges and ambiguities which, in moral matters, a certain common sense of honesty seems to reject, so that explanations of this kind give rise to no slight scandal; lest, through excessive benignity or ignorance of principles, they indiscriminately permit to everyone what can be granted to a few only for grave causes, and, by thus conniving, be the cause why most grave errors concerning civil marriage and divorce grow strong in the state.

Section Two: On the Mutual Familiar Intercourse of Those Betrothed for the Future

Who are to be understood as betrothed persons.

290. - We call those persons betrothed (for the future) who, whether from a betrothal agreement properly so called or from the equivalent introduction of one into the house of the other, have a certain and mutual hope of marriage.

Sanchez [1] indeed seems to consider only those betrothed persons between whom betrothals for the future have been contracted absolutely. But many theologians who treat what is lawful and unlawful between betrothed persons are not accustomed to define accurately whom they address by the name of betrothed persons. Yet all persons who have attained a certain hope of marriage, whether they are bound by a formal agreement or are content with a mutual firm resolution, seem to be situated in a similar condition and are commonly called betrothed persons (*fiancés*); so that the rules to be handed down seem to apply to both.

[1] *De matrimonio*, book 9, disputation 46, no. 47.

Nevertheless, a prudent application of these rules demands that, even among those who are formally betrothed, the distance by which they are separated from marriage not be neglected; but those

between whom marriage negotiations have begun are already to be regarded as approaching the condition of betrothed persons.

The usefulness of betrothals.

291. - Now it is conducive to the mutual happiness of spouses that, before they contract an indissoluble covenant, they should be able to make a mutual trial of qualities, affections, and inclinations; or rather, for thus we will reply more according to what commonly happens, that if through mutual conversation they learn that they had falsely judged one another's character and inclinations to be such as promise a happy and fruitful marriage, an honorable manner of renouncing the nuptials should remain.

But for the dignity of conjugal life, and especially for the honor to be rendered to the wife, it is expedient that mutual esteem and a love nobler and firmer than that which arises from carnal concupiscence should found the nuptial covenant. This love, as we saw (no. 178), can sometimes become a protection of an inviolate life for a young person.

Which demonstrations of love are honorable.

Moreover, love inclines toward external signs and is itself promoted by them. Wherefore, "embraces and kisses had between those betrothed for the future, as a sign of benevolence and for acquiring and fostering mutual love in order to contract marriage, are altogether lawful because the end is honorable." (Sanchez, *De matrimonio*, book 9, disputation 46, no. 50. Cf. also no. 53.)

Immodest demonstrations are rejected.

292. - Immodest signs by means of touches, less honorable looks, etc., are in no way lawful for those betrothed for the future; indeed, because of the danger of a graver abuse and for the very happiness of the future marriage, they are more strongly to be avoided and restrained from the beginning. For no less than others who are not married, betrothed persons must abstain from carnal commerce, of which these things are the beginnings; but they rather place the happiness and dignity of marriage in danger than assist them. For with what reverence, civility, and moderation will a betrothed man who acts insolently toward a girl not yet his own conduct himself toward a wife subject to him? And the more carnal lust is fostered before the nuptials, the less they will be joined on account of a nobler affection. Cf. Sanchez, *De matrimonio*, book 9, disputation 46, no. 51.

What enjoyment may be permitted.

293. - Sensible enjoyment taken from honorable demonstrations seems lawful. For the rule of St. Thomas recurs: the pleasure of a good operation is good.

But can betrothed persons seek or admit by consent a pleasure not only more generally sensible [2], but also venereal, which easily accompanies or follows the former? With the danger of pollution or of consent to it excluded, Sanchez [3], with Cajetan [4], Navarre [5], and certain others, seems to judge that this is not gravely blameworthy.

[2] Cf. no. 24.

[3] Nevertheless, he himself does not explain very perspicuously what he understands by the name of sensible pleasure not gravely prohibited to betrothed persons, so that his meaning is doubtful.

[4] *Summula*, s.v. "Betrothals"; and on II-II, question 154, article 4, in the response to objection 2, at the end.

[5] *Manuale*, chapter 14, no. 18; and chapter 16, no. 12, at the end.

The more benign opinion of many.

For Sanchez has this: "Betrothals excuse from mortal sin this pleasure, which is a beginning of copulation and which in altogether unattached persons would be a mortal fault [6]." And afterward: "Nevertheless, it will be venial, as idle and as lacking necessity and piety [7]." But Cajetan, treating the same kisses which he declares to be mortal in unattached persons, and distinguishing them from kisses and embraces which he pronounces plainly lawful as signs of benevolence and familiarity between those betrothed for the future, judges those kisses between those betrothed for the future, just as between spouses of the present, to be only venial, and for this reason: because a betrothal is the beginning of marriage. Finally, Navarre, loc. cit., adheres to Cajetan; and he permits to betrothed persons what he forbids to others, that is, to enjoy the pleasure which arises from kisses, without employing any distinction.

[6] *De matrimonio*, disputation 47, no. 6.

[7] [No corresponding footnote is printed in the source.]

It is rejected.

But today, with most authors, this is more rightly rejected. For betrothed persons, as far as copulation is concerned, differ in nothing from persons who are altogether unattached. Consequently, the beginning of copulation, or of a prohibited thing, is prohibited to them no less than to the latter. No handing over of bodies has been made; therefore no use of bodies is lawful; therefore no pleasure which pertains to imperfect use can be excused from grave sin.

For the fact that a special pleasure of venereal sensation also easily arises from an honorable kiss flows from the rebellion of the flesh because of the affinity of the things; but no venereal pleasure pertains of itself to an honorable kiss, which proceeds from an affection nobler than venereal lust. Wherefore this does not hold here: "The pleasure of a good work is good." Rather, it is something disordered and prohibited equally to betrothed and unattached persons. Thus the chief argument which the adversaries used is snatched away from them.

Nor can they say: betrothal is the beginning of marriage; therefore the beginning of copulation is permitted to them. For it is a beginning not properly so called, which would give all the rights of marriage in an inchoate manner, but one improperly so called, or a preparation through a union of souls, not of bodies. Moreover, as St. Alphonsus admonishes [8], betrothal is a promise. But a promise to hand over a thing does not yet permit the use of the thing.

[8] Book 6, no. 854.

Kisses given for the sake of pleasure.

294. - Those who give these honorable kisses or engage in conversations in order to take pleasure (not venereal pleasure), with the danger of consent to mortal sin excluded, sin

venially, not indeed because of the end itself, taken as such, but because of the danger which is not excused by the honorable end [9]. But they must resist the carnal movement when it arises and positively renounce it. Wherefore, they are to be dissuaded from seeking kisses expressly and deliberately on account of sensible pleasure. Cf. Lessius, book 4, chapter 3, nos. 58 and 59.

[9] Sanchez, *De matrimonio*, book 9, disputation 46, no. 50.

Counsels to be given to betrothed persons.

295. - Since betrothed persons are very prone to excesses, they are to be admonished that they engage in tender conversations temperately and rather sparingly, and that in their demonstrations they not exceed the custom of upright persons in their country. Above all, let them beware of more frequent kisses, kisses given on the mouth rather than on the cheeks, and lingering embraces: these are accustomed to move the flesh gravely.

Nevertheless, some excess is not immediately to be condemned as mortal.

But betrothed persons are formally to repudiate venereal pleasure. Then, if any involuntary pleasure arises, they will be excused by a just cause. For a testimony of love is a just cause for them.

Therefore, if this is reasonable, it gives place to the principle of double effect. Nevertheless, a betrothed person who senses a more imminent pollution in these demonstrations ought, in order to act sincerely, then gently to interrupt the demonstration, if he can conveniently do so.

The betrothed woman especially is to be exhorted not to permit anything which is reserved to spouses. This is wicked and very dangerous to her present reputation: once she has permitted it, even before the time she is already so placed in the power of the man that she no longer has the option of breaking the betrothal, while she has rendered the nuptials less lovable to the man who, outside the nuptials, and consequently without their burden, has obtained what he could ask only in the conjugal state. And even if he remains constant, it is harmful to the happiness of the marriage that the betrothed woman should in some manner satiate the betrothed man before the marriage has been celebrated. For provident God wisely established that the new burdens of marriage should be relieved by new joys.

Let her also know that more things can be performed by her without carnal commotion more easily than by a young man. Wherefore, let her not admit too many signs of love, much less solicit them. Nor should she in any way fear on that account for the perseverance of the betrothed man. On the contrary, while she provides for her dignity, she increases his esteem; but disgust is generated by excessive familiarity. This is especially to be noted where the nuptials must be deferred for a long time.

The counsel of moderation, therefore, will be opportune in every respect, provided that they are not regarded as uncivil or austere. Let this brief rule be established: let them perform no more, even if it is permitted to them, than what can be performed in this matter before others, for example, their parents.

But a moral excuse will more easily be present in the one rendering than in the one requesting.

Wherefore, a betrothed woman who admits a kiss of her betrothed which, in its external appearance, is honorable and customary does not sin of herself, although she suspects or holds for certain a less

good affection or intention. For she consents only to the exterior act, which is good; this does not remove the guilt of the other's evil affection or intention, so that her slight cooperation has an easy excuse from the circumstances. Cf. Cajetan, on II-II, question 154, article 4, at the end.

Nevertheless, a betrothed woman who by a gentle admonition of displeasure leads the betrothed man toward better things will be greatly praised. And she is to be exhorted to act thus when she can.

The grave obligation of parents.

296. - Since betrothed persons are accustomed to be sufficiently exposed to temptations to evil, a grave sin is committed by parents who have no care for the familiar intercourse of the betrothed persons or who imprudently permit them to be alone [10]. A scruple, therefore, is to be instilled in them.

[10] Sanchez, *De matrimonio*, book 9, disputation 46, no. 52.

Excessive rigor must also be avoided.

297. - St. Alphonsus [11], led by the danger of consent to pollution or to venereal movement, seems to have written severely concerning this argument.

[11] Book 6, no. 854.

He merely tolerates kisses and embraces where the custom prevails, even if they are done in passing; nor does he regard as practically probable the opinion which grants sensible pleasure (not carnal pleasure) to betrothed persons.

These are indeed holy admonitions. Nevertheless, care must also be taken lest upright betrothed persons be tormented by scruples and, because of the excessive rigor of a counselor, begin to have a constrained, fearful, and impeded manner of acting which renders them ridiculous, not without danger to their own religion, and more certainly turns and deters others who are less pious from piety and religion. Let us preach conduct that is sincerely honorable but not timid. It is greatly to be desired that the manner of acting of the good should be as easy and human as it is honorable and dignified.

The mutual obligation of fidelity.

298. - True betrothals or promises having been made, betrothed persons are bound by a certain mutual obligation to abstain from every other carnal commerce, so that those who sin lustfully with others are to be regarded as unjust in some manner. Common sense itself teaches this. Wherefore, even those parents who are accustomed to indulge many sins in young persons sharply censure the sins of a betrothed person with outsiders, so that there seems to them to be a cause for breaking the betrothal. Indeed, most theologians think that the fornication of a betrothed woman with another, because in the common estimation it makes the nuptials notably less desirable, adds to the sin a grave species to be accused in confession. Nevertheless, the matter is disputed, so that the confessor is not compelled to be solicitous about that accusation. Yet he will be able usefully to inculcate upon them their mutual right and duty. Cf. Ballerini-Palmieri, vol. 6, treatise 10, nos. 75-82; and Palmieri, in the theological part of the same work, vol. 2, no. 1007.

What if the betrothed frequently sin?

299. - You will ask how one must act with betrothed persons who frequently fall into mortal sins.

We suppose that there is question of those who would avoid these sins if they were free from the betrothal.

Therefore, if the marriage is sufficiently near, the occasion is regularly to be regarded as necessary. By suitable means, caution, and the use of the sacraments, it is to be converted into a remote occasion.

But if the marriage is remotely distant and cannot take place soon, the case becomes very complicated.

Even then the occasion must not rarely be regarded as more or less necessary, either because the danger does not arise from the special circumstances of this familiar intercourse, so that, if it were removed, another equally dangerous occasion would then succeed it, or because the opportunity of marriage is of singular value and will with difficulty be present again. Where a rationale of this kind is present, one must act in almost the same manner as in the former hypothesis.

If an excuse of this kind is lacking, a proximate occasion which cannot easily be converted into a remote one is of itself to be abandoned.

But if, as not rarely happens, it cannot be obtained that the betrothed persons either marry soon or break off or suspend their commerce, let the visits at least become less frequent, with cautions employed; and, especially from the girls, let assiduous access to the sacraments and the use of a stable confessor be required.

Section Three: On Venereal Use Outside Marriage

Chapter I. On the Complete Use of the Venereal Faculty

Article I. On Complete Use According to Nature

§ 1. On Simple Fornication

Definition of fornication.

300. - Complete use according to nature takes place in fornication, which, under the respect of lust, can be described as natural, extramarital copulation. And simple fornication is copulation which is vitiated by the defect of marriage alone; that is, which, in carnal commerce, violates only that order which specifically human or rational nature demonstrates to be necessary: this nature postulates a conjugal bond.

We prefer this definition to the customary one, according to which simple fornication is said to be the intercourse of an unattached man with an unattached woman by mutual consent. For the quality of being unattached, by which the sin is diminished, seems, from the place which it holds in the definition, to contribute toward constituting the sin; and, while it properly indicates persons who are

not married, here it must designate every person who is joined neither by a matrimonial covenant with another, nor by a special obligation to God (from a vow), nor by a natural or legal bond of piety (from consanguinity, affinity, or legal relationship) with the person with whom he or she sins.

The notion of concubinage.

301. - Concubinage denotes carnal commerce prolonged in intention and in fact between the same persons, whether a certain express agreement has intervened for a fixed time [1] or without a fixed day, or whether they have tacitly agreed [2] upon a habitual relation or familiar intercourse; always excluding, however, that handing over of mutual right which is proper to matrimony.

[1] We know that in a certain large city women are now hired for this end for three or six months, and that hiring agencies exist. A most manifest agreement is present in civil marriage, which, where a priest is available, is nothing but concubinage for Catholics.

[2] Thus, in the colonies, a native woman is taken by Europeans for as long as the man remains separated from his own wife. Cf. no. 213.

Among the Romans, the institution of concubinage was in some manner legal; we described it above, in nos. 101 and 117, and here in the third footnote.

Today it is considered merely as "a continuous state of committing fornication and a perpetual occasion [3]," which, because of the obstinacy of the will, is regarded as graver than accidental fornication, and must be disclosed at least to a confessor who asks, so that he can judge concerning the occasion that must be fled.

[3] Cf. Lehmkuhl, I, 1037. Formerly, greater attention was given to the imitation of a legitimate state and to the hope of a better education afforded to offspring who seemed likely to be born from concubinage than to offspring born from promiscuous intercourse. Under this respect, promiscuous intercourse with several persons is worse than concubinage and is judged worse. Wherefore, as morals declined, the institution of concubinage began to exist alongside the institution of matrimony, so that until Constantine it was permitted by the laws to have a concubine in addition to a legitimate wife. Cf. law 4, *Digest*, 25, 7; and the Code, sole law, book 5, title 26.

On a reserved case.

Not rarely, concubinary adultery is also reserved by the bishop to himself. For fornicators to incur that reservation, a certain frequency of acts is required, which are not repeated merely by accident but are joined by a nexus of intention, so that there is a state or custom; in other words, so that the woman is in some manner destined to the same man.

Where this designation is clear, for example, after a civil marriage, even a few acts suffice [4].

[4] Two then seem to suffice. Cf. Reiffenstuel, on book 1, title 4, no. 124.

In doubt, since it is not always easy to have the conditions ascertained, the case, according to the general canon, will have to be regarded as not reserved. Cf. canons 299 and 2245, 4.

Because of the reservation, the circumstance of concubinage will also have to be disclosed at least to that confessor who lacks power over reserved cases.

The notion of prostitution.

302. - Prostitution designates the condition of a woman who, prepared to grant access to almost anyone, is accustomed to make gain from her body. A prostitute - who among certain peoples is honored in certain circumstances - is accustomed to commit not a few specifically diverse sins, some according to nature, others against nature; nevertheless, her state does not impart a new species to her sins. Wherefore, this condition will not have to be accused except because of public scandal [5] and in order to reveal the occasion of sin.

[5] Cf. Palmieri, *Opus theologicum*, vol. 2, no. 1006.

The confession of a prostitute.

Moreover, once she has indicated her infamous trade, the burden of accusing herself now becomes lighter for her. In order to satisfy the precept of integral confession, it is sufficient that she declare the genera of sins in a few words; then, concerning interior sins, let her indicate the time during which she began and continued to act as a prostitute; but concerning exterior sins, let her state the principal species (insofar as she herself distinguished the persons): with married persons, with sacred persons, and about how often those rarer species occurred; adding the nearly usual number of her exterior sins in a day or week, insofar as she morally can. For although some, with Navarre [6], were content with an indication of the time during which she was situated in that wretched state, since in fact she can quite easily do something more, and the usual frequency varies greatly according to the nature of the place and certain times, no reason appears why she should not indicate in confession what she can indicate.

[6] *Manuale*, chapter 6, no. 5.

Onanistic copulation.

303. - Onanistic copulation differs in species from fornicatory copulation, since it is consummated against nature. Penitents, however, often neither observe nor accuse this distinction. And when there is question of illicit commerce, it profits quite little to question guilty persons who have sinned with the other sex about another abuse and about abortion.

304. - But now, although fornication, with attention to its species, is the least among sins consummated in the genus of lust, nevertheless we defend this common and certain conclusion:

Thesis IX

Every fornication is a mortal sin, even when considered by the natural law alone.

Opinions.

Before the birth of Christ, the pagans, certainly the Greeks and Romans, permitted fornicatory copulations to the young; nor can a prohibition be gathered from the sacred writings of the Old Testament. Yet in the days during which Christ lived a mortal life, the Jews seem to have professed purer counsels. Wherefore, when questioned concerning the precepts which were to be imposed

upon converts from the Gentiles, the apostles especially commanded that they abstain from fornication. (Acts 15:29.)

Nevertheless, several heretics, both of the ancient age, such as the Gnostics, and of the sixteenth century, such as the Anabaptists, denied that fornication was unlawful by any law.

Certain Catholics thought that the malice of fornication was to be derived from positive law alone and not from natural law: either all of it, as Caramuel [7], or its grave malice, as Durandus, book 4, distinction 33, question 2, no. 10.

[7] Book 3 of the *Theologia moralis*, no. 1600.

Among the propositions which were "condemned and prohibited as they stand, at least as scandalous and dangerous in practice" by Innocent XI on March 2, 1679, there is proposition 48: "It seems so clear that fornication of itself involves no malice and is evil only because it is forbidden, that the contrary appears altogether discordant with reason." Cf. Viva on this proposition, where he endeavors to dissolve the arguments of Caramuel.

Catholics, therefore, do not doubt the intrinsic and grave malice of fornication; but they labor considerably in assigning the reason, so that Palmieri [8] acknowledges that he does not recoil from the observation of Tamburini [9] that there indeed exists an efficacious reason by which this malice is derived from a natural source, but that "it has not yet been clearly discovered by us *a priori*."

[8] *Opus theologicum morale*, vol. 2, no. 1008.

[9] *Explicatio Decalogi*, book 7, chapter 1, section 2.

Why the demonstration is difficult for many. — The notion of grave sin.

305. - Difficulties of this kind, which occur in this very treatise on purity and in other moral arguments, where a certain inward sense immediately perceives as grave what some despair of demonstrating to be grave, we consider to derive their origin from an excessively neglected metaphysical consideration of sin, and from that confusion by which a divine offense and a violation of the essential order have been equated with offenses among men and with a violation of the secondary order which human laws constitute.

The rationale of mortal sin, as is explained in its proper treatise, must be derived formally from a substantial contrariety to the order of reason or the divine order, and not from the harm which it brings to this or that good. But, with the generic difference between venial and mortal sin neglected, they began to place every sin under the common rationale of a disordered act, the various gravity of which they then wished to estimate after weighing the importance of the object and of the consequences. This rule for measuring human precepts - that is, precepts proceeding from an authority which, being constituted to protect either the common or a private good, can command acts only with respect to that good - is false, or at least without general application, when there is question of the essential order. For then this quantitative consideration is seen to be infected by the vice of "utilitarianism," that is, by excessive attention to the goods which lie nearest to us, and it opens a place for various difficulties, such as these: "Since the punishment of mortal sin is despised by so many and unknown to very many, one of two things must be said: either that punishment is not necessary for the common good; or God has not provided efficaciously enough for the common

good"; "The rationale of common harm seems to be lacking in these or those circumstances: why, even when the rationale ceases accidentally, would the gravity of the guilt not also cease accidentally? For example, the good education of offspring requires birth from just nuptials; but when there is no hope of conceiving offspring, why do we even then call fornication a grave sin [10]?"

[10] Cf. Rev. Dr. Van Roey, *Quaestio specialis*, p. 24, at the end.

Theologians who adduce merely these secondary arguments emerge from this kind of difficulty only with difficulty.

We are indeed persuaded that it is supremely important to the private or common good of men that the essential order of things sanctioned by the most wise God be observed; but this connection between justice or honesty and our utility easily escapes our weak eye, nor ought it to be perspicuous, as the respect of the common good in human law ought to appear both to the ruler and to the subjects.

Therefore, we must begin from this other principle: **Every human act substantially repugnant, that is, contrary, to the essential order is a grave sin.** For the essential order, or that which is demonstrated by the essences of things, has its own substance and its own integrity, and an evil act can be opposed to it under a diverse rationale, perfectly or imperfectly.

An injury to the substance of this order constitutes a mortal sin; an injury to its integrity, although intrinsically evil, is of itself venial: it is an accidental violation. But every inversion of the order or contrariety, at least when there is question of the order of man himself or of his faculty, is a substantial violation: it is perfectly opposed to that order. Wherefore, it is also understood why St. Thomas, I-II, question 87, article 1, reply to objection 1, denies that venial sin is *against* the law, but contends that it is *beside* the law and is compared with mortal sin as an accident with a substance.

When the intrinsic malice, whether grave or light, has thus been known, it is then lawful to infer from it a relation to the common good according to the general rationale by which we trust the wise God; but we shall attempt a direct demonstration of a relation of this kind not as though it were something capital, but merely to illustrate and confirm the principal argument.

Argument from theological reason.

306. - Argument. 1. From Sacred Scripture, or rather from theological reason.

Fornicators, by an equal law with those who serve idols, adulterers, etc., are universally excluded from the kingdom of heaven. "Neither fornicators, nor those who serve idols, nor adulterers, nor the effeminate, etc., shall possess the kingdom of God [11]." - "Those who do such things (fornication, uncleanness, etc.) shall not obtain the kingdom of God [12]." - "But know this and understand, that no fornicator, or unclean person, or covetous person, which is the service of idols, has an inheritance in the kingdom of Christ and of God [13]."

[11] 1 Corinthians 6:9-10.

[12] Galatians 5:21.

[13] Ephesians 5:5.

Observe, however, that according to the interpretation which several judge probable, by the name of the covetous person is designated one who desires illicit pleasure, who is among those concerning

whom the Apostle had written above: "they have delivered themselves up to immodesty, unto the working of all uncleanness, unto covetousness" (Ephesians 4:19).

From this we gather that fornicators incur the wrath of God. But by what law and whether each fornication is prohibited gravely, Scripture does not say expressly; nor is one who has fornicated once or twice strictly a fornicator. Yet it does not appear why the rationale of mortal sin would first be present only in some plurality of acts which, moreover, cannot be defined; and it is sufficiently accepted that, in the New Law, if you except the laws concerning faith and the sacraments, no divine precept is promulgated besides those which are contained in the natural law [14].

[14] Cf., for example, Cajetan, on II-II, question 184, article 2.

Therefore, it is indirectly established from the sacred writings that every fornication is infected with a grave and natural malice.

From natural reason.

2. From natural reason. Unless in the end itself, at least in the manner in which it is exercised, carnal commerce must preserve its essential relation to the species; otherwise, it would be exercised against its own nature. Therefore, it is necessary that it take place in a natural manner by two persons who have completed one another as a principle of generation. But only through matrimony can they so complete one another, since nature holds no other compact of carnal commerce ratified. For the principle of human generation must be such as the human species to be multiplied demands. Wherefore, only two persons, joined into a stable unity, can constitute that principle. Cf. what was said in nos. 61, 104, and 105.

A. In every fornication, both parties will to institute copulation by a precarious consent, without mutual right, without a bond of mutual obligation, not as though stably made one, but as independent and separate persons.

Therefore, in every fornication, those lying together deprive carnal commerce of its relation to the species, and consequently violate the order in themselves insofar as they are parts of the human race essentially subordinated to that species.

Moreover, since they do this while carried away by carnal passion, they again violate the order in themselves insofar as, with the essential subordination of passion set aside, man allows himself to be carried away by carnal appetite against the rational mind.

The violation of the order insofar as they are parts of the human race appears especially in promiscuous intercourse, where copulation, with the essential order inverted, is manifestly referred to the pleasurable individual good alone of those who sin.

Cf. no. 258, where a similar demonstration was made concerning the intrinsic and grave malice of onanism.

Confirmation from the harms arising from fornicatory copulation.

307. - The demonstration is confirmed by the harms which fornicatory copulation brings to the common good. These harms would increase in number and gravity unless common sense marked it with the note of grave sin.

The grave harms can be demonstrated thus:

Insofar as it denies mutual right.

1. Insofar as copulation takes place without mutual right, it is capable, both before and afterward, of exciting most grave contentions, jealousies, discords, quarrels, struggles, and killings among several persons who desire the same woman, indeed among women who desire the same man. Hence the greatest danger to public peace is discerned. If, in order to protect the common peace, it was necessary to divide exterior goods which nevertheless can, by some agreement, be possessed in common, how much more necessary does the exclusive ownership of a thing appear which cannot be held in common and is desired with a more insolent concupiscence.

N.B. Yet this rationale demonstrates the necessity of the institution of matrimony more directly than the danger of every fornication. Nevertheless, it can also be employed to some extent to attack fornication, especially that which would be regarded as lawful.

Insofar as it presupposes or induces no bond of obligation.

2. Insofar as fornication induces or presupposes no bond of obligation:

a) Without the matrimonial burden, it procures the greatest pleasure, which is appointed for undertaking, tolerating, and alleviating the various burdens of conjugal life. Hence nuptials become less desirable, as is also shown by the frequent example of those who, although they already live in prolonged concubinage, nevertheless abhor and repudiate the matrimonial bond.

As many as are the social goods of the matrimonial covenant, so many accusers and condemners arise against the copulation by which that institution is weakened.

To recall these goods very briefly: Matrimony is the stronghold of the weaker sex, whose dignity and liberty it vindi- cates; it is the present happiness of two persons; it is the perfection of both persons who, joined by the bond of mutual and intimate friendship, complete one another; it is the hope of the future age; it is the principle of the right and perfect education of offspring.

b) It either bespeaks no order toward generation, or only such an order by which the right education of offspring is corrupted in its root and of itself. For two wills, which a firm agreement and not mutable choice has joined, must be devoted to the offspring to be educated, so that the qualities and gifts of each sex may conspire toward that good; those two wills must first have been intimately joined, so that they may produce as it were one governing and directing principle, just as both bodies had composed one principle of generation. A firm agreement of this kind is none other than the conjugal one; a unity of this kind is induced by matrimony alone. Cf. no. 104.

Nor can the frequent cases be opposed in which the work of either spouse is impeded by disease or death. For the other spouse much better supplies the place of the spouse with whom he or she was so joined as to participate in that spouse's qualities; and much more easily fulfills the wishes of the deceased spouse than a man could supply the place of a woman separated from him, or a woman the place of a man separated from her, whose intimate commerce of soul was unknown, even if he or she wished to do so. After the experience of conjugal partnership, the surviving spouse, from the habitual manner of acting of the other, suspects and detects without difficulty how that spouse would act and how the survivor ought to act. And the memory of their common solicitude brings it about that the

survivor endeavors more formally to supply for the deceased than if the offspring had never enjoyed the benefit of that cooperation. Through this endeavor of imitation, it happens that even the absent or deceased spouse exercises a salutary action and authority.

It denotes of itself a mere conjunction of bodies.

3. Fornication contains nothing but a conjunction of bodies conceded to raging lust, apart from that nobler affection by which, in marriage, minds are joined before bodies. Even in the use of marriage, the mind dominates matter and the will governs passion, so that the order and dignity of the human person are placed in safety; while in fornicatory copulation these things stand in the inverse relation. Wherefore, while in matrimony, even a sterile one, copulation contributes greatly toward joining minds more nobly, and is at once the effect and, as it were, the expression or manifestation of a nobler union, fornicatory copulation, if it is fruitful, prepares a defective generation; if sterile, it is rendered honorable by no end and derogates from human dignity.

These harms are demonstrated to be grave.

We have thus far touched upon a threefold genus of harms which fornication brings of itself. But that they arise of themselves as grave harms from individual fornications can be gathered from the fact that one copulation is sufficient to generate offspring [15], and by itself is already capable of exciting great jealousy and of corrupting a virgin. But if rare fornications were sanctioned differently from frequent ones, who would define the measure of rarity, who would efficaciously compel its observance?

[15] St. Thomas, II-II, question 154, article 2.

The danger of abuse.

If, moreover, you consider both the importance of the matter being treated and, because of the immense force of the appetite, the immense danger of delusion, you will easily perceive that no exception could have been admitted by the provident Author of nature which, in a matter full of dangers, would have had to be surrounded by so many conditions. This matter, so cries the practical judgment of the wise man, must be withdrawn from the judgment of individuals. But it will not be withdrawn unless every fornicatory copulation is gravely prohibited. Therefore, the efficacious protection of the common good demands a universal and grave prohibition of every fornication.

On the argument of St. Thomas.

308. - The argument which St. Thomas [16] uses is reduced quite easily to our demonstration. For he argues from the fact that fornication contains a disorder which tends toward the harm of offspring who perhaps will be born from such intercourse, insofar as it deprives them of due education. We freely acknowledge that the education of offspring is the cause why, in the human species, carnal commerce takes place against the natural order if it takes place outside matrimony. Nor is this argument weakened by the fact that offspring are not born from every intercourse, indeed that there are intercourses which give no hope of offspring. For human intercourse manifestly bespeaks of itself an order toward the generation of offspring; and consequently the precepts and prohibitions of nature concerning human intercourse are to be understood according to those things

which this order requires (cf. nos. 61 and 105). Nor does it matter that it can happen that provision is made otherwise for the education of offspring. For then, as Cajetan [17] wisely observes, it happens that the harm which the disorder brings of itself is accidentally absent or is removed; but the natural order in intercourse is not restored, even accidentally.

[16] *Summa theologica*, II-II, question 154, article 2.

[17] On the cited article.

Nor is it an objection that the Holy Doctor alleges "the harm to the life of him who is to be born from such intercourse." St. Thomas certainly was not ignorant that copulations, indeed matrimonial unions, are sterile. But he posited intercourse together with its natural effect in order to express through that example the general assertion.

But the fact that, in the response to the sixth objection, he gathers the gravity of the sin from the fact "that from one intercourse one man can be generated" does not prove that the quantity of harm is formally or universally to be considered in a right evaluation of sin. Rather, when the occasion is present, the Holy Doctor does not refuse to use this sensible demonstration, while pronouncing nothing concerning the primary or secondary value of the argument.

Cf. the manner in which Cajetan, on the cited article 2, question 154, II-II, solves the difficulties of the argument, or that in which the Most Illustrious Dr. Waffelaert [18] proposes the rationales of St. Thomas.

[18] *De virtutibus cardinalibus: Temperantia*, no. 138.

Nevertheless, we acknowledge that it is strange that St. Thomas, in order to exclude the objection of a fornicator who sufficiently provides for the education of the offspring, appeals to a positive law whose determinations are made according to those things which commonly occur. Cf. Palmieri, *Opus theologicum*, vol. 2, no. 1008. But in book 3 of the *Summa contra Gentiles*, chapter 122, he sets forth this as a natural principle: "Natural rectitude in human acts is not according to those things which occur accidentally in one individual, but according to those things which follow upon the whole species."

Fornication is graver in a Christian. — It is demonstrated from the Apostle.

309. - But the gravity of fornication in a Christian is increased because he dares to defile his dignity as a member of Christ and a temple of the Holy Spirit [19]. This dignity was explained above, in no. 97. The matter can be proposed thus, though deficiently, since in this state of life we cannot adequately attain our supernatural elevation.

[19] Lessius, book 4, chapter 2, no. 53.

Because of an unworthy adherence to a prostitute.

1. According to the Apostle [20], it is repugnant that one who is one spirit with the Lord (verse 17) should become one flesh with a prostitute (verses 15 and 16).

[20] 1 Corinthians, chapter 6.

This rationale admits the following probable explanation. A Christian, through charity, is joined with God by an intimate and supreme supernatural bond. This union takes place primarily according to

the spirit, and brings it about that one who adheres to the Lord is "one spirit" with Him (verse 17). Consequently upon this supreme union, the body itself, as the lesser part of the same composite, becomes a member of Christ (verse 15; cf. Ephesians 4:15-16). Earlier, in verse 13, the Apostle had inculcated the mutual destination of the body, as a member, to the Lord, and consequently of the Lord, as the head or as the one governing the body, to the body; and he had shown the perpetuity of this dignity in the future resurrection (verse 14).

The fornicator, in turn, through the consent which he fosters with a prostitute according to carnal concupiscence, enters into the lowest union with her, from which he is made one body with her (verse 16). And thus, adhering to the prostitute, he hands over his own body to her as a member.

With these things posited, we can argue thus.

Just as, when an exalted office has been undertaken, base arts are prohibited, and it would be against the law of the noblest friendship to seek at the same time some dishonorable familiar intercourse, so likewise, after that exalted union with Christ which, reaching even to the body, renders the whole man as it were spiritual, it is indeed lawful to seek a conjugal union, which joins minds and wills before the body, and which not only corresponds to the divine ordination but, sanctified through the sacrament, represents the very union of Christ and the Church; but it is wicked to desire a union of the lowest love which, from carnal concupiscence alone, makes one flesh from a Christian and a prostitute and casts the whole man down into the vileness of the sin of the flesh.

Because of a profanation injurious to God.

2. By another rationale, in verses 13-20, the Apostle considers more the profanation injurious to God which fornication contains.

The Holy Spirit dwells in the body of the Christian as in His own house, which He bought for Himself through the blood of Christ "at a great price" (verse 19). Therefore, the profanation of this temple assumes the rationale of a sacrilegious injury against the Holy Spirit. But fornication is a profanation of this kind. For while, in other sins, if the body cooperates instrumentally, an exterior thing is abused (which violation can be called a sin against this thing), in this sin man abuses his own body. "He who fornicates sins against his own body" (verse 18).

Concerning this whole argument, cf. Cornely on this passage, who develops it at length. Cf. also what was said above, no. 97.

The difficulties are solved: the precept given to Hosea.

310. - A few difficulties remain to be mentioned.

1. It has long been customary here to object to the precept given to the prophet Hosea: "Take to yourself a wife of fornications; make for yourself children of fornications [21]," where God seems to have commanded fornication.

[21] Hosea 1:2.

Cf. St. Thomas, II-II, question 154, article 2, reply to objection 2.

Response. a) First, that false exposition of the passage must be denied. Even if, as has long been disputed, the things were truly done and were not said allegorically, Hosea is commanded to take a

corrupted woman as his wife and to beget children from her.

b) As to the matter in itself. It is certainly repugnant that God, the author of nature, should establish a general statute by which the natural order would be destroyed. Nor can He derogate from the supreme order of man toward Himself. But the remaining orders are subject to this one. Therefore, a particular exception by which, because of the immediate order of subordination to God, man is commanded to neglect a good of an inferior order neither removes the general law nor is repugnant to right reason. Cf. St. Thomas, loc. cit.

The nature of an act which is not contrary to charity.

2. In order that a sin be mortal, it must be contrary to charity toward God or toward one's neighbor. For all the precepts are referred to the precept of loving God and neighbor. But fornication is repugnant to neither charity, not even to the offspring to be born, for whom it will be better thus to exist than not to exist.

Response to the major. A third must be added: man's charity toward himself, which also must be observed and is contained in the very precept of love of neighbor, since we are commanded to love our neighbor as ourselves. Moreover, one's neighbor is not only an individual man, but also, unless you wish to deny the social nature of man, men in common or human society.

Now a man who fornicates, having abused his own body, violates the order in himself: this is against charity toward himself. But when offspring is to be born, the introduction of an illegitimate member also occurs, contrary to charity toward men in common or toward society. Wherefore, for the good of the human race that inviolable order has been established, that no copulation outside matrimony should be permitted.

Fornication between sterile persons.

3. Fornicatory copulation between sterile persons seems in no way to participate in the rationale of dishonesty which is taken from offspring. Therefore.

Response. The antecedent is denied: the proximate rationale of dishonesty is not the harm which is feared for the offspring, but the violation of the natural order natural. But this order was established in view of those things which human nature demands, so that generation may take place in a fitting manner.

Moreover, in our demonstration this difficulty is nonexistent.

But our conclusion is confirmed by the consequences of the objection. For by a similar rationale, when the hope of offspring has been removed, onanistic copulation or solitary lust would also have to be permitted by an equal right. If, when harm to offspring ceases, the order of carnal commerce could be neglected, it does not appear why only one violation, and not another at the same time, would be permitted.

But it is repugnant that nature should grant as it were a privilege of lust to those whose copulation cannot conduce to the primary end of the conjunction of the sexes.

Wherefore this must be well retained. The object of the precept in the sexual relation is not that we take care for the education of offspring: for then, in whatever manner it were provided for, the law of

nature would be observed; rather, such a use of the sexual faculty is commanded as, insofar as it depends upon the action of the spouses, can both generate offspring and procure for it the protection of a right education.

Fornication is also against nature.

311. - Corollary. Although fornication is said to be a sin which is consummated according to nature, nevertheless it is most truly repugnant to specifically human nature. The nature which it does not contradict is only that which is common to us with the brutes; but it is most rightly called a sin against rational nature. Cf. St. Thomas, book 3, *Contra Gentiles*, chapter 122.

Is it lawful to interrupt a fornication already begun?

312. - Scholium. Once fornication has been begun, so that orgasm is imminent, indeed so that the woman has already experienced her arousal, is it lawful for her to repel the man, or for the man himself, by withdrawing, to interrupt the copulation; or, on the contrary, must the evil work already begun be completed in a natural manner by the fornicators, who thus choose the lesser evil, lest they violate the very order of nature?

There are those who defend the latter position; and Palmieri [22] also inclines toward that position. Sanchez, however, with others, permits them to interrupt the copulation [23]. Indeed, he thinks that, supposing a new deliberation, a new guilt is more probably committed by those who complete the copulation. For it is morally right to desist from an illicit work; those who sin have no right to complete an evil work, nor, by interrupting it, do they choose a greater evil. For the pollution which will follow will occur apart from their intention and against their will. But for a just cause it is lawful, even with pollution foreseen, to interrupt the conjugal copulation itself, contrary to the prior intention, for example, because of a hostile invasion, bodily pain, etc. How could you exclude repentance for fornication already begun, that is, for a thing intrinsically evil, from the number of just causes?

[22] *Opus theologicum*, vol. 6, no. 384. We do not deny the probability of his opinion.

[23] *De matrimonio*, book 9, disputation 19, no. 7.

Is it lawful, after fornication, to expel the semen?

Sanchez adds that it is also a grave cause "lest the fornicatory intercourse be consummated to the grave detriment of the education of the offspring [24]." Wherefore we do not contradict Alberti [25], who asserts that generation can, in the case, be impeded by the expulsion of the semen; we do not contradict him, I say, at least if the woman has sincerely repented. This action seems morally to be equated with the preceding one. In either case there is, for an accidental cause, an interruption of a fecund operation before the conjunction of the ovum with the sperm. For, as is evident, it is never lawful on that account to procure an abortion.

[24] In the same place.

[25] *De sexto et nono*, no. 63.

Nor are those to be excused who, in order to sin more freely, determine from the beginning that they will exercise only sterile copulation in fornication.

§ 2. On Fornication Increased by Other Malices

Principle of distinctions.

313. One species in the genus of lust, fornication receives diverse names and is assigned to diverse species because of the various heterogeneous malices which accrue to it.

I. On Adulterous Copulation

On adultery.

1. - Illegitimate copulation exercised in contempt of the conjugal bond is called adultery. The adulterer, insofar as he joins his body, torn away from his spouse, to another, attempts to divide the flesh which God, by an indivisible bond, had made one from two. Thus breaking the unity of which he is a part, he is seen to sin in himself against piety. He also sins against piety toward the other spouse. And if the matrimony which he contemns was a sacrament, as is every valid matrimony between the baptized, he profanes the sacramental bond, and consequently commits sacrilege [1], as one who abuses a sacred thing. Finally, insofar as he violates the formal contract made with this spouse, he injures commutative justice.

[1] Cf. Lehmkuhl, I, 1491.

We omit the harms which are accustomed to arise from adultery for the legitimate offspring, the innocent spouse, and others also.

What if the other spouse gives assent?

2. Innocent XI, on March 2, 1679, reproved as at least scandalous, under no. 50, this proposition: "Copulation with a married woman, with the husband consenting, is not adultery, and therefore it is sufficient in confession to say that one has fornicated."

By his assent, however, the other spouse can certainly remove the final note of violated justice toward himself. In vain do some object that his right is inalienable. For no abdication of the right is necessary in order that an injury not be done to one who consents. It is sufficient that he who possesses the right not positively set that right in opposition. Cf. our work *De iustitia*. But the other spouse can in no way remove by his consent the malice of violated piety and violated religion. Wherefore:

Adultery perpetrated with the assent of the other spouse differs in species from adultery of which the other spouse was unwilling or unaware. But it is not simple fornication, since it preserves the other malices proper to it; and therefore we by no means defend or excuse the proposition proscribed by Innocent XI.

And so adultery committed with the assent of the other spouse will, as such, have to be distinctly accused. Yet because the opinion which denies the specific distinction of this adultery from common adultery retains some extrinsic probability, the obligation of a distinct accusation is not to be urged. Cf. Palmieri, *Opus theologicum*, vol. 2, treatise 6, no. 1014; Lehmkuhl, vol. 1, no. 1049.

What if both adulterers are married?

3. Double adultery, which is committed by a married person who sins with the spouse of another, must be accused as such. Most affirm this [2], against Emmanuel Sa [3].

[2] Sanchez, *De matrimonio*, book 9, disputation 15, no. 1; Lehmkuhl, I, 1049; Noldin, *De sexto*, no. 20.

[3] *Summa*, under the word *Confessio*, § *Quidam putat*, etc.

The rationale, however, is difficult, since both are committed by a single act of the will; it is the same, as Sanchez himself says, as if you were to kill two persons by one blow. Now, with Cardinal de Lugo [4], we judge that there are not several sins in the killing of several persons which is accomplished by a single act. Lugo indeed [5] judges that "in the sin of adultery of a married man with a married woman, each marriage must be explained, because the married adulterer contracts one malice in species by reason of his own marriage, and another by reason of the marriage of his accomplice.... The virtue which inclines this spouse to preserve his own matrimony seems to be diverse from that which inclines him to preserve the marriages of others." But this pleases us less. For the same virtues of piety and justice forbid both the principal act and cooperation or complicity. The brief rationale given by Lehmkuhl [6], "a twofold right of another is violated," needs explanation in order that we may approve or disapprove it.

[4] *De Paenitentia*, disputation 16, nos. 135 and 140.

[5] In the cited place, no. 140.

[6] *Theologia moralis*, I, 1049.

This appears to us to be the truer rationale. Contrary to what occurs in the homicide of several persons, where the killer alone sins of himself, here we have two persons sinning, and consequently two sins in number; but each contracts the guilt of each sin because of complicity. Therefore a spouse who sins with the spouse of another must in his accusation accuse both his own sin and the sin of the other. But he would not accomplish this by saying, "I committed adultery": he would accuse only his own principal act, but not his complicity with the principal act of the other. Moreover, by such an accusation he would positively deceive the confessor, who would understand: "I committed adultery with an unmarried woman," which would be false. In the same manner, one who wished to kill several persons by one blow and did kill them must indicate some plurality in a confused manner, lest the confessor understand: I killed one person. Cf. Lugo, *De Paenitentia*, disputation 16, no. 141.

II. On Sacrilegious Copulation

On real sacrilege.

314. - 1. Fornicatory copulation accomplished after Communion, before the sacred species have been corrupted, that is, within half an hour, takes on the grave species of real sacrilege. Cf. Noldin, *De sexto praecepto*, no. 26.

One who solicits in confession will also have become guilty of real sacrilege because of the abuse of the sacrament: Noldin, *De sexto*, no. 26, 4.

On personal sacrilege.

2. Copulation performed by a person, or with a person, who is bound by a vow of chastity is infected with a grave malice against religion, either from the violated vow or from complicity with the one violating it.

We said above, no. 233, how spouses sin against religion alone who have used matrimony against a valid and permanent vow.

Although the author of the sin sins more gravely than the accomplice, nevertheless, since the species of the sin, both theological and moral, is the same, this distinction can be omitted in confession.

But if both were bound by a vow, that twofold sin against religion will have to be accused just as double adultery must be. Cf. Cardinal de Lugo, *De Paenitentia*, disputation 17, nos. 135, 140.

3. Furthermore, if the vow has been perfectly or imperfectly solemnized by the reception of sacred order or by religious profession, even simple profession, the grave malice of personal sacrilege accrues. But because of the opinion of those who consider the violation of every vow, even a private one, to be sacrilegious, with consideration of its quality omitted, in practice it will be sufficient for the guilty person to say in confession: I had a vow.

N.B. Yet we hold this opinion to be intrinsically improbable; for no private person can make himself or a thing sacred.

What must one who is bound by a twofold title confess?

4. One who is bound to chastity both by sacred order and as a religious contracts the same malice of sacrilege under a twofold title, which consequently he need not distinguish in confession.

What if one causes another to sin?

5. One who induces a sacred person to a carnal sin is also sacrilegious because of complicity.

On the contrary, one who, bound by a vow of chastity, induces a person who is not sacred to a sin either solitary or with another person who is not sacred, is immune from personal sacrilege, provided he himself is not affected lustfully. Cf. Palmieri, *Opus theologicum morale*, vol. 2, treatise 6, no. 1024.

But if he has solicited in confession, he will have been guilty of real sacrilege. Cf. Noldin, *De sexto*, no. 26, 4.

On local sacrilege.

6. Before the new Code of Canon Law, fornicatory copulation performed in a sacred place took on the grave species of local sacrilege, at least if it was public or notorious. For then the sacred place was polluted by the voluntary effusion of human semen, so that it required reconciliation. Wherefore that action, because of the reverence owed to a sacred place, was prohibited by positive law itself. We added "at least if it was public or notorious," because of the probable opinion of those who denied that grave local sacrilege was committed by occult actions.

Under the present law, in canon 1172, where the violations of a sacred place are enumerated, the voluntary effusion of semen is omitted. Nevertheless, public fornication will scarcely be without the note of impiety. Moreover, by an impious use a sacred place is violated. Add the enormous indecency in a sacred place of this sin, which supposes a base dealing with another person. Wherefore we judge that the grave rationale of local sacrilege is present in fornication which is committed in a sacred place. Approved doctors, however, require for grave local sacrilege an action by which the sacred place is polluted. Cf. Ballerini, *Opus theologicum*, vol. 2, no. 413, who cites them, although he keenly defends the opposite opinion. Below we shall treat of other sins against chastity under this respect.

What kind of place is sacred?

But a sacred place is understood here as a church or public oratory dedicated to divine worship by consecration or at least by solemn blessing. For although cemeteries are placed among sacred places by canon 1154 and, according to canon 1207, are violated by the same acts by which churches are violated, nevertheless, because of the diverse respect, the grave malice of local sacrilege is not imputed to other actions which do not contain the canonical violation of a cemetery. Contrary to what, before the Code, Lehmkuhl [2], after D'Annibale [1], judged, we require at least a solemn blessing, since, before a dedication of this kind, we gather from canons 1154 and 1191, 2, that the place is not properly sacred.

[1] *Summula*, vol. 3, no. 15.

[2] *Theologia moralis*, I, 527.

Finally, we think that local sacrilege is committed only in a public oratory, because canon 1191 transfers the law of churches to public oratories alone; and semi-public oratories indeed can, but need not, be solemnly blessed. Wherefore, even if they have lost their blessing through violation, they need not be reconciled. We are confirmed by Lehmkuhl [3], who supposes a public oratory, and by Wernz [4], who applies what he declared concerning the pollution of a church, etc., only to public oratories solemnly blessed.

[3] In the same place.

[4] *Ius decretalium*, vol. 3, no. 455.

III. On Incestuous Copulation

On incestuous copulation between consanguineous and affine persons.

315. - 1. Intercourse with a consanguineous or affine person in the degrees in which matrimony is invalidated adds to the malice of lust a grave malice against piety, and is called incest. For by using his jurisdiction, the legislator, beyond the natural prohibition but because of the same motive of piety or of the reverence to be preserved, effectively prohibited nuptials between those closely joined. Wherefore, when a dispensation has been given, the impiety will also cease and the malice of incest will be removed. And so one who, after obtaining a dispensation, sins with a consanguineous betrothed woman will no longer have to confess this circumstance. Cf. St. Alphonsus, book 3, no. 452.

2. Among Christians today, a diriment impediment arises from consanguinity or affinity in every degree of the direct line; but in the collateral line the first three degrees invalidate matrimony among consanguineous persons, and the first two among affine persons. While canonical affinity formerly arose from copulation, which could be licit or illicit, now, under the new Code, affinity is founded only upon valid matrimony, whether ratified only or ratified and consummated [1]. But a matrimony is not called ratified in the strict sense unless it is a sacrament. From this rationale you would say that no ecclesiastical affinity is generated by a matrimony validly contracted between a baptized and a non-baptized party. For a union of this kind more probably is not a sacrament. Yet because this mixed union is governed by ecclesiastical law, several think from the sufficiently manifest mind of the legislator that ecclesiastical affinity also arises from it. But this is deservedly doubted, so that the impediment is only doubtful with a doubt of law, and consequently practically nonexistent. For marriages between the non-baptized, however, civil laws, or, among less cultivated peoples, customs having the force of law, will define and govern affinity.

[1] Cf. canon 97.

Formerly, every affinity, even from illicit copulation, invalidated matrimony in every degree of the direct line; but in the collateral line, affinity from licit copulation invalidated matrimony in the first four degrees, and affinity from illicit copulation in only the first two.

What of persons who are impeded from matrimony by public propriety?

3. Matrimony is indeed also impeded by public propriety. But this induces no special offices of piety. Wherefore this circumstance of fornication - that it was committed between persons among whom, because of public propriety, matrimony could not exist - need not be accused, at least under grave obligation.

4. As regards species:

a) Incest with a consanguineous person does not seem to differ specifically from incest with an affine person. For since an affine person is joined to the other on account of a consanguineous person, "consanguinity and affinity produce an impropriety of the same rationale." So St. Thomas himself, II-II, question 154, article 9, reply to objection 2. Vasquez speaks otherwise, on III, question 91, article 1, doubt 4, nos. 11-15; and Lessius, book 4, chapter 3, no. 79.

b) Neither the line nor the degree induces various species, whether among consanguineous persons or among affine persons, since specifically one piety is violated in all. Several, however, for example Lehmkuhl [2], arguing from the fact that the rationale of piety is found of itself in parents but in others by participation, wish to except the first degree of the direct line. But in vain. First, as Cardinal de Lugo observes, that would have to be said of every line [3]. And we have just heard from St. Thomas: when one thing exists on account of another, both are of the same species. Cf. Noldin, *De sexto*, no. 22.

[2] *Theologia moralis*, I, 1050, after St. Alphonsus, book 3, no. 448.

[3] *De Paenitentia*, disputation 16, no. 315.

c) But if another office of piety is violated at the same time, the circumstance will then have to be disclosed. Thus parents sinning with children constituted under their power gravely derogate from the office of right education. Thus also, as Lugo [4] and Lehmkuhl [5] hold, adulterous incest with a

stepmother, while the father is living, is opposed to piety by this rationale also, because it contains an atrocious injury done to the father.

[4] *De Paenitentia*, disputation 16, no. 222.

[5] I, 1050.

On copulation with one spiritually related.

316. - A sin of the flesh with a person spiritually related is not properly incest, but it has a special malice because of violated reverence of a diverse rationale [6].

[6] Some, however, for example Noldin, *De sexto*, etc., no. 21, use the common name of incest to designate sins with persons spiritually or legally related. Cf. Palmieri, *Opus theologicum*, vol. 2, nos. 1020, 1021.

This malice is grave if this relationship induces a diriment impediment of matrimony. For today, under the new Code, although both baptism [7] and confirmation [8] produce spiritual relationship, only that which arises from baptism invalidates matrimony; and it is an impediment of a lesser degree (canons 1079 and 1042, 4). Moreover, this relationship is now contracted only by the baptizer and the godfather or godmother, and only with the one baptized (canon 768). Therefore, the relationship which was induced by way of co-parenthood between the minister of the sacrament and the parents of the person baptized or confirmed, and between the godfather or godmother and the same parents, has been abolished.

[7] Canon 768.

[8] Canon 797.

Formerly an impediment also arose from confirmation; but they admonished that in accusation the cause of baptism need not be distinguished from the cause of confirmation.

Whether the relationship is contracted with the minister or with the godfather or godmother, its violation through copulation does not change the species.

On copulation with one legally related.

317. - Legal relationship, where and insofar as it invalidates matrimony, adds its own species to fornication. Although the gravity of this malice can deservedly be doubted. But the violation of the reverence induced by human law among those legally related is said to differ in species from the reverence of natural and spiritual relationship. Cf. Noldin, *De sexto*, no. 22.

IV. On Injurious Copulation

On stuprum.

318. - When the assent of the other party is lacking, a grave malice against justice is committed by fornication, which will be either stuprum or abduction. We have already spoken of adultery.

First let us speak of stuprum.

The moral essence of stuprum.

1. In moral theology, stuprum is the lustful oppression of an unwilling person: whether copulation or obscenity has been extorted by open force, or by fraud, for example by a deceitful promise of matrimony, by deception concerning the nature or malice of the act, as if the seducer were to abuse the girl's ignorance or trust; or by threats or entreaties so importunate that they are equated with violence [1].

[1] Palmieri, *Opus theologicum*, vol. 6, no. 1010.

Furthermore, if the fornication redounds to the disgrace of the woman's family and to the grave sorrow of her parents, it will contain a grave fault against charity. And a woman then consenting will gravely offend against the very piety owed to her parents.

Moreover, one who oppresses a virgin is twice injurious, since, besides the abuse of her body, he also takes from her the seal of virginity. Cf. Sanchez, *De matrimonio*, book 7, disputation 14, no. 7; Noldin, *De sexto*, no. 24.

The canonical notion.

2. Stuprum is not so rarely a reserved sin and is punished by canonical penalties. Cf. canons 2357, § 1, and 2359, § 2, which will be recited below, after the other external sins against the sixth precept.

Stuprum is then, according to the opinion of the older authors, understood only of the defloration of an unwilling virgin. But she is considered a virgin who, although she perhaps has sinned, has nevertheless preserved the seal of virginity [2]. Cf. Noldin, *De sexto*, no. 24.

[2] Gratian, however, at canon *Lex* 2, Cause XXXVI, question 1, defined stuprum as "the illicit defloration of a virgin," and says that it is illicit when it takes place at least against the will of the father. And so the condition of an unwilling virgin entered the canonical essence of stuprum only afterward.

Must defloration as such be accused?

3. Fornication committed with a virgin who knows and consents contains no new malice, at least no grave one, from the removal of virginity: no injury is done to one who consents. Yet to cooperate in defloration through sin seems lightly to be opposed to charity.

On abduction. Its moral notion.

319. - 1. While in stuprum the injury is committed by the very lustful act, the exterior act of the abductor alone is opposed to justice. For, in moral theology, abduction is: the injurious deprivation of liberty inflicted upon some person for the fulfillment of lust.

And so that person can be male or female, married or unmarried. Force can be inflicted both upon the person himself or herself who is deprived of liberty and upon those under whose authority that person is. And one who is deprived of liberty by guile and fraud is also considered morally to be abducted.

What of elopement?

2. If a girl of full age willingly departs with a lover, without the knowledge of her parents, there is not properly abduction but elopement, which of itself adds no new species to fornication. Concerning a girl who is a minor, attention must now be given to canon 2353, to be alleged below.

The canonical distinction between the impediment and the crime.

3. Canonically, abduction which constitutes an impediment of matrimony must be distinguished: it concerns only a woman and supposes the intention of matrimony - this is treated in the treatise on matrimony - from abduction which is a crime to be punished in the external forum.

The notion of the crime.

The crime of abduction requires the violent or fraudulent carrying away of an honorable woman from one place to another, whether for the purpose of entering matrimony or of fulfilling lust. According to canon 2353, it is committed even if a consenting girl who is a minor is carried away without the knowledge of, or against the will of, her parents or guardians. And fraud is equated with force, as had already been answered by the Sacred Congregation on January 24, 1608, and August 27, 1864.

What of the abduction of a prostitute or a betrothed woman?

Therefore, for the crime of the external forum, a carrying away is required; the deprivation of liberty alone is not sufficient. But it is already consummated if lust is fulfilled on the journey itself. When a prostitute has been carried away, the crime is not regularly committed. Indeed, according to several [3], who argue from canon *Cum causa* 6, *De raptoribus*, etc. (5, 17), 2, one who has carried away his betrothed woman, indeed a woman with whom he had entered into negotiations concerning matrimony, is immune from the crime. For thus reads the chapter mentioned: "We respond that abduction is said to be admitted where nothing has previously been done concerning nuptials: this man ought not to be called an abductor, since he had the woman's assent and had betrothed her before he knew her, although the parents protested." The earlier words sufficiently openly favor this opinion, but the later words, where the woman is said to have consented, weaken the force of the argument. Therefore, the matter is uncertain.

[3] For example Palmieri, vol. 2, treatise 6, no. 1013, after St. Thomas, II-II, question 154, article 7, reply to objection 4, and Lessius, book 4, chapter 3, no. 70, against Wernz, *De matrimonio*, no. 280, note 32.

Canonical penalties.

Canon 2353 describes and sanctions abduction in these words: "One who, with a view to matrimony or for the purpose of fulfilling lust, has carried away by force or fraud an unwilling woman, or indeed a consenting woman who is a minor but without the knowledge of, or against the will of, her parents or guardians, is by the law itself to be held excluded from legitimate ecclesiastical acts and, in addition, is to be punished with other penalties according to the gravity of the fault [4]."

[4] That a carrying away is still required even now can be gathered from the opposition of canon 1074, § 3, which expressly denies that a carrying away is required where there is question of the impediment of matrimony. But

legitimate acts are: the office of godfather in baptism or confirmation; administration, by virtue of an office, of ecclesiastical goods; the act of a judge, auditor, relator, defender of the bond, promoter of justice and of the faith, notary and chancellor, usher and apparitor, advocate and procurator in ecclesiastical causes; a vote in elections; the exercise of the right of patronage.

But according to canon 2354, § 1: "A layman legitimately condemned for the crime of... abduction... is by the law itself to be held excluded from legitimate ecclesiastical acts and from any office, if he has any in the Church, without prejudice to the burden of repairing the damages." According to § 2, a cleric is to be punished, according to the gravity of the fault, with various penalties, even deposition.

In this sin, by what persons can an obligation of justice be violated?

320. - Those who, because of an office undertaken or an agreement entered, must take care of the spiritual or moral good of certain persons by an obligation of justice from which the consent

of those persons cannot release them, if they sin carnally with these persons, at the same time gravely violate commutative justice.

Such an obligation is held by a bishop in relation to his diocesans, a pastor in relation to his parishioners, the instructor or superior of a college in relation to the pupils entrusted to him by their parents, and a guardian in relation to his ward.

What of assistants holding these offices?

But the assistants of pastors, or coadjutor vicars, and of the director of a college, or masters and prefects of discipline, do not participate in this obligation; but they will usually already be gravely scandalous for this reason, because they have defamed the priestly order or the religious state, and have weakened religion itself in the soul of the accomplice.

On the confessor.

Concerning a confessor who sins with a penitent, there has been doubt. It is indeed certain that one who has abused the occasion of confession, or even knowledge obtained from confession, in order to sin will be guilty of grave sacrilege; indeed, so will one who has sinned in those circumstances in which irreverence or detriment would redound from the sin upon the sacrament [5]. But inquiry is made concerning a confessor who sins apart from every relation to confession.

[5] Cf. Cardinal de Lugo, *De sacramento paenitentiae*, disputation 16, no. 355.

And there were those who affirmed this, relying either upon decrees which specially prohibited sins of the flesh to confessors, or upon some bond of spiritual relationship which would be contracted from this sacrament. Thus Sanchez, *De matrimonio*, book 7, disputation 55, nos. 3 and 4.

But with Cardinal de Lugo [6] and most of the more recent authors, this must be denied. St. Alphonsus [7] considers this opinion more probable. For today there certainly are no positive decrees; the bond of spiritual relationship is affirmed gratuitously, since from confession, as such, no stable relation arises between confessor and penitent [8].

[6] *De sacramento paenitentiae*, disputation 16, no. 357; cf. no. 359.

[7] Book 3, no. 451.

[8] Cf. de Lugo, in the cited place, no. 357.

On the spiritual father.

There are, even now, those who affirm of a habitual spiritual father, even one chosen by the penitent, what they deny of a confessor. Lugo thinks that this can rather easily be conceded [9]. But we consider that it should instead be denied. Certainly, even an elected spiritual father is bound in justice to give no fraudulent counsel and not to abuse his authority. But if, as an equal to an equal, he has proposed the sin and it is accepted, the office ceases or is interrupted by mutual consent, and here too that saying holds true: no injury is done to one who consents. Yet we do not on this account disapprove the peculiar horror which a sin of this kind produces; but that horror demonstrates the enormous scandal and easy abuse of authority which usually accompany that sin.

[9] In the same place, no. 358.

But a more severe judgment must be made concerning one who is appointed by legitimate authority to exercise the properly so-called office of spiritual father, such as the spiritual director of a monastery is accustomed to hold. No forgiveness by a spiritual daughter can then exempt the man from his special obligation.

On antiseptic anointing before fornication; on counsel concerning the anointing; on the sale of the ointment.

321. - Because of what we wrote in no. 48, at the end of p. 43 and on p. 44, concerning an anointing by which infection with venereal disease can be avoided, you will ask:

1. Whether one who applies an antiseptic ointment before fornication so that he may be immune from infection formally sins or not;

2. Whether the use of this ointment can be advised or not;

3. Whether it is lawful for pharmacists to have this ointment for sale or not?

The doubt and response.

To 1. Although, as it seems (cf. *Times*, January 1917), certain Anglicans in England scrupulously distinguished between a use which precedes the sin and one which follows it, and prohibited the former but approved the latter, it must not be doubted that even an anointing performed by one about to sin is to be called formally blameless. We do not touch upon the case of a woman who by an anointing of this kind renders copulation infertile.

The intention of fornication is certainly evil, just as it is always evil to sin and to will to sin; but it is not evil, while sinning, at the same time to seek means which are indifferent in themselves for avoiding the harmful consequences of the sin.

To 2. One would certainly sin if, by revealing the medicine or advising its use, he were to induce someone to sin; but nothing prevents him from indicating to one who has resolved to sin a means by which he may sin with less bodily harm.

To 3. The sale would certainly have to be refused if men would abstain from fornication for this reason. But there are so many who expose them- selves to the danger of infection that such a fruit

cannot be hoped for from refusing the sale. Again, this must not be concealed: ready availability of the preventive medicine will remove from many the fear of fornication. But since venereal disease threatens not only the sinner but also many innocent persons, so that it can be called a common evil, there is a most just cause for permitting this temptation of many. Moreover, the uprightness of one who is restrained from sin by fear of disease alone is slight. Add that this remedy can also benefit spouses, so that its use may accompany an altogether honorable action.

Article II. On the Complete Use of the Venereal Faculty Against Nature

§ 1. On Pollution

I. The Notion of Pollution

Various names of the sin.

322. - In the first place there occurs for remembrance the sin which, from the ordinary circumstance of the agent, is called solitary; from the weakness of soul which it betrays, effeminacy; from the more frequent manner in which it is committed, masturbation [1]; and from the liquid secretion then emitted, pollution.

[1] At least under the rationale that they are accustomed, not very scientifically, to explain the word *masturbation* as though it were stuprum committed by the hand.

Pollution of the man and of the woman.

As is easily gathered from the anthropological part [2], the man, in pollution, regularly emits semen specifically necessary for generation, but which is available in such quantity that the greatest part of it does not in fact serve generation; but the woman emits a liquid, or rather is moistened inwardly by a liquid which contributes nothing directly to generation itself, yet assists active generation or copulation. (It is entirely accidental if, because of arousal or excitation, an ovum descends.)

[2] Nos. 7, 8.

But of itself, in either sex, this effusion accompanies the arousal by which the one wonderfully completes the other physically, and both become one flesh for the generation of a new human being.

A material description of pollution.

Therefore pollution, separated from copulation, is the solitary effusion of this liquid.

Pollution: complete and incomplete.

Moreover, for the production of pollution, every person can contribute by his threefold life: the vegetative life, which prepares the liquid and, in definite circumstances of the excited organ, pours it forth; the sensitive life, which enjoys the conjoined pleasure, depicts it for itself in an image, and desires it by a pursuing passion; the rational life, which, recognizing a certain pleasurable human good in this enjoyment, accepts it by the will or deliberately seeks it.

Then the mind itself is so occupied in these things that it is prevented from thinking of others.

That pollution can be called complete which is thus perfected by the participation of the threefold life.

But it can exist partially.

The non-pleasurable emission from which those afflicted with spermatorrhea often suffer pertains merely to the vegetative life. A "secretion" of this kind can be compared with the "secretion" of tears or the emission of urine.

Pollution in which, without the cooperation or assent of the mind, the sense alone is delighted is to be ascribed to the animal or sensitive life: as if it were to occur during the day apart from the will.

In a certain manner intermediate is the pollution in which the higher faculty participates, but while impeded by sense. Such is that to which, in sleep, the will seems to give assent.

Let us call complete pollution by the name of psychological pollution in the full sense, insofar as the higher psychic powers act in it; we call the pollution of the sensitive life psychological in a diminished signification, or even animal, since it pertains to the lower psychological life common to us with animals; finally, the pollution of the vegetative life would well be called physiological, if today several authors did not call physiological a fully voluntary pollution which is procured for the sake of health, real or pretended, without approval of the pleasure [3]. Wherefore, to avoid confusion, we shall instead call it corporeal.

[3] Cardinal Lehmkuhl, I, 1042, note.

What is physiological pollution? — The morality of corporeal pollution.

Corporeal pollution lies outside the rationale of sin. As St. Thomas says [4], "that which is on the part of the body... stands accidentally in relation to the moral act, which is considered of itself only according to those things which belong to the soul." "Pollution," says Sanchez [5], "arising by a natural way in sleep is in no respect a human act nor subject to his will, but is a certain natural act and evacuation, like sweat."

[4] II-II, question 152, article 1.

[5] *In Decalogum*, book 1, chapter 2, no. 18.

The morality of animal pollution.

The second pollution, that of the sensitive life, at least in the waking state, presents matter to be governed by reason: "for the sensible passions are the matter of moral acts [6]." Wherefore, when a man who is in possession of himself and not excused by inconvenience does not impede animal pollution, he commits a venial sin because of the rebellion of sense tolerated without cause and a certain danger of consent. But to repress by a positive effort, which is somewhat painful, a pollution which has already arisen is praiseworthy but not necessary.

[6] St. Thomas, II-II, question 152, article 1.

The morality of complete pollution.

Finally, the third pollution, fully psychological or complete, insofar as the higher reason participates in it, constitutes a mortal sin. Cf. the demonstration set forth below.

Therefore observe, which must be well noted, that these three pollutions differ in their physical rationale, since complete pollution does not signify merely a certain mental approval of a physiological phenomenon, but the participation of the sense which is delighted and of the mind which as it were penetrates the pleasure and cooperates toward it.

II. Demonstration of the Malice of Pollution

Opinions concerning the malice of pollution.

323. - The grave question concerning the malice of voluntary or admitted pollution must now be undertaken. This question contains three parts. For these three things are asked concerning voluntary pollution: is its malice intrinsic; is it grave; is it specifically distinct from the malice of a lustful touch?

I. Opinions. That the malice of the sin of pollution, at least in the man, was not unknown to the pagans is already demonstrated by Martial in these verses:

> "Do you think this is nothing? It is a crime, believe me, and a great one, Such as you yourself can scarcely conceive in your mind....
>
> Believe me, the very nature of things says: That which you waste with your fingers, Ponticus, is a man [1]."

[1] *Epigram* 42, book 9, *Against Ponticus*.

But Caramuel [2] again denied that this uncleanness is condemned by nature itself; and from two of his assertions was taken proposition 49, which Innocent XI condemned as at least scandalous and dangerous in practice: "Effeminacy is not prohibited by the law of nature. Wherefore, if God had not forbidden it, it would often be good and sometimes obligatory under mortal sin."

[2] Cf. *Theologia intentionalis*, book 4, nos. 1960 and 1965.

Therefore, the common doctrine of Catholics affirms that it is intrinsically and gravely evil. Yet in the accurate demonstration of the doctrine they again experience no slight difficulty and have attempted various ways.

The arguments of the authors are examined.

II. Various arguments. Several indicate this rationale, that pollution signifies a futile emission of semen, the exclusive destination of which is the good of the human species. Ballerini [3] still adduces this rationale; and Lehmkuhl himself [4] seems to us to have attended excessively to this effusion. You would indeed say that St. Thomas himself [5] used an argument from the pouring forth of semen. But in this way he responds rather *ad hominem*. To one objecting that semen is a superfluity of nourishment, the Holy Doctor replies that "it is a superfluity which is needed." But in the direct

demonstration in the body of the article, he places the formal malice of lust in the vicious use of venereal things.

[3] *Opus theologicum morale*, vol. 2, treatise 6, no. 1026.

[4] *Theologia moralis*, I, 1036 and 1039.

[5] II-II, question 153, article 3, reply to objection 1.

Moreover, the rationale deduced from the prodigal effusion of semen is subject to a twofold difficulty. Nature itself, even against the will of the man, lavishes this semen. Why would the same not be lawful for me for a just cause, for example for the sake of health [6]? Especially since the quantity of this liquid is so great that it can never be said: "this portion of the semen poured forth is necessary for generation." Indeed, a useless outpouring is permitted even to men themselves. For no less than in pollution, in the copulations of sterile persons the semen is lavished.

[6] Thus already Sanchez, *De matrimonio*, book 9, disputation 17, no. 16.

Again, the end for which nature prepares semen is not the generation of offspring alone.

For it destines semen for an operation, copulation, which has other immediate utilities; but nature impels to so many copulations that several must necessarily be futile.

And so you will never establish from the outpouring as such why it is not lawful to lavish by pollution this semen which can be lavished in other ways, but rather from another rationale which, if found, will manifest to us the formal malice of pollution.

b) Wherefore others have placed the malice of pollution not in the loss of semen, but in perfect venereal pleasure; and at least principally in it, as they say; indeed exclusively in it, if they wish to speak consistently. Thus Rev. Fr. Eschbach, *Disputationes*, disputation 4, chapter 4, or the *Nouvelle Revue Theologique*, vols. 3 and 5, which Palmieri favors, *Opus theologicum*, note to II, no. 1028.

But they incur this grave criticism, that pleasure follows the nature of the conjoined operation, so that it cannot be the first rationale of dishonesty. Nor can the force of this principle be evaded by a certain arbitrary distinction between venereal pleasure and other pleasures [7]. At most this can be conceded: that, if it is connected with an operation evil of itself, the pleasure can create such allurements and such a danger of delusion that the disorder must consequently be judged grave and every accidental exception must be rejected. Wherefore Sanchez and other scholastic doctors gathered merely from the pleasure the necessity of a perpetual and grave prohibition [8].

[7] Cf. Eschbach, *Disputationes physiologico-theologicae*, disputation 4, chapter 4, p. 483.

[8] Cf. Sanchez, *De matrimonio*, book 9, disputation 17, no. 16; and Lessius, book 4, chapter 3, nos. 108, 119, 122.

And furthermore, if the disorder is present in the pleasure itself, since the pleasure of the consummated act and that of the non-consummated act seem to differ only in intensity [9], one could scarcely distinguish imperfect lust specifically from perfect lust, so that in matrimony you would be compelled to confess either that all solitary lust is gravely evil or that none is gravely evil [10].

[9] Cf. II-II, question 154, article 4.

[10] Cf. those things which the Most Illustrious Dr. Waffelaert most excellently objects, no. 63, *De virtutibus cardinalibus*.

Yet we do not therefore hold as improbable the opinion of those who, once the intrinsic malice of the action is admitted, contend that, because of carnal pleasure wrongly sought, it is opposed to temperance, so that unless this pleasure were joined to it, a diverse species of malice would have to be sought. Cf. the appendix at the end of the book.

c) But if, with not a few, you appeal to the disadvantages of pollution once permitted, and affirm that if the licitness of pollution were conceded in some case, men, content with this pleasure, would no longer be sufficiently solicitous about entering matrimony, there will be those, such as Lecomte [11], and after him Berardi [12], who altogether deny the truth of this effect. But it is already evident that this rationale is sought extrinsically.

[11] *De l'ovulation spontanée*, part 2, section 1, chapter 3, § 2.

[12] *Praxis confessariorum*, no. 849.

d) There are not lacking those who think that the malice of pollution must be derived from the fact that it is an act against nature, but its gravity from the conjoined vehement pleasure and the consequent danger of frequent abuse which would be gravely opposed to the good of the species. Thus, for example, Rev. Dr. Van Roey. This opinion seems to approach the truth more closely. Yet it has this inconvenience: that pleasure follows the nature of the operation, which here would not in itself be gravely evil; and that the vehement pleasure and the very danger of abuse can be absent in various cases in which at least grave guilt would logically have to be denied. Rev. Dr. Van Roey solves this latter difficulty thus, in the cited place: "From the common danger such a law is made, and reasonably must be made, which permits no exception. Otherwise, with the psychological constitution of men again considered, the law would be weakened in itself and the intended end would not be obtained" [13]. By these words he transfers to the natural law those things which are customarily said of positive law. To the first difficulty he responds that pleasure belongs essentially to the work of pollution itself. (*Quaestio specialis*, p. 28.)

[13] *Quaestio specialis*, pp. 23-24.

Conclusion.

Hence Palmieri [14] again: "It must be confessed that there are certain practical truths necessary for human society, which men perceive and sense by a certain rational instinct, but the altogether demonstrative rationale of which those same men, when they seek it analytically, find only with difficulty.... Among truths of this kind is perhaps also found this one with which we are dealing."

[14] *Opus theologicum*, vol. 2, no. 1036.

Three questions concerning pollution to be resolved.

Nevertheless, after those things which we discussed in no. 305 concerning the formal cause of grave sin, when we spoke of fornication, the proof does not seem so difficult; and the difficulty is seen to arise from the manner in which they wished to derive the gravity of the disorder directly from the gravity of the harm.

The question concerning the intrinsic malice of pollution and its gravity is followed by the question concerning its specific distinction from imperfect acts. All Catholic authors affirm this distinction, if you except a few who, after the true organic rationale of female pollution was discovered, began to

doubt whether or not there existed in women a true distinction between the perfect and imperfect solitary act. With this distinction destroyed, the burden of sacramental accusation would be lightened. Indeed, there was even one among them who inclined to this consequence [15]: that the rationale of mortal sin seemed consequently to be absent from the solitary acts of a married woman.

[15] Observe that this was in no way defended or admitted by Ballerini, but rather by Lecomte, *De l'ovulation spontanée*. Cf. Van Roey, *Quaestio specialis*, who on p. 6 and in note 6 explicitly averts a suspicion of this kind from Ballerini.

324. - III. Therefore, we comprehend both the gravity of pollution in either sex and its distinction from the imperfect act in a conclusion which we can state briefly thus:

Thesis X

Every voluntary pollution, indeed every full consent to casual pollution, whether of the man or of the woman, is infected with intrinsic and grave malice and is specifically distinguished from imperfect lust.

The words of the conclusion are explained.

To explain some words: we here call pollution voluntary when it is sought directly or by intention.

Consent to pollution signifies the deliberate enjoyment of the pleasure which accompanies even casual pollution, or, as Lehmkuhl says [16], the accepted pleasure of a pollution which has arisen.

[16] *Theologia moralis*, I, 1039.

But casual is any pollution which occurs apart from intention, whether some action of ours or no action has given occasion to it.

The malice of voluntary pollution is proved.

With these things posited, we establish the first assertion by this brief argument: **Every voluntary pollution is infected with intrinsic and grave malice.**

Both the man and the woman who pollute themselves exercise individually an act which was to be exercised by common operation as an act of the species. Therefore, by violating its essential subordination to the species, for the sake of their individual pleasure, they deprive the act of its essential relation to the species. Thus there recurs again, but with greater force, since the very order of animal nature is overthrown here, that twofold grave malice which was demonstrated in fornication, no. 306.

On consent to pollution.

The second assertion, **Every full consent to casual pollution is infected with intrinsic and grave malice**, is proved briefly thus.

Consent of this kind is not a mere intellectual approval of a physiological fact, but introduces the participation of the mind and furnishes a concurrence which, by increasing it, influences the pleasurable commotion itself and physically changes it, so that in place of corporeal or partial pollution you now have complete pollution. By this active participation, reason is again carried away by sense toward enjoying individually an operation which can be loved only as pertaining to the

species. Wherefore this active participation contains a malice of the will lesser indeed in degree, but similar in kind to the production itself. Therefore, the same malice by which the will to pollution is vitiated generically infects consent to casual pollution. Since this malice signifies an inversion of the essential order, it necessarily remains grave.

On the specific distinction of pollution.

The third assertion, concerning the specific distinction of pollution from imperfect lust, is established by this rationale:

The non-consummated acts of lust, as is easily evident from the anthropological part, express in themselves a prepara- tion for the consummated act, and immediately derive their morality from the order toward the consummated act, so that they are good or evil according to the act to which they are referred; while the consummated act is judged good or evil immediately from the order toward generation which it possesses or of which it is deprived. And this is common to either sex.

Therefore, although we concede that these acts are referred to the same complete species, nevertheless, specifically, just as the begun and the completed, the beginning and the terminus, the means and the end - yet of the same generic rationale - differ from one another in species.

We rely upon the doctrine which St. Thomas [17] renders in these words: "Certain things are found to differ in species in two ways: in one way, from the fact that each has a complete species [18], as a horse and an ox differ in species; in another way, insofar as, according to diverse degrees in some generation or motion, diverse species are taken, as the building is the complete generation of a house, while the placing of the foundation and the erection of the wall are incomplete species, as is evident through the Philosopher (*Ethics*, book 10, chapter 4)." And below: "The sin of the heart and of the mouth are not distinguished from the sin of deed when they are joined with it at the same time, but insofar as any one of these is found by itself; just as a part of a motion is not distinguished from the whole motion when the motion is continuous, but only when the motion stops in the middle."

[17] I-II, question 72, article 7, body and reply to objection 3.

[18] That is, one individual being which is distinguished from many of the same species by individual notes alone.

Confirmation of the conclusion concerning intrinsic and grave malice.

325. - We can now confirm by several considerations the argument which we made concerning the intrinsic and grave guilt of pollution.

From the intentions of nature.

1. Let these various things which nature has disposed be considered. It did not will that offspring be generated outside matrimony; therefore, it is also opposed to that vice which, increasing lust, would indeed favor copulations, but fornicatory ones. It imposed grave burdens upon matrimony and at the same time imparted to it the greatest utility for the common good. Wherefore, not without a grave cause did it join so vehement a pleasure with the active generation of man. But

the more it willed this intense plea- sure to be present, the more strongly it resists lest the benefits on account of which it was granted be suppressed or diminished.

From the consequences.

2. Let this logical inference be considered. Unless individual perfect solitary acts were gravely prohibited, not even individual onanistic copulations could be charged with grave guilt. For what do those exercised outside matrimony contain, except two perfect solitary acts with the complicity of one toward the pollution of the other? Within matrimony, the special malice which pollution then has against justice can be removed by the consent of the injured party. But the grave malice against matrimony is founded upon the very grave disorder against the natural end of the act. If you deny this, you will be compelled logically to absolve from grave guilt onanistic copulation performed by mutual consent.

From the moral effects of severity.

3. Let these moral effects be considered.

a) Once fornication has been excluded, if the solitary pursuit of the extreme of venereal pleasure is gravely prohibited:

That pleasure is attached by an indivisible bond to conjugal copulation, by which provision is made for the desirable propagation of the human race; it fosters mutual love between the spouses, since each then brings to the other a delight which he or she cannot expect from others; it is reserved to a more mature age, in which it is exercised without bodily harm. And meanwhile victorious abstinence wonderfully increases the moral dominion of the will; and the soul, in order to withdraw itself from the baser appetite, is almost compelled to turn itself earnestly toward nobler pursuits.

Furthermore, in the matrimonial state, mutual love itself and the other circumstances lead the spouses to a salutary and wise moderation of lust, so that a person is not wholly immersed in those things, is not withdrawn from higher cares, is taught to carry off at least a partial victory over the strongest appetite, and the vigor of the soul does not cease to receive joyful increases.

The appetite for this pleasure allures one to enter conjugal society, which profits the common good so greatly.

Abstinence, even temporary, in this matter triumphs over the lowest desires, which adds strength to the soul and disposes a person to accomplish great things. But perfect or perpetual continence is not morally obtained except from higher pursuits which furnish society and the human race with services more excellent than the utilities furnished by matrimony itself.

Therefore, the natural order when preserved profits the person and human society in every way.

Of indulgence.

b) But suppose that this uncleanness is not prohibited or is not gravely prohibited, which amounts to the same thing in this matter of allurements:

Nuptials become less desirable of themselves, since an almost equivalent satisfaction is available with which many would be content. Therefore, the vehemence of concupiscence is deprived of its utility by

a concession which subjects a person to abject desires.

Within matrimony itself, the spouses are allured to a less perfect use of matrimony.

But it is sufficient to recall mentally those things which are commonly said concerning conjugal onanism, and from how many children solitary lust cuts off life as it were in the root. Those who charged similar attempts with anticipated homicide seem to have sensed this. Indeed, is not Martial himself proved to have recognized it, when, wishing to demonstrate the enormity of this crime, he recalls that triplets were born to Horatius from one intercourse, and twins to Mars, and thus pronounces:

> "Each would have lost all if, having masturbated, He had entrusted foul pleasures to his own hands [19]."

[19] From the cited *Epigram* 42, *Against Ponticus*, book 9.

Finally, by the very vehemence of concupiscence, a person rushes headlong toward the lowest things, so that he not rarely lavishes even the strength and health of the body, becomes unequal to higher pursuits with his mind darkened and enervated [20], and is reduced into the base slavery of the foulest depravity.

[20] There are those who attempt to explain by an invasion of impure fantasy the remarkable incapacity for acquiring further knowledge which many African Negroes experience from puberty, even if they previously seemed to be of lively intelligence.

The inference from these things.

With these things presupposed, we can now reason thus in order to confirm our demonstration.

Nature cannot permit the very operation which is of such great importance to the good of society and of the human species to turn to the harm of the human race, of human society, and of the agent himself. Nature cannot permit it; neither can nature prohibit it only ineffectively.

Now it is evident from the considerations already made that, if you were to grant license to solitary lust, it would of itself be exercised in such a manner that fewer conjugal covenants would be joined; that in them a less intimate union would join the spouses; that the multiplication of men, especially through legitimate copulation, would be diminished; that adult men who propagate the species would be weaker in strength; and that many would give themselves wholly to these shameful things. And all these things would occur while nature connived!

The ineffectiveness of a light sanction.

But the vehemence of concupiscence brings it about that a prohibition under light obligation is practically no prohibition. And the matter is manifestly notable. For it is grave that the human race should be deprived of many legitimate children. Indeed, the loss or suppression of one life is something momentous, as St. Thomas bears witness, reasoning thus: "From one intercourse one man can be generated. And therefore the disorder of intercourse which impedes the good of the offspring to be born is, from the very genus of the act, a mortal sin." II-II, question 154, article 2, reply to objection 6.

Moreover, as Sporer observes [21], consideration must be given not to what harm pollution would cause if done once, but to what it would cause if once permitted.

[21] *Theologia sacramentalis*, part 4, chapter 3, section 5, no. 640.

Nor would even the grave prohibition be sufficiently efficacious if it were not perpetual. For if, after a certain time and in a certain state, this operation were excused, men, from the very hope of such circumstances, would meanwhile draw motives for abstaining from matrimony or the conjugal act, or for obtaining, even through a crime committed once [22], that state in which an onanistic use would be permitted without grave sin; or for not correcting themselves from a sin whose act would afterward become lawful; just as we now see men who, in the hope of a subsequently possible dispensation, contract invalid nuptial covenants, for example with a party who, after obtaining a civil divorce, has abandoned a legitimate spouse.

[22] For example, through excised ovaries or obstructed oviducts.

The sum of these things is this: If we consider the good to be protected,

these words of St. Thomas apply: "The more necessary something is, the more it is necessary that the order of reason be preserved concerning it; whence, consequently, it is more vicious if the order of reason is passed over. But the use of venereal things, as has been said, is very necessary for the common good, which is the preservation of the human race; and therefore the order of reason must be observed most of all concerning this." (II-II, question 153, article 3.)

But if you consider the danger of abuse: because of the greatest inclination toward that lust and the nature of this concupiscence, which is sharpened by use, any license conceded in this matter outside matrimony introduces of itself an unbridled lust.

Therefore, from either part, a grave prohibition of nature is demanded. But here there is question of lust which departs from order more than fornication, which is gravely unlawful. Cf. St. Thomas, II-II, question 154, article 4.

The difficulties are solved.

326. - IV. As regards the difficulties, our very form of demonstrating has cut away those which are sought either from copulation certainly sterile or from permitted celibacy, or which attack the arguments less happily drawn from the frustration of human semen, from the attached pleasure, or from the consequences concerning matrimony and the multiplication of men.

Nor are these two more valid against our position:

1. That which nature effects cannot be intrinsically evil. But after fixed intervals nature itself effects pollutions. Therefore, pollution is not always or intrinsically evil.

Response. Distinguish the major. That which nature effects cannot be evil insofar as it is done by nature, I concede. Insofar as it is done voluntarily by man, I deny. Thus by the law of nature we die; yet suicide is intrinsically unlawful. What of the fact that the physical rationale of pollution effected by nature differs from that which is effected by the will? For nature effects the pollution which we call incomplete; but pollution in the full psychological sense is effected by the will. Cf. no. 322.

2. At least consent to that pollution is not evil, since the thing is not evil.

Response. Distinguish. Consent, that is, an approval which is speculative and in no respect lustful, is not evil, I concede, or let it pass. Consent, that is, active participation or acceptance of the pleasure, is not evil, I deny.

It is urged. The very acceptance of the pleasure is not evil, for it is the pleasure of a good work.

Response. I deny the assertion; as to its proof: It is the pleasure of a work physically good, let this pass; of a work morally good, I deny the supposition, for natural pollution lies outside the moral order. But a good pleasure is that which accompanies a morally good operation.

Otherwise, joy over the death of any man, even of one's father, would be good.

III. Corollaries of the Demonstration Made

Corollaries.

327. - Several things can be gathered from the demonstration and the genus of the argument.

The essential malice of pollution.

1. The essential malice of pollution is to be placed neither in the loss of semen nor in the conjoined pleasure, but in the separated complete use of the generative faculty. This could also have been drawn from II-II, question 153, article 3. Therefore, as Rev. Dr. Van Roey [1] observes, pollution, morally considered, is most excellently defined by the Most Illustrious Dr. Waffelaert: **The complete use of the genital members outside intercourse.**

[1] *Quaestio specialis*, p. 5.

What it supposes.

328. - 2. Wherever that use is present, pollution of the same specific rationale must be acknowledged.

That complete use supposes in the male an erection with ejaculation of semen, at least broadly so called, and therefore even if spermatozoa are absent; but in the female, those contractions and movements of the vagina with distillation which accompany orgasm. Indeed, whether the distillation itself of the woman is necessary can be doubted.

And so, that we may speak consistently:

Which pollutions are of the same species and which of diverse species follow from this.

a) The pollution of a man and that of a woman do not differ in species. This is the common opinion, from which Lehmkuhl, I, 1039, is compelled to recede in order to be consistent with himself. But this very thing betrays the defect of his explanation. If the essence of pollution had to be derived from frustrated se- men necessary for generation, it would have to be said logically that the woman lacks pollution or, as Rev. Dr. Van Roey [2] observes, that by her pollution, falsely so called, she does not sin against nature.

[2] *Quaestio specialis*, p. 19, in the note.

Wherefore a person who accuses a complete act is not to be questioned concerning his or her sex.

b) Nevertheless, we do not therefore deny that additional gravity proper to male pollution which Forel [3] notes thus: "Seminal loss through masturbation has in the man something particularly depressing, because it misses its end."

[3] *La question sexuelle*, 9th ed., p. 235.

The pollution of a young man and of an old man, of one who has reached puberty and one who has not but who is nevertheless capable of copulation, and of a eunuch, so long as he remains capable of copulation, do not differ from one another in species. Thus also holds the common opinion, against Noldin [4] and certain others. Ballerini [5], however, reduces the pollutions of old men, those who have not reached puberty, and eunuchs, insofar as they emit useless semen, to immodest acts, so that in practice they need not be questioned about a complete exterior act. But cf. what will be said below concerning affection, nos. 332 and 337.

[4] *De sexto*, no. 29, and this follows from the notion which he gives of pollution: he composes it of a twofold element, complete pleasure, in which the essence of the sin would consist, and the futile effusion of semen against the order of nature, which would add a specific malice. These things are not approved by us.

[5] *Opus theologicum*, vol. II, no. 1028.

c) The pollutions of infants and of impotent persons who, when erection is lacking [6], are not capable of copulation, differ in species from those pollutions. Although they emit some liquid, the act is seen to be imperfect. And so, if they confess depraved acts, the confessor ought not to be solicitous about distinguishing complete and incomplete acts. Cf., however, what we shall write below concerning the effect of the complete act, no. 332.

[6] Those who are impotent because of excessive heat experience true pollutions, as is manifest.

Is the expulsion of semen as such intrinsically evil?

329. - Since complete pollution, and indeed as an operation and not only as pleasurable, is intrinsically evil [7], it would never be lawful for a person to procure this pollution for himself in order to preserve

[7] The manner of our demonstration, drawn from the very notes of pollution, makes this manifest.

life, even, as it seems, contrary to what Alberti insinuates, *De sexto*, etc., no. 57 at the end, with the sense of lust removed, if a case were to occur, for example, in which diseased or corrupted semen had to be expelled. The authors therefore solved this fictitious case well, although they were impeded by their unfortunate argument from proving the matter clearly. Semen, they reasoned, was given to us for the multiplication of the species alone; wherefore every administration of semen has been taken away from us. Sanchez [8] perceived well the falsity of this rationale. For how would the obligation be demonstrated to preserve, with danger to life, corrupted semen, useless and even harmful to generation, which consequently no longer has any order toward the multiplication of the species? What prevents it from being expelled? Wherefore Sanchez attempted to polish and perfect this rationale by alleging the danger of delusion.

[8] *De matrimonio*, book 9, disputation 17, nos. 15, 16.

But the prohibition of pollution is not a prohibition against pouring forth semen, but a prohibition against using the generative faculty or the genital members. Wherefore, even to explain why it is lawful for the saving of life to cut off the testicles themselves, by which semen is produced, while it is forbidden to expel the semen, it is not necessary to have recourse to the subtle distinction which Lessius uses: because the testes or testicles "are parts of the body, and therefore we can dispose of them as of other parts of the body. But semen properly and truly is not a part of the body, nor was it instituted for the good of the body, but for the sake of procreating offspring [9]." We shall speak more simply: since no positive use either of the testes or of the semen for the good of the species is now commanded, for a proportionate cause it will be equally lawful both to amputate the testes and to expel the semen by some way other than pollution.

[9] Lessius, *De iustitia*, etc., book 4, chapter 3, doubt 14, no. 96.

Can nocturnal pollution be desired?

330. - 4. Natural pollution which occurs through sleep, in adult age, sometimes [10] to a young man or a celibate man, objectively incurs no reproach. This, with Sanchez [11], Lessius [12], Busembaum [13], and most theo- logians hold [14], against certain authors who find some disorder in it [15]. Wherefore it will be lawful to desire it by a simple affection because of the conveniences which follow it, and to rejoice in it after it has occurred, while guarding, however, against a present excitation of lust.

[10] How often? This usually varies according to age, bodily temperament, morals, and the seasons of the year. For pollution to occur twice a month in young men is altogether moderate. But there are those who experience it more rarely, and others more frequently, for example every week. There are also those in whom it occurs on several continuous days, after which a new pollution is separated by a longer interval. Concerning an unusual frequency, especially one which fatigues the body or renders someone less capable of labor, a good physician will usefully be consulted. Cf. above, no. 82.

[11] *In Decalogum*, book 1, chapter 2, no. 19.

[12] *De iustitia*, etc., chapter 3, no. 104.

[13] *De sexto praecepto et nono*, under doubt IV.

[14] Cf. Van Roey, *Quaestio specialis*, p. 26, note 4.

[15] In the same place.

Can it be intended by an efficacious means?

But is it lawful to procure it voluntarily by a suitable means?

In order that we may resolve that question prudently, it must be observed that this pollution does not occur in sleep without pleasure of sense and commotion of the body. Cf. Sanchez [16] and St. Thomas himself, who already explains the matter thus: "When the seminal liquid superabounds... the sleeper dreams of those things which pertain to the expulsion of this kind of abundant liquid [17]."

[16] In the cited place, no. 20.

[17] II-II, question 154, article 5.

Wherefore one who wills it by a direct intention intends not only a pollution of the vegetative life but also of the sensitive life, and thus by his mind completes the pollution itself. Moreover, a pollution

can no longer be called natural which is definitely voluntary when nothing manifests that it will be produced by nature. Therefore, this is no more lawful than it would be lawful for someone to supply nocturnal pollutions by voluntary diurnal pollutions. Lessius therefore wrote most excellently: "In no way is it lawful to procure it, nocturnal pollution, or in any way to assist toward it, or to do anything for the purpose that it may occur [18]."

[18] In the cited place, nos. 104, 105.

But if a celibate man has experienced spontaneous nocturnal emissions as more difficult or rarer, and for this reason is badly affected nervously during the day, he can with a safe conscience take a suitable medicine, not indeed that he may obtain some definite pollution, but that evacuation in general may be rendered easier. For he directly effects nothing other than so tempering his body that nature can act regularly.

A recommendation when nocturnal pollution arises.

331. - 5. Since no solicitude is to be had concerning the conservation of the semen itself, we entirely approve the recommendation made by Capellmann [19] where he treats of nocturnal pollution: "If the spasm and excitation of the genitals has been somewhat diminished, for previously this generally cannot be done, I vehemently

[19] *Medicina pastoralis, De sexto praecepto,* II.

recommend that those who awaken while suffering pollution immediately empty the bladder by urinating. For a full bladder presses and irritates the seminal vessels; but if the bladder is emptied, the irritation is always greatly diminished."

By this action, indeed, some portion of the semen will be expelled more quickly, but the process of pollution will be interrupted more quickly, and no use of venereal things takes place, which alone is to be avoided.

Affective pollution.

332. - 6. One who, whether man or woman, whether before or after puberty, whether potent or impotent, if he or she has sought complete use in vain, either directly or indirectly, so that he or she has lacked the satiating pleasure which is the sign of complete use, commits by affection the sin of pollution, which is grave; but effectively or externally is not guilty of consummated lust.

But in practice this distinction is important between those who have not reached puberty, especially so long as they are sufficiently distant from the age of puberty, and eunuchs, especially those who were castrated late: those before puberty, who have experienced neither copulation nor true pollution, because of their ignorance will rather be presumed immune from that affection in immodest touches, while that affection is most easily judged to be present in the impure attempts of eunuchs. Cf. Lehmkuhl, I, 1039, 3, 4.

When is a woman to be judged to have sinned by pollution?

333. - 7. A woman who has experienced lustful satiety has truly admitted the sin of pollution. Nor does it matter whether or not that effusion of vaginal liquid was present which is indeed

present for the most part, but does not pertain to the essence of the sin. Another, however, would speak otherwise concerning this matter [20].

[20] For example, Bucceroni, *Institutiones*, First Part, vol. I, no. 813, compared with no. 811.

But in practice it is certain that no question concerning the effusion of liquid is to be put to a woman who has confessed satiety. Cf. Noldin, *De sexto*, no. 30 [21].

[21] Observe in this matter what difference there is between Ballerini and Noldin. Ballerini, if pollution properly so called is to be denied to a woman, reduces all the venereal things proper to her to imperfect acts; while Noldin, even then, separates the complete act from imperfect acts. For he distinguishes in species imperfect acts, the complete act, that is, complete venereal pleasure, and pollution, which superadds the effusion of semen, broadly so called. Cf. no. 29, 3.

IV. Connected Scholia; Especially the Specific Varieties of Pollution

What difference is there between our demonstration and those of others?

334. - I. 1. The rationale of the demonstration. Those extrinsic rationales of harm, the danger of delusion, etc., by which today not a few attempt to demonstrate the intrinsic and grave malice of every pollution, were alleged by us in the proof in order to strengthen the conclusion and to confirm that confidence by which we are persuaded that the order sanctioned by God is of the greatest importance to the common good and that of individuals. And because by those considerations we merely confirm the thesis, it is not required that they strictly effect the whole matter, but it is sufficient that, from the light cast upon it, they demonstrate that there is reasonably no room to doubt the truth of the complete harmony between the established order and the demands of the common good.

How efficacious the sanction is to be judged.

2. Moreover, when we speak of the necessity of an efficacious sanction, we do not understand that efficacy by which sins are in fact impeded: for it is evident that at present very many sins of lust of every genus are committed; but we posit an efficacious sanction which is such that the choice of sin appears most foolish and for that reason is avoided even by many men, so that the Author of nature may in no respect appear to connive at sin because of some slightness of the sanction.

What things change the species: the circumstances of who;

335. - Specific variations of pollution. 1. From the acting subject, or the circumstance of who, the pollution of an unmarried person, the pollution of a person bound by a vow, and the pollution of a married person differ in species. For pollution is also injurious to matrimony, although less so than adultery. The confessor, therefore, must know these qualities.

The rationale of voluntariness;

336. - 2. From voluntariness, pollution directly voluntary or sought differs in species from casual pollution to which consent is given, because in casual pollution the exterior act need not be disclosed. Except if someone has willed to increase a pollution which has arisen, for then he becomes guilty of voluntary pollution. Lehmkuhl, I, 1039, 1.

Affection.

337. - 3. According to the various affection, various internal malices accrue to a similar exterior act.

Hence there must be distinguished:

Simple pollution, from a general, not definite appetite for venereal pleasure, or even without an express appetite of this kind, as if someone, in order to quiet a prolonged excitation, and while repudiating the pleasure itself, were to excite pollution. That repudiation does not prevent pollution from being imputed; yet it will be simple, indeed less grave, in the same species, than pollution because of pleasure sought. Say the same concerning pollution which, from a true or false estimation, is procured for the sake of health.

Pollution with a fornicatory affection toward the other sex, either in general or toward a definite person of the other sex.

Pollution with a sodomitical affection, which again can regard either the same sex in general or a determinate person.

Pollution with a bestial affection, by which perverse lust recedes from the human species itself.

Pollution with another perverse affection, for example toward a dead person as such, necrophilia.

Pollution with an inefficacious desire for copulation or another sin.

The special malice of the affection is accustomed to be betrayed in the accompanying phantasmatic image.

If the affection was a simple complacency, the act is infected only by those evil notes in which the voluntary complacency was placed.

But if it was a desire, the malices which the quality of sacred, related, etc., persons brings are necessarily added, unless they are excluded from that affection by a conditioned desire.

Most sinners are ignorant of these specifications; yet they can usefully be questioned or admonished concerning them if there is hope that they will consequently become more alienated from the sin.

The participation of another person.

338. - 4. Pollution procured by touches will, as such, have to be accused because of scandal and the complicity of the other person. But one who pollutes himself by touching an unconscious person, for example one sleeping or mingled in a crowd, will of itself have committed simple pollution [1].

[1] St. Alphonsus, book 3, no. 467.

Touches sought or admitted, for example of a boy or girl, moreover easily betray various depraved affections; or, according to the quality of the persons and the office which they discharge, contain other malices against piety or another virtue.

In a sacred place.

339. - 5. Contrary to what had to be said before the Code, voluntary pollution no longer violates a church. Cf. canon 1172. Therefore, in order that it constitute grave local sacrilege - for a light local sacrilege is inherent in every grave external sin - it is necessary that it be demonstrated to be specially repugnant of itself to the sanctity of the place [2]: specially, that is, more than other grave sins. The more common opinion affirms that this is present [3]. Yet its truth escapes us. Lust of itself is referred to one's own body and not to the place where it occurs. Wherefore, unless from the public rationale by which it occurs, or from the cooperation of another, as in fornication, it savors of formal contempt of the sacred place and impiety, we judge that the grave malice of local sacrilege is absent from that act, and much more from imperfect acts. In our opinion, secret blasphemy is more repugnant to the sanctity of a place than secret pollution: for blasphemy is directly opposed to the worship to which the place is dedicated. Vasquez [4] and de Lugo [5], unless we are mistaken, would speak with us, since they derive from the disposition of the law by which those acts polluted a sacred place the grave local sacrilege which was then present in the complete use of the venereal faculty.

[2] Bucceroni, *Institutiones theologiae moralis*, vol. 1, no. 495.

[3] Cf. Ballerini, *Opus theologicum*, vol. 2, nos. 397-413.

[4] On I-II, disputation 90, chapter 3, no. 6.

[5] *De Paenitentia*, disputation 16, no. 464.

The manner.

340. - 6. The manner by which pollution is completed does not of itself change the species.

Therefore pollutions which are mental, or procured by obscene phantasms, and pollutions which are sought by the hand, by compressing the thighs, by contact with a physical thing, by the agency of an animal, indeed by contact with a living person who is unaware of the matter, as not rarely occurs in a dense crowd, will be of the same species.

Nocturnal pollution sought during the day by a suitable means will also be of the same species as diurnal pollution. If an inept or uncertain means is employed, the sin will be by affection rather than by effect.

But attention must be given to the affection which is often manifested by the manner employed.

The place of the body.

341. - 7. Nor is it necessary to distinguish the place of the body whose excitation induced pollution. And so, whether the masturbation of the woman was clitoral, vaginal, uterine, or mammillary, it will be of the same rationale.

342. - It remains finally that we estimate the gravity of complete pollution.

1. If we attend merely to the genus of lust, since the person who

pollutes himself recedes farther from the order of nature by his exterior act, pollution exceeds fornication in gravity.

2. Yet it must be said to have a guilt simply less. For in fornication there accrue the danger of disordered generation, the guilt of another's sin because of complicity, audacity, and a greater obstinacy of the will, which contemns shame in order to disclose a shameful design, and which overcomes difficulties in order to find an accomplice.

But an affection against nature is often absent from pollution; indeed, not rarely an affection according to nature is preserved in that sin, as when, in the absence of an occasion of fornication, the sin of pollution is committed. But the disposition of the will supplies the principal element of the sin.

N.B. Concerning indirect pollution, or pollution imputable in its cause, cf. the place where indirect lust is treated.

§ 2. On Other Complete Depravities Against Nature

I. On Sodomy

The theological notion of sodomy.

343. - Sodomy is defined as the lustful lying together of two persons of the same sex. A person who violates nature by this rationale is delighted by his own sex. This enjoyment of the body of another, but of the same sex, is theologically essential to sodomy. But it supposes a lying together, or the application of one body to another, although no penetration of the sexual organ into any vessel is required. Sodomy is completed when, in this lying together, the agent obtains satiating pleasure, whether, penetration having been made, he casts semen into the vessel of the other; or pours it merely between the thighs or externally upon the body; or pours forth no semen, as occurs of itself when the matter is between women.

The canonical notion.

2. But an effusion into the anus appears to pertain to the canonical rationale of perfect sodomy. Wherefore, when not every sin against nature perpetrated with another, but sodomy alone, is reserved, the reserved sin is understood to be so perfect that the vessel of the other has received the semen or quasi-semen poured forth by the other. This can scarcely occur between women.

Specific varieties.

344. - 2. Specific varieties.

a) The circumstances of a vow, relationship, or conjugal bond add respectively the malice of personal sacrilege, incest, or adultery. Concerning local sacrilege, the observation made in no. 314 returns.

b) The circumstance of the agent or patient does not change the species of the exterior act, nor must it of itself be declared. The patient was formerly called properly the *pathic* or *effeminate*. Cf. 1 Corinthians 6:10.

But in the patient a perverse affection can more easily be absent than in the agent.

Accusation.

Wherefore, one who declares the passive part must also disclose whether or not he himself experienced pollution.

On the contrary, one who confesses himself the agent already tacitly confesses his own pollution; he must expressly accuse only the pollution of the other, of which he was necessarily an accomplice by his action.

Among women, the parts and the commotions can rather be presumed equal, so that they need not be questioned concerning pollution.

What is pederasty?

c) This shameful act committed with a boy receives the special name of pederasty. And because the boy is incapable of consent, the moral malice of stuprum then easily accrues. One sinning thus was called a *paedico* or *paedicator*.

Paganism was so infected with this abominable vice that boys were trained for these shameful acts, or slaves, even after castration had been performed, were destined and sold for them.

Stuprum of the mouth, etc.

345. - 3. Stuprum of the mouth itself, or irrumation [1], that is, pollution performed in the mouth of another male, of itself betrays merely a sodomitical affection, just as in the mouth of a woman it would of itself manifest a fornicatory affection. St. Alphonsus, book 3, no. 466.

[1] The same name is retained when pollution is absent. Cf. St. Alphonsus, book 6, no. 935.

Performed in the posterior vessel of a woman, it is accustomed to be designated by the name of imperfect sodomy. But attention must be given to the affection, which often will be merely fornicatory, as when it is performed in the mouth. Cf. what was said above, no. 269.

Mutual pollution.

346. - 4. Finally, mutual pollution through touches alone, for example of the hands, is of itself a double effeminacy, to which a sodomitical affection can accrue.

II. On Bestiality

The moral notion of bestiality.

347. - Bestiality is lying together or coitus with a beast.

1. For the moral essence of this infamous sin, it is necessary that the sinner have willed to enjoy the body of a beast. This will regularly be present in the abuse of a larger beast.

But when someone abuses a smaller beast, for example a hen, it can very easily happen that he has taken the beast in the same manner as an inanimate thing, as an instrument of pollution sought because of its imitation of the female organ. Then, according to moral estimation, it seems to us that

pollution with a fornicatory affection has been committed; nor must the circumstance of the beast be declared any more than the circumstance of an inanimate thing.

The canonical notion.

2. For the canonical essence of the sin, when bestiality itself is reserved and nothing more severe has been declared, the lying together of consummated copulation is required and suffices.

3. Neither morally nor canonically does it matter of what genus or sex the beast was.

Formerly, indeed, congress with a beast of the other sex was thought to create the danger of a monstrous offspring; but the matter has today been ascertained, and it is certain that no offspring is to be feared.

III. On Other Unnatural Congresses

Congress with a demon.

348. - 1. Formerly they also enumerated congress with a succubus or incubus demon, which, in addition to the affection toward the person whom the demon represented, would of itself add a species against religion.

This alone appears to be within the natural power of a demon: that, even under the form of some human person or some animal, by bringing true human semen, it may perform a certain artificial impregnation. There can be no doubt concerning the perfectly human nature of the offspring, if any should be born.

But no modern deed of this kind is related.

2. Other perversions against nature are observed: for example, those of persons who lie with a dead or murdered woman, within her viscera.

These various enormities of perverse appetite lack a proper name, so that they must be accused by indicating the substance of the deed. But if someone, excluding sodomy and bestiality, indicates that intercourse against nature was performed by him, by this account also he will have sufficiently declared the lust; nor do the degrees of departure from nature among these excesses seem to have to be distinguished.

We cannot assent to Alberti [1], who recognizes simple pollution in intercourse with a corpse. For although a corpse strictly is neither a man nor a beast, the sinner nevertheless does not use it as an instrument, but is affected toward it as toward a dead human being. Moreover, intercourse itself with a statue, if there was a true affection toward the statue, will not have been simple pollution.

[1] *De sexto et nono,* no. 58.

IV. On the Comparative Gravity of the Sins

The comparative gravity of these perversions and of fornication.

349. - 1. Because of the greater departure from nature, bestiality [1] is the worst sin of lust among those which have a proper name, although the affection or will of lying with a demon contains a most grave malice against religion.

[1] St. Thomas, II-II, question 154, article 12; St. Alphonsus, book 3, no. 474; Lehmkuhl, I, 1047, and all authors.

But sodomy is worse than fornication.

And the enormity is so great that the absence of an accomplice and of offspring in bestiality, or of offspring alone in sodomy, cannot compensate for it. The matter stands otherwise in pollution, as we saw, no. 342.

2. But what is to be said of simple fornication and onanistic fornication when compared with each other?

The matter seems to us to be estimated from the affection. One who chooses onanistic intercourse so that he may harm the woman less is led by a less perverse affection than one who contemns the burdens to be undergone by the woman from childbirth, so that he may satisfy himself more fully.

But those who seek pleasure without the burden will sin more than those who determine to bear the connected burdens with a resigned mind, so that they may act according to nature.

The numerical distinction between acts of imperfect lust and the perfect act.

350. - From the demonstration made, it is evident that acts of imperfect lust are specifically distinguished from the complete act when one stops at them; but if they are joined with the perfect act, these imperfect acts, which pertain to the same completed species, constitute, according to general principles, one sin both in species and in number. For the entire rationale of the specific distinction rested upon separation from the complete act. Conjunction removes this rationale of distinction, "just as a part of a movement is not distinguished from the whole movement when the movement is continuous, but only when the movement stops in the middle." St. Thomas, I-II, question 72, article 7, reply to objection 3.

Chapter II. On the Incomplete Use of the Venereal Faculty Outside Matrimony, or on Imperfect Lust

Article I. Common Notions of All Imperfect Lust

The notion of interior and exterior imperfect lust;

351. - The notion and division.

1. Lust can be imperfect either because it is completed by no exterior act but is retained in some manner in the mind or will, or because an exterior act is not brought to its natural terminus.

We call lust imperfect in the latter sense any non-full satisfaction of the venereal appetite sought or admitted outside matrimony; or any venereal movement, not satiating of itself, effected or accepted by the will.

Above, no. 28, we described a venereal movement as a pleasurable exterior change of the sexual parts, and we warned that it must not be urged too strongly that the pleasure be felt in the sexual organs themselves; wherefore, one who suffers an erection from an obscene phantasm experiences a venereal movement, although the erection in itself seems to him to contain no pleasure.

Sought, admitted, or permitted, and this passively or actively.

2. Moreover, venereal satisfaction can be sought or voluntary, which the will has chosen or intended;

admitted or accepted, which, having arisen from elsewhere, the will embraces by its assent;

merely permitted, which arises neither chosen nor intended and to which the will does not positively adhere, although it does not impede or avoid it.

For permission can be passive or active: passive, indeed, when we allow it to flow from other extraneous causes; active, when we foresee that it will follow from our own action, apart, however, from our choice and intention, as an effect either certain or likely, and we do not therefore abstain from the action.

Connected with permission is the question of indirect lust, which must be treated in its proper place.

What of the division according to and against nature?

3. The division of an act according to and against nature, at least if there is question of an exterior act, recurs here. For the affection can comply with nature or oppose it; but an imperfect exterior act says neither of itself; rather, this will have to be estimated from the end of the agent, from the perfect act to which it is referred. Cf. Van Roey, *Quaestio specialis*, p. 17, at the end.

What is agreed upon. Opinions concerning the gravity of the sin.

352. - The intrinsic malice of venereal pleasure directly sought or admitted outside matrimony is not disputed among Catholics: every venereal affection, every venereal movement directly sought or admitted, is lustful, that is, vicious or outside the mean of chastity.

But the celebrated question concerning its perpetual gravity has been raised; concerning it three opinions chiefly have arisen.

The first opinion, whose defenders belong rather to an earlier age, thinks that some venereal movements are grave, others light, according to the lesser or greater distance by which they are separated from perfect satisfaction. Thus Sanctius [1], Cardenas [2], and several others. In order to explain this opinion more closely, a certain author judged that a pleasure which did not attain an eighth part of the perfect pleasure was slight. St. Antoninus himself has certain words [3] because of which Thomas Sanchez judges that he was not alien to this opinion. Moreover, Sanchez admits that at one time the same opinion did not displease him. But, as he himself says: "The matter having been

well considered and the reasons weighed, we judge it to be held as most certain that no slightness of matter is found in venereal pleasure [4]."

[1] *Selectae disputationes,* disputation 21, no. 19, at the end.

[2] *Crisis theologica,* tract 5, *De castitate,* disputation 45, chapter 7.

[3] Third Part, title 16, chapter 1, section 10, Notable 1.

[4] *De matrimonio,* book 9, disputation 46, nos. 6 and 9. The retraction, however, first appeared in the Lyon edition in the year 1654. But since Sanchez died in 1610, this retraction was made by another hand. What is read in *In Decalogum,* book 5, chapter 6, no. 12, is not proved to have been spontaneous.

The second opinion, therefore, teaches that venereal pleasures are grave from their entire genus. Thus Sanchez [5], the Most Illustrious Dr. Waffelaert [6], and most moderns.

[5] *In Decalogum,* book 5, chapter 6, no. 12.

[6] *De virtutibus cardinalibus,* no. 191.

De Moya [7], section 9, renders and defends **the third opinion** in these words: "In venereal matters slightness of matter is not granted morally and practically, but, speaking physically and speculatively, it cannot be denied."

[7] Tract 6, *Miscellanea,* disputation 2, *De peccatis,* question 2, section 3.

According to the testimony of the Most Illustrious Dr. Waffelaert, the first opinion has not yet been condemned by the Holy See or rejected as improbable.

Proposition 40 does indeed exist, proscribed by Alexander VII on March 18, 1666 "at least as scandalous": "The opinion is probable which says that a kiss given on account of the carnal and sensible pleasure which arises from the kiss is only venial, the danger of further consent and of pollution being excluded." But it could already have been proscribed because it made no distinction either between a momentary and a prolonged kiss, a single and a repeated kiss, or between a slight and a notable pleasure. Wherefore the force of this proposition, which, moreover, is rejected merely as scandalous, is easily escaped. Furthermore, in it there is speech only of sought pleasure. Merely admitted pleasure is not touched upon.

In the year 1612, Father Aquaviva, Superior General of the Society of Jesus, prohibited the religious of the Society of Jesus from admitting as tolerable, much less as true or probable, the opinion which asserts that, outside matrimony, light matter can be present in venereal pleasure deliberately sought. By decree 24 of the Ninth General Congregation, this precept was extended to deliberately admitted pleasure.

Nevertheless, afterward, on January 15, 1659, the Roman Revisers of the Society of Jesus answered the Gallo-Belgian province: "A learned man who accuses himself of venereal matters as sins which in his opinion, which he does not wish to abandon, are only venial because of slightness of matter, notwithstanding the cited decree, can and ought to be absolved by a confessor of the Society."

They answered thus because they could not then deny the extrinsic probability of the more benign opinion.

But from that time the opinion which admits no slightness of matter, at least in direct lust, has prevailed to such a degree that "that extrinsic probability which the opinion defending slightness of

matter in venereal matters formerly had can plainly no longer exercise its force [8]."

[8] Lehmkuhl, I, 1028.

But the third opinion incurs no censure.

Arguments alleged for the more benign opinion,

Come, then, the opinions having been heard, certain things must be noted concerning their arguments.

The more benign opinion, as is evident of itself, uses this easy rationale: there are small beginnings even of a gravely evil action which, willed in themselves, are customarily held to be venial. Thus anger is reproved by the Lord Himself as the beginning of homicide. Yet no one will contend that all anger must be avoided under grave sin.

For the more severe opinion.

For proving the more severe opinion, they are accustomed chiefly to use a twofold way.

Some adduce this argument, which they judge to be fortified by the authority of St. Thomas [9]: Acts of imperfect lust are mortal because they contain consent to the pleasure of intercourse or of perfect lust.

[9] II-II, question 154, article 4.

But if, with Lessius [10], you object that these acts, for example kisses, can be done from the intention of a lesser pleasure, they respond, with Cajetan [11], that the force and efficacy of that intention are destroyed by the nature of the work, which of itself is the beginning of the perfect act. But one beginning can be remote, another proximate, another notable, another slight or small. By what right do you transfer the grave guilt of the consummated act to every beginning of it, even one remote and light?

[10] Book 4, chapter 3, no. 57.

[11] On II-II, question 154, article 4.

The argument of Cajetan can also be proposed in this form. It is intrinsically and gravely evil to will, for example, kisses insofar as they are a part of unlawful intercourse. But one who outside wedlock seeks or admits venereal pleasure in kisses wills them insofar as they are a part of intercourse. For the venereal pleasure which they bring prepares for and surrounds intercourse. Everything there coheres; but a perspicuous proof of the major proposition is wanting.

Others, therefore, entering upon another way, think that speculative and abstract consideration must be abandoned, so that from concrete and practical observation they may elicit the gravity of all direct lust.

That argument can be proposed thus: "In direct lust, we cannot define the degree of future excitation, nor, after it has arisen, contain it within certain limits. Therefore, all direct lust entails the permission of a grave movement, and this without any just cause. But this is grave. Then, because of our greatest frailty and the vehemence of concupiscence, the will which deliberately embraces a

lustful pleasure of a lesser degree goes as though down a slope toward seeking complete pleasure through an imperfect but grave act.

"If the Author of nature permitted this to be done without grave guilt, that weak moral sanction would of itself allure the will toward consummated sin, far from restraining it. But the immense danger of delusion prevents that law from being circumscribed by particular exceptions."

Lehmkuhl [12], with not a few others, uses this genus of argument when he writes: "Every venereal pleasure is a certain beginning of the commotion and effusion of human semen, or at least bears with it the proximate danger of effusion; because, once excitation has occurred, it is not so within the power of man to stop and repel further progress; wherefore it participates in its malice."

[12] In the cited place, I, 1028, where, consistent with himself, he formally names the effusion and commotion of semen.

We admit that this rationale also is difficult. Do not the same writers, when they are not occupied by concern for the present question, for example when they treat of the mutual intimacy of spouses, spontaneously distinguish acts which introduce a grave or proximate danger of pollution from acts which introduce only a light and remote danger?

And, even if that connection is granted for sought lust, with what appearance of truth can the same be asserted of merely admitted lust, by which someone consents to a slight pleasure which has already arisen, without any effort to increase it? In their demonstration they are accustomed to pass over merely admitted imperfect pleasure in silence.

We do not, however, allege the difficulties which we experience in grasping these reasonings in order to weaken the force of the conclusion. On the contrary. These attempts were made to establish it upon invincible arguments; the ease with which arguments limping more or less have been accepted by the best minds, and this concordant opinion of Catholics - which is so great that already in his own age Sporer [13] suspected that no disagreement of consequence existed, and that Catholic doctors differed only in words or in the manner of speaking - bear luminous witness to that common perception of conscience by which all feel that nothing can be taken away from severity in venereal matters without so great a common harm arising that the error of the concession is detected in its very effect.

[13] *Theologia sacramentalis*, p. 43, section 5, c.

This assuredly ought to be sufficient for persuasion.

Nevertheless, that we may weigh the matter intrinsically, let this be our conclusion:

Thesis XI — Conclusion.

353. - Every venereal pleasure deliberately sought or admitted outside matrimony is intrinsically and gravely evil.

Proof.

We demonstrate it thus. As all admit, every venereal movement, as such, has an essential order to conjugal intercourse or to the legitimate perfect act, and indeed one defined by the venereal faculty itself: it is its natural beginning and preparation.

But by every venereal pleasure deliberately sought or admitted outside matrimony, this order of the faculty is taken away; and the use of venereal things is sought or accepted for an individual good alone, contrary to the relation to the species.

The order of the faculty itself is taken away, I say, since this faculty exists entirely and immediately for the sake of the species, and can legitimately be useful to the individual good only when the order toward the species has been preserved.

Therefore, that twofold inversion of order which was already noted twice above, nos. 306 and 324, is again found here.

But every act against order induces grave guilt when that order is essential and is substantially violated. - **Therefore, grave guilt is induced by every venereal pleasure deliberately sought or admitted outside matrimony.**

And we can demonstrate directly in this manner that consideration of quantity must be neglected here.

Consideration of quantity is useful when, because of a slight quantity or intensity, the very quality of the action is so changed that an action which would have been against the substance of the order is now only against its integrity, or violates the essential order only accidentally. For example, slight violations of duty allow the order of piety, charity, or justice to remain substantially intact, since neither can a parent reasonably bear them gravely, nor can an injured person reasonably be gravely unwilling.

But in every use of venereal things outside matrimony there is contained that inversion of the essential order by which the act of the species is exercised as though it were the work of an individual man, and reason is swept away by passion to violate the subordination to the species under which man, as a part of the species, is constituted.

An evasion is excluded.

Observe, therefore, that, in order to cut off the difficulty from the beginning, the gravity or lightness of an imperfect act is in no way derived from its proximity to the perfect act, but is drawn from this, that the act, considered in itself, cannot be deprived of its relation to the species. Certainly, because it is a preparation for the perfect act, it is referred to the species, but it is not sanctioned formally insofar as it is a preparation, which would then have to be distinguished as proximate and remote. But just as when disorder is demonstrated to be generically venial, that veniality is preserved in the entire species and becomes grave through no quantity, so, while the specific and substantial privation of order is preserved, no apparent slightness of the matter can make a grave sin light.

The force of the demonstration.

Moreover, the demonstration is common equally to admitted and to voluntary pleasure, just as the force of consent explained above proves, by which the act is psychologically changed and is raised from the order of vegetative or animal life to the supreme or rational order, where it is a mortal sin. Cf. above, nos. 322 and 324.

We shall then be able to confirm the rationale already made by the argument which other writers are accustomed to borrow from the slippery character of this genus of matter, in the manner which we explained.

On the difficult passage of St. Thomas.

354. - Our demonstration itself seems to us to have prepared the way for understanding better that passage of St. Thomas [14] by which many, as we said above, were led to construct an argument which, in our opinion, must be called inefficacious. "Consent to the pleasure of a mortal sin is a mortal sin, and not only consent to the act; and therefore, since fornication is a mortal sin, and much more the other species of lust, it follows that consent to the pleasure of such a sin is a mortal sin, and not only consent to the act. And therefore, since kisses and embraces of this kind are done on account of pleasure of this kind, it follows that they are mortal sins, and thus only are they called lustful. Whence things of this kind, insofar as they are lustful, are mortal sins."

[14] II-II, question 154, article 4.

St. Thomas has been interpreted in diverse manners: by some, as though he judged kisses given without an affection toward intercourse to be venial, although they were sought on account of carnal pleasure; by others, as though every lustful kiss were vitiated by an affection toward intercourse or toward the complete act. Both seem to us to err. The Holy Doctor certainly was not ignorant of kisses sought on account of a lesser pleasure, nor did he excuse them from mortal sin, since he pronounces that whatsoever things are lustful are mortal sins. How could he have been ignorant of the everyday fact of kisses given without the intention of intercourse and yet for the sake of lust? Indeed, did he not himself formally hand down a diversity of degrees in internal sin, I-II, question 72, article 7, reply to objection 1, distinguishing sin of the heart through three degrees, which degrees, in the first objection, are thus reported from Augustine [15]: The first is "when the carnal sense presents a certain enticement," which is a sin of thought; the second degree is "when someone is content with the pleasure of thought alone"; the third degree is "when it is determined through consent that it is to be done."

[15] *De Trinitate*, book 12, chapter 12 (Migne, vol. 42, cols. 1007-1008).

But he gave this to be grasped by one who understands: Since every venereal pleasure is of the same species, every lustful kiss entails consent to pleasure specifically the same; this pleasure is therefore joined to an act which, just like the perfect act itself, is essentially referred to the species, and cannot, without mortal sin, be deprived of this relation.

St. Thomas, therefore, intimated our argument there in a few words and in question XV, article 4, *De Veritate*: "Whatever a man does from consent to such pleasure, the pleasure of fornication, in order to nourish or retain a pleasure of this kind, the whole is a mortal sin."

What is to be said of more general sensible pleasure.

355. - The rationale made does not touch upon more general sensible pleasure (cf. no. 24). For this pleasure, insofar as it is more general, is not proper to a venereal act, and therefore does not express an essential order to the species.

Wherefore, without a cause or when related excessively to one's own good, it disturbs the order of man within himself only accidentally, so that it contains only venial guilt, if the affection toward the venereal movement which easily accompanies it is prudently excluded. Therefore, St. Thomas [16] rightly opposed to honorable kisses as mortal sins only those which were done on account of venereal pleasure.

[16] II-II, question 154, article 4, reply to objection 2.

Article II. On Incomplete Exterior Acts

The principle of specific unity.

356. - One must begin from this great principle: in lustful but incomplete exterior acts there is one and the same common rationale of formal malice, so that they are blameworthy only for this reason, that they express a use, certainly incomplete, of venereal things. Thus also Billuart [1], against not a few who falsely judge that these acts are specified by their origin from diverse faculties.

[1] *Summa S. Thomae*, treatise *De Temperantia*, dissertation VI, article 15, section 3, at the beginning. Cf. also Noldin, *De sexto*, no. 51.

In themselves, therefore, the intention and power of arousing lust being excluded, these acts are not reprehensible.

Wherefore, one who has sinned alone, whether by looking, by touching himself, or by lustful reading, sufficiently accuses his sins by saying: "So many times I was imperfectly lustful with myself"; or: "So many times I voluntarily had carnal movements; so many times I accepted them when they arose." For the distinction between sins through effecting and through assenting, concerning which above, no. 336, must be preserved here.

And indeed, why should one guilty of an imperfect act, more than one guilty of a perfect act, have to indicate the means employed?

Specific distinctions.

357. - 1. Nevertheless, he certainly cannot omit a vow by which the sinner alone is bound, or

a special affection by which he was led. Such an affection being excluded, the conjugal bond will not have to be declared under grave obligation, unless it is necessary in order that a married person be excused from mortal guilt in performing these acts.

2. Whenever culpable complicity has intervened, the circumstance of the accomplice adds the sin of another, which will therefore have to be accused.

3. Exterior acts which, according to themselves, express the beginning or preparation of a complete act with another person participate in the specific malices of that complete act.

Hence we gather these various corollaries.

Must there be solicitude concerning "distillation"?

358. - 1. So-called distillation or urethrorrhea from lust (cf. no. 13) obtains a place or special mention in moral theology rather fruitlessly. For it is a certain rationale of imperfect lust which introduces no new species because of the liquid distilled or emitted drop by drop.

It escapes us how Rev. Father Noldin, after he wrote: "Distillation... differs from pollution," could have added concerning distillation which is joined with pleasure: "This distillation is a sin of the same gravity and species as pollution itself, since it introduces the danger of it and is joined with venereal pleasure." Cf. *De sexto*, etc., no. 40.

Specification of touches,

359. - 2. Lustful touches, embraces, and kisses performed with other persons, because they begin a definite perfect act, participate in the circumstances of the agent and the patient. Wherefore it will have to be indicated whether either or both were unmarried or married, or in sacred orders.

Of looks,

360. - 3. But in looks, unless there were at the same time desires for or pleasures concerning sin with the person seen, it seems to suffice of itself that, the other qualities being kept silent, the penitent declare complicity. For looks do not of themselves tend toward the consummated act: St. Alphonsus [2] judges this the more probable opinion.

[2] Book 3, no. 421.

Nevertheless, one who participates in another's sin will not be able to omit the circumstance of a vow. But if there was no complicity of the person seen, that person's vow need not be declared.

Of evil counsels,

361. - 4. One who through an invitation or counsel induces another to sin participates in the foreseen malices of the work which he counseled.

Of true or fictitious approvals,

362. - 5. One who seriously approves in words a lustful work perpetrated by himself or by another manifests a depraved affection which is infected by the malice of that work.

One who approves only fictitiously, besides the lie, is guilty of a sin against chastity insofar as he detracts from the honor due to virtue, but is ashamed of it. Yet because he does not deny its goodness, we do not judge this sin to be grave of itself.

The scandal arising therefrom must be judged according to the circumstances.

The same must be said of one who takes vain glory from fictitious sins. Observe that vain glory is often sought, rather than from the malice of the sin, from the circumstance by which the sinner proves himself bold, cunning, or strong in powers. Cf. also no. 394, 6.

Of conversations.

363. - 6. a) Conversations held from lust concerning base matters are not the beginning of a complete sin with those with whom the conversations are conducted. Therefore, the fact that those conversing are unmarried or married, or joined to one another by relationship, does not of itself change the species of the sin against chastity.

Nevertheless, if you have thus induced a sacred person to violate his vow, this circumstance must certainly be indicated.

Furthermore, if because of your words you have failed in the positive duty of piety to care for the morals, for example, of a young person, you also contract the malice of a sin against piety.

Therefore, complicity with a sacred person or with a person committed to your care being excluded, base conversations, unless they contain a desire for or approvals of an object, are sufficiently accused by saying: "I spoke basely with one or several persons," adding, where necessary, consent to depraved pleasure.

b) Indeed, since each one takes his own part in conversations, unless there was some cause of the base words spoken by the other, one who engages in depraved conversations is not even formally an accomplice but is merely scandalous. But scandal of itself, or not intended, is opposed to charity alone.

N.B. Observe that conversations can be base in two ways: either because, in the manner of a base narration, they excite lust in the present, and these are called obscene more strictly; or because they approve or prepare base deeds, as if you were to conduct a discussion concerning a dishonorable action to be perpetrated afterward.

Touches of an unwilling person.

364. - 7. Lustful touches upon an unwilling person contain a grave malice against justice which is similar to that of stuprum; and the quality of a married person or of one joined to you by relationship will have to be indicated.

Article III. On Interior Acts

The twofold genus of interior acts.

365. - The interior acts which pertain here can conveniently be gathered into a twofold genus.

Some, more intellectual, are physically immune from carnal pleasure; others, on the contrary, stir the flesh in the present.

I. On Interior Acts Insofar as They Excite the Flesh

On acts which excite.

366. - 1. Acts which induce commotions of the flesh and are voluntary as such are called interior acts more in name than they truly are interior. For they are accustomed to be sought and

exercised on account of the pleasure which they induce here and now. They please as a cause of pleasure. Wherefore they are rather the work of imperfect or perfect lust excited and obtained by an interior act.

What is usually an obscene thought or morose pleasure. How it is to be accused.

2. This is the more frequent species of sin which penitents accuse when they confess depraved thoughts; and it is that which, in this matter, is chiefly marked by the name of morose pleasure.

Wherefore also, since the object then presented to the imagination does not please except as the cause of present pleasure, it is specified by this pleasure alone.

Therefore this rule is customarily handed down: Those who, desire being excluded, have base thoughts to accuse ought to accuse neither the object nor the base movement, unless there was pollution. Not the object, since thoughts understood in this way do not vary in species according to the various object; for individual things are not loved except as the cause of venereal pleasure, toward which alone the sinners are affected. Not the base movement, for, the thought having been indicated, that movement itself is sufficiently indicated, unless there was pollution.

Wherefore we added that pollution must be declared.

The morality and danger of ideal representation. Various counsels concerning this matter.

367. - You will ask on this occasion what moral judgment is to be made concerning the ideal representation of a base thing.

1. A merely notional representation, or one without an imaginary imitation of the thing, is in itself neither evil nor proximately provocative. Thus we designate adulteries and homicides by an innocent word. If it was idle or useless, it will laudably be repelled; nevertheless no scruple is to be had concerning it.

2. But the thing can be painted in the phantasy as upon a panel. Concerning this fictitious picture one must reason as concerning a true one.

a) To consider briefly a representation involuntarily present, a lustful intention being excluded, will not be grave. If there was a just cause of study, etc., there will be no sin.

Nevertheless, a cause for contemplating or looking upon an imaginary exhibition will be present more rarely than if a work made by art were to be considered.

But if the attention was undertaken with a lustful intention, a grave sin is committed.

This intention being excluded, a morose consideration of a gravely obscene or gravely exciting phantasm is infected with grave guilt because of the proximate danger of assent, unless a just cause, if one should ever be present, and a positive repudiation of the pleasure remove at once both the danger and the delusion.

A morose consideration of a thing which excites lightly will be venial in itself if a cause was lacking.

b) To excite images of this kind, or voluntarily to render them present, must be estimated by a similar rationale: it will be grave if it is done from lust, or if, because of the nature of the image, you expose yourself to a proximate occasion of assent; otherwise it will be a light sin or no sin, according as a sufficient cause was lacking or excuses the matter.

Active procurement, however, introduces an aggravating circumstance. Cf. Noldin, *De sexto*, no. 61.

Must an impure phantasm be repelled?

3. Moreover, the positive obligation of repelling impure and useless phantasms - although that repudiation is always praiseworthy and commendable of itself - is not grave, except insofar as a proximate danger of assent to present pleasure must be removed [1]. That danger is judged to be sufficiently removed of itself by an interior act of displeasure made once or twice in the same temptation.

[1] Concerning a will which bears itself "indifferently," cf. Sanchez, *In Decalogum*, book 1, chapter 2, no. 13.

This danger being removed, a light obligation does not exist except insofar as it can be fulfilled sufficiently conveniently.

What manner is to be recommended.

But the best manner is that, all anxiety having been put aside and the aid of the Blessed Virgin Mary having been implored, the mind turn positively to other, healthier, and higher things.

What one who is accustomed to be tempted should do.

But one who knows himself to be subject to these temptations should, preferably outside the temptation, in the morning or evening, according to the usual time of temptation, elicit a firm resolution; let him pray to God; and then, intent upon his own affairs, let him pass by those thoughts as though by neglecting them.

But if they press the mind more, it will often be very useful to promise or perform some act of penance, or even to exercise an act of humility, as if you were to disclose the matter to a spiritual man.

But let one tempted by impure things beware, let him carefully beware lest he quickly judge himself guilty and thus be cast down or disturbed in spirit, whence worse things are accustomed to occur.

II. On More Intellectual Acts

Simple complacency concerning an action;

368. - That we may now speak of the former, or of the truer genus of interior acts, simple complacency of affection first occurs, without desire or a will of execution. Nothing is intended; something is loved in itself. A complacency of this kind is to be judged from the object, and it becomes moral from only those notes in which pleasure was truly taken. For it concerns an abstract object. Wherefore:

1. Deliberate intellectual complacency concerning a base action induces of itself the various guilt of that action. But if certain evil notes composing the object remain foreign to the affection, or do not positively please, they do not communicate their malice to the one taking pleasure. Thus complacency concerning inter- course with a definite person who is married or sacred will generally be only complacency in fornication, since the other notes rather displease of themselves.

Concerning a thought;

2. Complacency concerning a thought entertained about a base thing is of itself about an honorable thing, since the thought of a base thing is not base in itself. But because of the danger of an obscene phantasm, it easily becomes suspect. Cf. St. Thomas, *De veritate*, question 15, article 4.

Concerning the manner in which the thing was done.

3. Complacency concerning the wondrous, rare manner in which an evil thing was performed, concerning the elegance of base speech, or concerning the art by which a statue was made, is also of itself about an indifferent thing; but again, because of the danger of evil complacency, it must be dissuaded.

Efficacious and inefficacious desire.

369. - Desire superadds some tendency toward the object, or some will of execution, in an efficacious or inefficacious wish.

An efficacious will elicits an absolute resolution; an inefficacious will is subordinated to an unfulfilled condition. It is a mere wish.

The specification of each.

Every desire is a movement of the will distinct from simple complacency. Yet as such, or in the subjective consideration of the act, if it was lustful, it induces the guilt of imperfect lust common with complacency, so that it does not of itself constitute an aggravating circumstance because of intensity. Cf. what was said, no. 356.

But objectively, an efficacious desire embraces the whole object as it exists; it loves or admits all its notes, at least absolutely, although not all for their own sakes, so that it contracts all the specific malices of the object.

But an inefficacious or conditioned desire must be judged from the nature of that condition.

If the condition excludes every malice, the desire will not of itself be objectively blameworthy, as if someone were to say: I would use her if she were mine. Yet it is evident that some danger is present in these desires.

And if the thing is evil only because it is prohibited, it is honorable to conceive the desire in this way: I would do it if it were lawful.

But if the thing is intrinsically dishonorable, we must bear an affection entirely detached from that thing, so that it may be conformable to right order. Wherefore it is not lawful, as though grieving

over the prohibi- tion, deliberately to adhere to this will: I would fornicate if it were not prohibited.

Those malices which are repelled by the condition are taken away from the sin. Wherefore a desire conceived thus: I would sin if the woman were not married, were not my blood relative, and were not sacred, takes away the malice of adultery, of a sin against piety, or against religion.

But if the condition placed regards difficulty of execution, danger of punishment, or indifferent notes of this kind, the inefficacious desire communicates in every note of the evil object.

The notion of joy.

370. - Joy, as it is distinguished from desire, expresses approval of a past act, while desire is referred to a future act.

Why is joy concerning a present thing omitted?

You will say that joy can also be conceived concerning a present action and is most frequent. But that joy is made one moral thing with the action itself. Wherefore it is passed over in silence in moral theology.

Moreover, concerning joy entirely the same must be said as concerning desire.

Joy concerning a good effect of an evil thing.

It is lawful to rejoice concerning the good effect of an evil thing, but not concerning the evil thing itself. Wherefore joy not only concerning a formal sin but also concerning a material sin, at least when it is conceived concerning a thing intrinsically evil [1], is entirely unlawful. Therefore one who rejoices that, being ignorant, he performed depraved touches sins, just as does one who wishes that, being ignorant of the malice, he might be able to commit fornication.

[1] Cf. Sanchez, *In Decalogum*, book 1, chapter 2, nos. 15, 16.

Joy concerning nocturnal pollution.

Therefore, it is lawful to rejoice concerning natural nocturnal pollution but not concerning unnatural pollution: all admit this. Yet there are those who call natural only that pollution which is produced without a stirred phantasy and the sense of pleasure. But, as Sanchez [2] observes, "that pleasure and commotion of the members naturally accompanies pollution; whence it does not prevent that pollution from being a natural evacuation and not of itself a sin."

[2] *In Decalogum*, book 1, chapter 2, no. 20. Cf. also Vasquez on I-II, question 74, article 8, disputation 115, chapter 3, nos. 7 and 9.

But it will have been unnatural if it was produced through involuntary masturbation during sleep. It is certainly not lawful, however, to foster with joy the carnal pleasure itself of pollution.

The manner of acting with penitents.

371. - Penitents, with the exception of an efficacious desire, are not accustomed to notice many species, so that they do not contract them either.

Wherefore, in practice, those who accuse depraved thoughts should be questioned concerning assent, so that they may learn to distinguish temptations and assent, and half assent from full assent.

If they doubt concerning assent, for the most part, according to the various presumption, they will be judged blameworthy or innocent. A habitually good will, an involuntary cause, indeed the omission itself of execution, ground a presumption of innocence.

Blameworthy imprudence, exterior acts which followed or preceded, and a habitual disposition toward lust generate rather the contrary presumption.

If they are found blameworthy, they should be questioned concerning desires.

Why anything else besides should be sought does not appear of itself, apart from the number and perhaps a general question whether or not they have anything to add. Cf. Reuter, *Praxis confessarii*, II, 204, or Noldin, *De sexto*, no. 62.

Appendix. Canonical Sanctions

Canonical sanctions of exterior sins.

372. - Besides the canonical penalties against abduction related in no. 319, other canons written for the protection of good morals also seem worthy of mention here. Therefore:

Canon 2356. "Bigamists, that is, those who, while the bond of marriage remains, have attempted another marriage, even one merely civil, as they say, are infamous by the very fact; and if, having spurned the admonition of the Ordinary, they persist in the unlawful union, according to the diverse gravity of the guilt, let them be punished with excommunication or a personal interdict."

Canon 2357. § 1. "Lay persons legitimately condemned for offenses against the sixth commandment committed with minors below the age of sixteen years, or for stuprum, sodomy, incest, or pandering, are infamous by the very fact, besides the other penalties which the Ordinary shall have judged ought to be inflicted."

§ 2. "Those who have committed the public offense of adultery, or live publicly in concubinage, or have been legitimately condemned for other offenses against the sixth precept of the Decalogue, are to be excluded from legitimate ecclesiastical acts until they have given signs of true repentance."

Canon 2358. "Clerics constituted in minor orders who are guilty of any offense against the sixth precept of the Decalogue are to be punished according to the gravity of the guilt, even by dismissal from the clerical state if the circumstances of the offense counsel it, besides the penalties of which in canon 2357, if there is place for them."

Canon 2359. "§ 1. Clerics in sacred orders, whether secular or religious, who are concubinarians, a warning having been fruitlessly given beforehand, are to be compelled to withdraw from the unlawful union and to repair the scandal by suspension from divine offices, by deprivation of the revenues of office, benefice, or dignity, the prescription of canons 2176-2181 being observed [1]."

[1] These canons constitute title XXXI. They regulate the manner of proceeding against clerical concubinarians.

§ 2. "If they have committed an offense against the sixth precept of the Decalogue with minors below the age of sixteen years, or have practiced adultery, stuprum, bestiality, sodomy, pandering, or incest

with persons related by consanguinity or affinity in the first degree, they are to be suspended, declared infamous, deprived of every office, benefice, dignity, or charge, if they have any, and in graver cases deposed."

§ 3. "If they have otherwise offended against the sixth precept of the Decalogue, they are to be restrained by appropriate penalties according to the gravity of the case, not excepting deprivation of office or benefice, especially if they have the care of souls."

Thus most penalties are pronounced as *ferendae sententiae*; they indeed punish clerics more gravely, especially if they are in sacred orders or have the care of souls, but nevertheless they also affect lay persons. Some merely presuppose the offense; others, a judicial sentence legitimately rendered. Wherefore, where there is question of lay persons, the very sentence of the civil forum is strengthened by a canonical sanction.

Chapter III. On Indirect Lust

Article I. Principles

Whence difficulties have arisen.

373. - The defective rationale by which not a few endeavor to demonstrate the grave malice of pollution seems also to have effected this: that, the distinction between partial and complete pollutions having been neglected (cf. no. 322), many gratuitously devised a positive duty to impede pollution, even one not psychological. This was then extended to other involuntary rebellions of the flesh and filled the doctrinal proposition concerning indirect lust with wondrous ambiguity and confusion.

The notion of indirect lust.

Moreover, indirect lust is that which, being in itself neither voluntary nor willed, or neither sought nor positively admitted, is imputed in its cause, from which it was foreseen that it would arise without our will.

Concerning this lust, after the explanations and demonstrations made, we judge that we can conclude the argument in this manner by a brief and clear assertion.

Thesis XII — Conclusion.

374. - Pollution which occurs apart from intention and without consent is gravely imputed only to one who foresaw it as sufficiently proximately connected with his sin of imperfect lust, or who did not impede it when it was then imminent by ceasing from lust.

Another carnal movement is never gravely imputed in its cause.

Its force is explained.

Foreknowledge of the proximate danger of pollution can have existed from the beginning, the very act of lust to which indulgence was given having been considered; or it can arise in the act itself, the

commotion which in very fact was excited through that act having been considered. For often the commotion excited exceeds in degree the first foreknowledge. We affirm in each case the same obligation of impeding pollution; but, in the former case, the act will have to be omitted because of the danger already known, while, in the latter, one must cease from the act begun because of the arising danger. Hence we thus terminate the former sentence of the conclusion: "or who did not impede it when it was then imminent by ceasing from lust."

The other words need no explanation.

But it appears sufficiently clearly that the force of the conclusion is this: that a man, sincerely and truly doing something else, ought to avoid nothing under grave obligation because of the effect of pollution which will follow, except a carnal movement gravely blameworthy, with which the effect of pollution appears sufficiently proximately connected.

This conclusion also applies to spouses, for whom incomplete carnal movements are not lust, at least grave lust; but concerning the acts between spouses discussed above, we used the name which they necessarily have for the unmarried, that is, we called them by the name of imperfect lust. Cf., moreover, no. 375.

The demonstration, moreover, is of this kind.

Proof concerning pollution.

1. On pollution. As long as no direct lust is committed, the mind does not serve the flesh; and the pollution which will arise will be merely bodily, which is incidental to the sin, or lower psychological pollution, the tolerance of which will be merely venial.

Therefore, a proximate danger of consent being excluded, this involuntary pollution cannot be gravely imputed. For, having considered the abundance in which it is produced, the very loss of semen, as we saw, is of no moment.

But when through an incomplete sin you have violated in the same genus the essential order by which sense is subordinated to the mind and the individual man to the species, and have thus given a blameworthy beginning to pollution, the virtue of chastity, because of the very terminus foreseen, consequently prohibits that beginning, so that foreseen pollution is to be assimilated to psychological pollutions, which are gravely prohibited.

But one who, during a lustful act, notices imminent pollution has certain foreknowledge of pollution from his own lustful act. And therefore the case and obligation just indicated here recur. Cf. Sanchez, *De matrimonio*, book 9, disputation 45, no. 22.

The same can be proposed in this other form. The perpetual rule is: because of a proportionate cause, an evil effect which can be neither intended nor chosen is legitimately permitted. Therefore it must be examined what positive duty of religion, justice, piety, or charity stands against permission; or what positive care of avoiding the effect is imposed. But when there is question of the effect of pollution which is harmful to no one, no grave obligation of positive care is proved, no grave duty exists besides the duty of chastity itself. But this duty is rather negative, namely, that you preserve the mind sincerely turned away from lust. Positively it imposes this one thing to be avoided: that you

not expose yourself to a proximate occasion of sinning. Therefore, only when derogation is made from this duty through a sin of lust can the effect of foreseen pollution be imputed as grave guilt.

Moreover, foreknowledge of pollution and a sufficiently proximate connection are required as general conditions of imputability in the cause. Cf. Sanchez, *De matrimonio*, book 9, disputation 45, nos. 18-20.

The distinction of causes which influence pollution.

In this matter, besides causes which are definitely light and causes which are judged grave by all, there are others of a middle genus, in which the subjective dispositions of the agent must especially be attended to. Lehmkuhl [1] gives these examples: reading which is not merely slightly base; a deliberately continued sight of a naked person of the same sex; a touch made upon or repeated upon one's own body.

[1] *Theologia moralis*, I, 1031.

Concerning other carnal movements.

2. On other carnal movements. A movement short of pollution, if it results from imperfect lust, will be only one sin with that lust: both in species, since all incomplete lust is of the same species, and in number, since it proceeds from one and the same will.

A graver movement which is merely permitted and a less grave movement which alone, in the case, was intended or chosen can indeed be distinguished subtly. The permission of an evil thing is certainly a lesser guilt than intention. But this circumstance, although it diminishes the guilt, changes neither the species nor the number.

But if a movement short of pollution has a cause diverse from lust, it cannot be gravely imputed: for then, consent being excluded, it does not pertain to higher psychology. And it is repugnant to common sense that you should speak more severely about an inferior movement than about pollution, which is gravely imputed only because of imperfect lust.

The doctrine handed down is confirmed by the authority of St. Alphonsus [2], who writes: "The common and more probable opinion teaches that pollution is not mortal unless it proceeds from a cause mortal of itself in the genus of lust.... Since pollution is not willed in itself but only in its cause, it will be evil in the degree in which the cause itself is evil."

[2] Book 3, no. 484, IV.

These words clearly express our opinion and preserve their proper force. Cf., moreover, the same matter written more clearly by Sporer: "When the cause posited of foreseen pollution, or the act from which it is foreseen that pollution will follow, is a mortal sin in the genus of lust, as being of itself and by its nature ordered to a venereal matter, even pollution indirectly willed in that cause will be a mortal sin... he is convicted of willing pollution implicitly and indirectly... if the cause is venial in the genus of lust, the pollution will be venial [3]." Cf. also Ballerini-Palmieri [4].

[3] Sporer, *Theologia sacramentalis*, part 4, chapter 3, section 15, nos. 646, 648.

[4] *Opus theologicum*, vol. I, no. 579 ff.

Sanchez [5] is somewhat more severe; and so also is Rev. Dr. Van Roey, who derives formal guilt from the notable influence itself upon pollution, having first established a positive obligation, light, however, he says, of impeding pollution [6]. Consequently, he himself must then, with others, extend indirect lust beyond the effect of pollution.

[5] *De matrimonio*, book 9, disputation 45, no. 15.

[6] Concerning this matter cf. Sanchez, *In Decalogum*, book 1, chapter 2, no. 13; Ballerini, *Opus theologicum*, vol. I, no. 598.

But if the obligation of impeding pollution is only light, how will an act which is not in itself lustful become a grave sin because of the unintended effect of pollution? We do not grasp this with the mind.

For observe that a sin of imperfect lust is committed directly, not only when it is sought by express intention, but also when, without another immediate cause, acts are exercised, for example certain touches which, in moral estimation, directly excite the flesh: then you are judged to effect a venereal movement. And also other acts, for example certain looks, unless they are explained otherwise by a serious rationale, betray a lustful affection or introduce a proximate danger of consent, so that they are gravely prohibited in the genus of lust. Cf. what is to be said concerning masked lust. Whatever acts are there condemned under grave obligation are, as such, also prohibited as a cause of pollution, yet in such a way that, when they are excused for the same rationales, this causality and the acts themselves are excused in themselves from grave sin.

On acts between spouses.

375. - Acts which for the unmarried are imperfect lust are either permitted or not gravely prohibited for spouses. Yet because they are venereal and express an order to the complete act, pollution which is foreseen as about to follow from them, or because of which, if it is imminent, there is no cessation from those acts, is imputed in its cause as was said in nos. 274 and 276, unless a grave excuse is present. For the virtue which prohibits the terminus also prohibits its formal beginning as such.

Article II. Applications

Corollaries concerning pollution foreseen from an honorable action,

376. - Because of foreseen involuntary pollution, no one ought to abstain from an honorable action such as riding, gymnastic exercise, scientific study, the use of medical art, etc.; for a just cause then plainly excuses the effect.

But one who, while performing these things, notices imminent pollution and can easily avoid it but does not avoid it seems to commit a venial sin because of the rebellion of the flesh not repressed or tolerated without cause, and some danger of consent. Cf. Lessius, book 4, chapter 3, no. 100.

And one must act sincerely. In bed it is lawful to choose any position. But one who, when pollution is almost imminent, then places himself upon his stomach, unless he can allege another serious cause, ought he not to be judged to have done this on account of pollution? For what other cause did he then employ this certain and proximate means?

From an unlawful action outside the genus of lust,

377. - To perform an unlawful action, even a gravely unlawful one, of a genus other than lust, for example drunkenness, gluttony, or excessive eating of stimulating foods, with foreseen pollution but without the intention of pollution, is not mortal from a violation of the virtue of chastity.

Nevertheless, it seems to be venial, because "to permit pollution without a reasonable cause always seems to be something indecent and disordered [1]."

[1] Sanchez, *De matrimonio*, book 9, disputation 45, no. 21; St. Alphonsus, book 3, no. 484, at the end.

But it would be mortal to make oneself drunk with foreknowledge of masturbation to be performed, because this is a material sin which we must positively avoid under grave obligation unless a proportionate cause excuses.

From a lightly base action.

378. - It is also venial, with foreknowledge of pollution, to read a base thing from curiosity, the danger of consent to venereal pleasure being excluded [2]. Concerning this matter St. Alphonsus says: "In practice, I would never concede it" (book 3, no. 484).

[2] Sanchez, *De matrimonio*, book 9, disputation 45, no. 18.

And because the cause is not judged to have a notable influence, San- chez [3] excuses from mortal sin one who perseveres in the aforesaid venially base things when he notices a proximate danger of pollution. Involuntary pollution is supposed. But beware of masked lust!

[3] Sanchez, in the same place, no. 19.

From relieving itching.

379. - What is to be said of pollution which is foreseen as about to arise while someone, by touching and rubbing, attempts to extinguish heat in the genitals or itching?

The danger of consent being excluded, it is lawful thus to relieve non-venereal itching. In practice, however, penitents are to be exhorted rather to bear tolerable itching, especially since it is accustomed to be increased by rubbing. Let them also seek counsel from a prudent physician. A means will be indicated to them which is more efficacious and less joined with the danger of pollution.

But if the itching was venereal and tended toward pollution, it is certainly lawful for no voluntary cause to excite pollution.

But there is no slight difficulty in discerning this, especially in women, although the case is common to each sex.

These signs of non-venereal itching are proposed by Berardi [4]: when the action immediately relieves the itching; if relief was sometimes obtained without venereal pleasure.

[4] *Praxis confessarii*, vol. 2, no. 786.

But these signs of venereal itching are indicated: if there is no pain in the genital parts themselves which must be relieved; if the pain suddenly ceases when pollution has been obtained; if, when

pollution has been obtained, the inducement to touch oneself is no longer present.

And because non-venereal itching is more ordinary, it can be presumed.

Cf. St. Alphonsus, book 3, no. 483, 2. Moreover, if the itching participates in both rationales, no one is prohibited of itself from relieving it insofar as it is not venereal, while permitting the other effect. Cf. Berardi, *Praxis*, no. 398, approved by Alberti, no. 57.

On caring for the cleanliness of the parts.

Itching not rarely has as its cause neglected cleanliness of the genital parts.

Namely, not a few males, though not all, lest too much "smegma" be gathered under the foreskin, need, the foreskin having been retracted, to remove the matter adhering to the foreskin itself and to the corona of the glans. This is done by washing, which must be performed prudently but without anxiety or disturbance of mind. In order to avoid the danger of pollution, it will be better for one who fears commotion to perform this while almost fully clothed, rather than with his garments removed, when the phantasy has a greater occasion of excitation; and let a linen cloth be placed over it.

Indeed, every danger of pollution will be absent, according to Antonelli (I, no. 194), "if before washing the member is tightly constricted by the fingers near the base," and this until the washing is completed: "for constriction impedes the inflow of blood and therefore erection." "As regards women," the same author continues, "they should perform external washings, in the vulva, using a very light little cloth; and they should never wipe by rubbing, but only by applying the cloth and lightly compressing it by hand several times until the wiping is complete; because otherwise, namely by rubbing, the heat and irritation of the organs are increased, with proximate danger of consent to pleasure." (*Medicina pastoralis*, vol. 1, no. 192.)

What can be allowed to those who suffer from their nerves.

380. - Concerning those very persons who suffer an intolerable irritation of the nerves in the genital parts which is calmed by pollution, and by which they are almost compelled toward certain touches and movements which induce pollution, Lehmkuhl [5] writes these things: "Certainly it is not lawful to perform any action which of itself provokes that effect, as touch and rubbing easily do; but neither do I think that, in that pitiable state, a man ought to be so constrained and studiously to abstain from every bodily movement which is certainly in no way judged of itself an efficacious cause of pollution, such as changing position in bed, placing one leg under the other, etc., provided that he does not thus intend pollution or undergo a grave danger of consent. For if some light action causes pollution, this takes its origin not from that action but from the peculiar and involuntary disposition of the agent; but to demand under grave obligation that he studiously avoid this action, if it is judged of itself truly to influence only lightly, on account of that miserable subjective condition, is in my judgment more severe. In every way, however, that man ought to take care that he detest the thing in itself and implore God not to permit him to fall."

[5] *Theologia moralis*, I, 1042.

But because of the practical difficulty which penitents have in understanding these things, let the confessor be content with this general indication, that they abstain from touches which directly procure pollution; and for the rest let him leave them in good faith.

Nevertheless, let him beware lest he admit the case too hastily, or himself permit an act by which pollution is directly induced.

Wherefore let him also counsel the penitent to consult a God-fearing physician; and let the physician himself give counsel cautiously and prudently. For imprudent counsels are easily given in these matters by confessors who have been deceived by books.

Especially concerning the position which they can choose.

381. - What is to be said of those whose nerves are so badly affected that they pass long hours, indeed nights, sleepless until pollution has been produced? Can they choose in bed a position which they know to be joined with pollution [6]?

[6] Observe that this connection is held to exist less because of the position of the body as such than because of contact with exterior things, for example bed linens, so that the pollution cannot be equated with natural evacuation.

It is no more lawful for them than for others directly to effect pollution.

And those who, even in these circumstances, positively flee pollution will be praised of themselves: they are distinguished cultivators of chastity and true martyrs.

Now speaking of the choice of a position which is at least honorable:

1. If at the same time they experience pain which is relieved by that position independently of pollution, the choice of the position is in no way to be condemned, since it has a most just cause.

If the position is also the most natural one which a healthy person would choose, or which they themselves were accustomed to choose before the illness, they are bound by no obligation to avoid that position.

The difficulty is greater when nothing except foreknowledge of soothing pollution seems to explain the choice of that position.

If the pollution were merely natural, the sick person would not be prohibited from choosing simply for the sake of sleep a position joined with pollution. For the permission of pollution would be merely passive, which is not imputed. For there is no positive obligation of impeding natural pollution, which is not evil; and we suppose the proximate danger of interior consent to be absent. But pollution is accustomed to arise not only from the disposition of the body but also from exterior circumstances voluntarily introduced through the choice of position. A position, for example, will be reclining upon the stomach, which brings the compression of the body against the bed.

Wherefore one who chooses that position actively concurs toward pollution. He therefore at least actively permits it. But active permission is honorable only on account of an end which does not presuppose pollution, while in the case pollution is said to be a prior condition of sleep. Yet because the connection is due to a special disposition of the body, that end or rationale excusing the permission will easily be present. Therefore we must bear solicitude that this excuse be held sincerely.

N.B. A lower carnal movement is better neglected.

Concerning those who need the aid of extraordinary means;

382. - The opportunity returns here for the counsel that a good and most experienced physician join his effort with a spiritual father.

The same counsel must be given to those who, experience teaching them, feel themselves unequal to overcoming temptations without fasts, sleeping upon the ground, and other extraordinary penances of this kind, by which health itself is brought into danger. Although they do not have an obligation to employ those extraordinary means, those who tread that arduous path of virtue are to be praised most highly; at the same time, however, they must be aided so that the yoke of the Lord may be lightened for them without detriment to virtue.

Concerning those for whom chastity is accidentally harmful.

There are also exceedingly rare persons who, wholly accidentally, because of a morbid condition of the body, are driven by observed continence to such a state that, deprived of the use of reason itself, they would have to be confined in asylums for the insane. Unless they can be aided by an honorable marriage, concerning them also that saying is valid: "Rather to die than to be defiled." Remedies, however, are to be sought from the best physician, who through suitable suggestions, even hypnotic ones if it seems appropriate [7], will endeavor gently and at the same time firmly to restore the dominion of the will.

[7] Rev. Father Gemelli, *Non moechaberis*, although on p. 164 he declares himself little inclined toward the remedy of hypnotism, nevertheless admits on p. 228 that the method is sometimes necessary.

Concerning those who commit at least a material sin at night.

383. - On this occasion you will ask what is to be pronounced concerning those who are not even tempted during the day, but at night, in a state of wakefulness as they think, pollute themselves by hand.

Response. In the first place, it must be diligently investigated whether they were fully or only imperfectly awake. For it is certain that grave guilt cannot be induced by an action performed while half-asleep. For one half-asleep is not sufficiently in possession of himself to deliberate fully concerning things to be done. Therefore, strange rationales which occur to the mind, for example, "they are glad that now without sin they can satisfy them- selves," or other signs will demonstrate the defect of full consciousness.

What if they acted while awake.

Those who were awake are rather to be presumed to have done freely what they did. Nor does daytime immunity of itself prove nighttime innocence. For the very habit of nocturnal masturbation can remove temptations during the day. Furthermore, the warmth of the bed and the idleness of one lying down favor depraved phantasms, from which daytime labors distract and turn away the mind. Moreover, that they feel themselves to be affected entirely otherwise during the day is not at all surprising in itself: even those who commit wholly voluntary faults during the day, when the heat has ended, detest what was done and sometimes judge a new sin almost impossible.

Certain circumstances, however, can prove that all guilt or at least grave guilt is absent, as if this masturbation is connected with an involuntary circumstance, or if promptness of execution and quiet of conscience demonstrate a rather mechanical act. One who after a struggle yielded to temptation either acted when wearied by the struggle and disturbed in spirit, which will be an argument of excuse; or he acted with mind sufficiently present and not disturbed, and then the struggle itself is an indication of deliberation.

The manner of acting for the confessor.

Not so rarely will the confessor remain uncertain. In practice, he will then regularly not permit Communion or Mass without prior confession, lest reverence toward the Most Holy Sacrament be diminished, or lest even a lesser effort be made against temptation; nevertheless, an impediment which suffices will be interpreted more benignly, so that someone, after at least a fervent contrition, may approach to taste the sacred banquet.

In general, he will beware of both things: lest by excessive facility he render the penitent negligent or more audacious; lest by excessive severity he depress his spirit.

Finally, note that because someone abstained from a depraved act in certain special circumstances of commotion, it is not thereby proved that he did the same freely in other circumstances.

On pollution foreseen from a mortally base action.

384. - A mortal base act exercised with foreknowledge of pollution sufficiently connected with it is infected by a special malice against nature because of that foreknowledge [8]. The sin

[8] Sanchez, *De matrimonio*, book 9, disputation 45, no. 21.

is then committed when the act is exercised under this foreknowledge, but in no way depends upon the effect, that is, upon pollution having truly followed or not followed.

One who perseveres in a base act when pollution is imminent, although he did not previously foresee it, is to be blamed with the same guilt [9].

[9] Sanchez, in the same place.

On the imputability of nocturnal pollution.

385. - It remains that we speak of nocturnal pollution.

1. As we have already warned, pollution which is effected by hand in a dream is a material sin; but that which flowed spontaneously from an abundance of semen or another cause is not even to be called a material sin [10]. But nocturnal pollution of one sleeping never of itself induces the rationale of formal sin [11].

[10] Sanchez, *In Decalogum*, book 1, chapter 2, no. 20, where he also approves Vasquez speaking in the same manner concerning accidental pollution which arises during the day from a cause which ought not to have been avoided.

[11] St. Thomas, II-II, question 154, article 5.

2. But that which is intended before sleep through an efficacious means will be imputed. Whether it actually occurred or not, the same sin was committed, which is accused thus: I employed an efficacious means to produce nocturnal pollution.

But one who employed an inefficacious means to obtain it also sins gravely because of the depraved intention.

Thus far, the things which are agreed upon.

3. But they are accustomed to impute nocturnal pollution severely to those who, without the intention of this pollution, through blameworthy acts of interior or exterior lust, for example depraved phantasms of the day, gave a cause to nocturnal pollution.

Nevertheless, it can be doubted whether between daytime thoughts and actions and dreams of the night there is a sufficient connection to induce the guilt of pollution in a voluntary lustful cause. To us the connection seems too slight and accidental. For they have observed that those phantasms recur rather during the night by which the mind was occupied somewhat but not excessively during the day, so that it was not wearied. Wherefore one who morally revolved obscene things during the whole day seems to have posited a less efficacious cause of pollution than one who admitted them moderately or repelled them.

Wherefore, one who has experienced nocturnal pollution, unless he intended it, ought not to be solicitous concerning its cause. But if he intended it, whether the intention was efficacious or inefficacious, the very effect of pollution will not have to be accused.

On the cited passage of St. Alphonsus.

386. - The cited passage of St. Alphonsus, in which he says that "pollution is not mortal unless it proceeds from a cause mortal of itself in the genus of lust," is sometimes explained so that acts "which in the rationale of an exterior act would be a grave sin against chastity if they arose from a lustful affection [12]" are said to be causes mortal of themselves in the genus of lust. But this accords less well with the rationale which the Holy Doctor adds: "Since pollution... is willed... only in its cause, it will be evil in the degree in which the cause itself is evil." For if the causing act is not in itself blameworthy, it is not an evil cause but would only be so if it flowed from a lustful affection. Nevertheless, afterward, the Holy Doctor approves the more severe statements of Roncaglia. Wherefore we cannot allege St. Alphonsus as fully agreeing with us [13].

[12] Cf. Rev. Dr. Standaert, *Collationes Gandavenses*, vol. 4, p. 45.

[13] Cf., however, Ballerini-Palmieri, vol. 1, no. 592.

Chapter IV. On Immodest Acts and Masked Lust

Article I. Notions and General Rules

The rationale for treating and the place of this chapter.

387. - In their treatises on the sixth and ninth commandments, theologians are accustomed to inscribe a certain chapter, *On Immodesties*, where they note various acts not akin to lust in their very exterior species as nevertheless blameworthy either lightly or gravely, yet in such a way that the genuine rationale of the reprehension is often not given by them except confusedly. Hence they seem to found their opinion, true though it is, more upon the agreement of

approved doctors than upon intrinsic arguments; hence not a few began to doubt the truth itself of the opinions, especially today, when less confidence is placed in authority and men are accustomed to inquire and question more boldly concerning intrinsic rationales.

Wherefore, that provision may be made for good and holy morals, it is expedient to hand down these rationales perspicuously. But two things are combined in these responses: the necessity of fleeing the proximate occa- sion of depraved or lustful assent, and the obligation of avoiding all direct lust, although hidden and disguised or masked.

Thus we have explained the reason why we write this chapter, which we think is of the greatest usefulness for the prudent direction of souls.

The notion of masked lust.

388. - Therefore, we call masked lust acts truly proceeding from lust and hence directly lustful, but disguised under a certain more honorable appearance, so that the sinner himself may easily be deceived by an erroneous conscience.

And indeed, in this slippery matter, in which it cannot be said where lust will not rush headlong, blindness of conscience, weakness of will, and the frailty of one's neighbor sufficiently warn us that we ought carefully to guard ourselves from delusion, from the danger of consent, and from scandal of our neighbor.

And modesty must be held at a great price, which, while it guards this province, protects and promotes essential chastity itself.

But men are accustomed to be led away by some sensual love and other pretexts toward suspicious, imprudent, and evil demonstrations in which they deceive themselves.

The pretexts customarily adduced.

389. - The pretexts are generally: scientific study, some work of mercy, whether of caring for the body, of consoling, indeed, of helping a soul spiritually, or of dispelling ignorance, timidity, or scruples. They are therefore rationales which in certain circumstances could be true and good, but when they are alleged, they cloak less right intentions with their own color. They are especially accustomed to be employed by those who are drawn by sensual love.

Therefore, a man zealous for virtue must conceive from the beginning a firm resolution of intimate sincerity, by which no place is prepared for these pretexts. But if a doubt arises concerning an unusual manner of acting to be employed or maintained, let the counsel of a prudent confessor be sought.

The danger of sensual love.

390. - Sensual love, which is founded upon a certain bodily sympathy, is so dangerous, and descends so easily to carnal love, that, unless its very vehemence is diminished by imposed moderation or precautions employed, those who deliberately foster such a love can be treated as persons constituted in the proximate and

voluntary occasion of grave sin. Cf. St. Alphonsus, *Praxis confessarii*, no. 65.

Among whom they are most frequent.

These loves are most frequent:

1. Between young persons of different sexes, who flirt: then they not rarely end in the bitter and harmful deception of the girl. The girl hopes for an undying flame and marriage; the young man wished only to play. From an intimacy of this kind the maiden departs as though morally deflowered: the heart of a person truly and fully loves only once.

2. Among adolescents of the same college or boarding school, or of a conservatory for girls. Here, however, a twofold genus must be distinguished. There are those who, merely from a certain wantonness or vanity, as though by way of a certain game, wish to imitate love; this, although it ought to be disapproved, must be judged less grave of itself; while others truly burn with lustful love.

The manner of acting for the confessor.

Each genus must be firmly attacked by confessors; but those who are affected in the latter manner are to be judged more strictly to be in the proximate occasion of grave sin. This is especially true of the older ones who take the active parts in these matters. For affection is often absent in the younger person who, sometimes enticed by the promise of a temporal advantage, permits himself to be loved.

But these friendships, or rather sensual loves, are to be detested most of all:

1. Between a priest or religious and a person of the other sex or a young person committed to their care, because of scandal. From the moment that a sensual affection is deliberately admitted, spiritual action becomes sterile. Wherefore it must first of all be procured that the relationship of spiritual direction, if there was one, be broken off. And the very lower estimation in which the priestly or religious order is consequently held, especially if, as happens too frequently, certain indecorous things are done, must already be held as grave scandal.

What is to be thought of platonic loves.

2. Between either spouse and an extraneous person to whom he seems to give his heart, while he leaves his body to his spouse. These platonic loves cannot be tolerated: they are infected by the note of spiritual adultery. They are very dangerous to the lovers; but to the spouse thus abandoned they are of themselves a cause of grave and just sorrow; they are contrary to the duties of piety which follow from matri- mony and to the good education of the offspring. Wherefore, although manuals of moral theology pass over this genus of infidelity in silence, we judge it to be objectively grave.

Actions considered.

391. - Norms of theologians. - 1. The object. Catholic theologians, sufficiently concordant among themselves, use the norms of which we now treat in order to estimate morally actions which, unless carnal concupiscence raged, would be indifferent, but are now called immodest insofar as they express some, at least material, departure from modesty.

These actions, as flattering and pleasing, deceive men; as provocative, they corrupt men; as signs of a less right affection, they scandalize men; for which rationales they are prohibited under grave or light sin.

Which actions are judged grave as exterior acts?

Moreover, this must be well noted. Acts which are condemned as mortal are at the same time, when they are done from lust, judged to be grave in the rationale of an exterior act. This must be attended to in mutual acts which entail complicity, where there is question of the absolution of an accomplice.

Principles of estimation.

2. Principles of right estimation. a) It is lawful to proceed from this beginning. The more the exterior act itself displays the species of a lustful demonstration, or appears near to direct and open lust, the more error of mind, assent to a carnal movement which will arise, and the seduction of another are to be feared. But when the force of lust has been increased, the temptation is also increased at the same time.

Where there is greater or lesser danger.

Nevertheless, it must be observed here that men are moved unequally by the same acts. Cf. no. 274 and what was said above concerning acts of an intermediate rationale, no. 374, 1.

On the contrary, the more a just and honorable cause has explained our rationale of acting, the more easily we shall be safe from fraud, deception or delusion, guilt, and scandal.

Moreover, the less an action departs from ordinary and customary things, the more easily it will have an honorable explanation.

Honorable, less honorable, and dishonorable parts of the body.

b) For making a just estimation, theologians have been accustomed to distinguish honorable, less honorable, and dishonorable parts of the body. The formal rationale of the distinction appears to be this: honorable parts are those which, in the region of which there is question, are shown to all without offense to modesty; among us, such are the hands, face, and feet; less honorable parts are those which, from accepted usage and just custom, are accustomed to be covered: the breast, back, legs, and arms, at least in part; dishonor- able, finally, are those which everywhere, from natural modesty, are covered by garments: the genital parts and those nearest to them.

The notion is therefore somewhat relative.

Summary of the rules;

c) Moreover, the rules can be proposed summarily thus: One who, without an adequate cause, effects that from which, of itself or as though directly, he experiences either pollution or pleasure sufficiently proximate to pollution is judged in practice and of itself to sin gravely, because of the true motive of acting concerning which he is deluded, or because of the proximate danger of consent to the pleasure.

The general criterion;

Nevertheless, this does not prevent one who has not yet been admonished from having been able to be excused from grave sin by a certain good faith.

But such efficacy toward a grave carnal movement is judged especially to be present, partly relatively or varying in diverse persons, in a truly immodest thing and in the morose manner in which it is looked upon, touched, handled, or approached.

Prudent application.

d) The force and wise use of the norms can be handed down thus: These norms of theologians contain presumptions, according to which, as a rule, we shall regulate our judgments and our acts, unless a prudent consideration of particular cases should demand greater or lesser severity.

Application to morbid appetites.

392. - The norms are established for healthy persons. But how are they to be transferred to those who suffer from sexual paresthesia? (Cf. nos. 35-38.)

The question of the imputability of acts.

I. - In the first place, we must ask to what extent their depraved acts are to be imputed to them.

In the first place, we cannot insist sufficiently upon the circumspection with which one ought to read, and much more to bring into use, works which, generally written by anthropologists under an aspect diverse from ours, propose scientifically questions concerning imputability. By the rash use of books of this kind, not a few errors have been committed in administering the sacrament of penance.

The origin of the infirmity is not sufficient to distinguish.

Certainly, some perversions of appetite are to be attributed to one's own vices or sins, others to heredity, so that they are congenital; and not rarely both causes concur, so that guilt has completed what nature began.

But, this distinction having been made, we have indeed been instructed concerning the origin of the perverse propensity, and perhaps concerning the ease or difficulty of correcting it; nevertheless, not yet every question concerning the imputability of the acts which the sick perform has been resolved.

"But since," Antonelli opportunely observes when speaking of masturbation [1], "some of these diseases or infirmities do not wholly remove the will, while, on the contrary, some of them disturb the will to such an extent that the patients become incapable of acting freely, it is evident that in the first case it cannot easily be known how much voluntariness there is in the base acts committed." Therefore, the perversion itself can exist in such a degree that it does not remove liberty. The temptation has changed its object; for example, it desires one's own sex rather than the other; yet it does not possess insuperable force. But if it occurs, this irregular temptation can and must be resisted in the same manner as a "normal" temptation.

[1] *Medicina pastoralis*, vol. 2, no. 253.

The degrees of perversion must be attended to.

Moreover, even when the impulses have been invincible in these or those circumstances, are the sick then drawn by any necessity to those circumstances, and are they compelled by that same necessity to approach or undergo them?

The possibility of fleeing the occasion.

Finally, imputability can be diminished in various degrees, nor does every diminution suppress the liberty sufficient for sinning even gravely. This happens when the higher faculties themselves are not impeded, but the obstacle resides in the sense. Thus concupiscence is said to diminish freedom, although it generally allows the capacity for sin to remain.

Diminution and suppression of imputability.

Therefore, we readily understand that in the external forum, where an offense requires the complete integrity of one's powers, as many as are shown to be affected by a congenital defect are absolved from penalties [2]; but in the internal forum, where matters can and must be considered not only in their complex and through general definitions, but with their individuating notes, the obligations which even those morbidly affected had and recognized are not to be passed over. Moreover, they are forbidden deliberately to approach the occasions by which they are impelled to evil acts; indeed, they must also avoid those same occasions without excessive inconvenience.

[2] The question being reserved of the manner in which society may be able to protect itself from dangerous men of this kind.

The distinction between the external and internal forum.

Let how difficult discernment is in these matters be confirmed by these facts.

To a most experienced professor of medicine, who by reason of his office is engaged in weighing imputability, we proposed three cases in which we very much doubted the sufficient free will of the agent. Concerning none of them did this prudent man dare to affirm that the agent had lacked liberty. Another professor of medicine, however, twice sent to us a man whom he testified to be agitated by too great a libido to be able to live chastely. Yet both were afterward proved to be troubled by no excessive difficulty.

Certainly, nothing of this kind escapes the Reverend Dr. Gemelli. Nevertheless, he has words which, whenever there is question of infirmity of organic constitution, seem to deny imputability too absolutely, and thus furnish an occasion of error, as though all "fetishists" and "masochists" ought to be pronounced immune from venereal faults. Cf., for example, what he has on pp. 234, 237, 238.

Let us therefore hold this well: even acts arising from a perversion or inversion of the sexual instinct can of themselves be imputable.

Positive obligations of the infirm.

II. In order now to speak of the obligations of those who in an unusual manner are either carnally moved or, on the contrary, remain frigid:

1. Venereal pleasures can no more be sought or intended by unmarried persons through unusual means than through usual means. And the proximate occasion of sinning is to be fled by all.

2. These infirm persons will be helped by the distinction between strictly venereal pleasure and sensible carnal pleasure, so that they may weigh the quality of the subjective affection and the gravity of the obligation. Sensible pleasure is not yet grave in itself.

3. Must these persons, because of their special readiness for commotion, abstain from an action which is lawful for others or at least is not gravely prohibited? Certainly, they are greatly to be exhorted to procure this without anxiety. We say this at least of itself. For the inconveniences of avoidance must also be weighed. And, the danger of delusion and consent being excluded, it does not seem possible to command this under grave obligation, both because a precept of positively avoiding carnal movements has not been demonstrated, and because it is already hard to abstain from a thing which is lawful for others.

4. If certain things which move others leave them in a condition of perfect frigidity, they will have to abstain from these only insofar as the rationale of scandal or a positive law requires it. These, therefore, will be the privileges of that state.

Explanation of the avidity with which lascivious things are read, heard, etc.

393. - In reading, hearing, or treating, even for a just cause, lascivious matters, men are accustomed to experience a certain avidity, which can indeed be explained partly by the novelty or rarity of the matter and the excitation of curiosity arising therefrom, but which at the same time manifests the sexual instinct and the present infirmity of man. Wherefore it cannot be welcomed by a prudent man, although he ought not on its account to abstain from a useful action.

The manner of acting.

Concerning this satisfaction, Ballerini wisely says these things [3]: "It is an indication that the sensitive or lower appetite has some nourishment in these things, and therefore that the infirmity of man inclines toward it; but it is not a certain indication that for this reason one is deliberately pleased, or that there is therefore deliberate pleasure and consequently sin.

[3] Ballerini-Palmieri, vol. 1, treatise 4, no. 541.

"For this pleasure of the lower part, which arises from the thing itself that solicits and entices the sensitive appetite, does not exclude pleasure flowing from another cause; and the approval of the will... can concern the latter pleasure, with the former rejected; this, however, does not prevent infirm nature from being inclined more toward treating matters of this kind than others."

The opinion of Ballerini.

The same must be said of the mental or phantastic obsession with which many are accustomed to be filled when, in this genus of matters, they have something to do or exhibit. This obsession is to be treated almost as an obsession with an impure image. Nothing is to be conceded to it formally and

deliberately; not every partial concession is to be held as grave; it is not required that, after it has once or twice been repudiated by the will, this avidity or affection be restrained by a constant and frequently repeated positive repulse; it will be opportune for the mind to endeavor to turn toward other useful and agreeable things, and not to bear anxious solicitude concerning the matter.

Article II. On Immodest Acts Considered Individually

§ 1. On Words and Writings

What is to be said of a mental obsession of this kind? — Tender words.

394. - 1. Tender words, whether uttered orally or written:

They are most excellent between spouses, between parents and children, between brothers, indeed between friends, when they are dictated by a noble friendship and not by love;

They are honorable between betrothed persons;

They are reprehensible and dangerous among others if they express a futile, vain, sensual love;

They are certainly gravely blameworthy between persons who love one another lustfully. Among these persons, prolonged and unnecessary conversations already create a grave danger (St. Alphonsus, book 3, no. 422).

Obscene things.

2. Prolonged conversations and narratives concerning gravely obscene things, for example concerning seminal emission or the manner of intercourse, held between unmarried persons, are of themselves to be regarded as gravely unlawful, especially among younger persons and if the matters are described. Custom, however, and related studies can diminish the force of conversations of this kind.

3. Isolated words or base jests, such as are uttered, for example, by reapers and muleteers, are not judged mortal. For these things are generally uttered in sport.

Boasting in this matter.

4. One who out of boasting recounts his own base sins easily sins by the sin of scandal; and if, as is likely, complacency in his own sin and, as it were, a new approval of it was present, there will be a new sin, whose gravity and species to be accused are determined by the object. Cf. what was said in no. 362.

Songs.

5. To sing gravely obscene songs before others will be grave, at least because of scandal; it is otherwise if you sing alone and attend more to the melody (Palmieri, *Opus theologicum*, vol. 2, treatise 6, no. 989).

Wherefore, we judge that those who in the theater or in a public hall sing base things which, as such, will be received with applause can never be excused.

Nevertheless, as regards the proximate cooperation which by acting or singing is afforded to comedies not absolutely gravely base but notably immodest, they "excuse him who takes part by the acting itself or by singing, a depraved affection being excluded, because of the very grave poverty in which he would otherwise be placed, for a short time - Sanchez, Pontius, Castropalaus, Tamburini, *In Decalogum*, book 5, chapter 1, § 4, no. 28 - provided that, as much as he can, he moderate the lasciviousness [1]." Cf. also no. 408.

[1] Sanchez, *De matrimonio*, book 9, disputation 45, no. 37; Lehmkuhl, I, 1034, approved by Palmieri, vol. 2, no. 990.

What is to be said of hearers?

As regards hearers, unless the base matter itself pleased them in itself, or unless by exciting and encouraging they were the authors of such a conversation or of its continuation, or unless, because of the position they hold and the authority with which they are clothed, they ought to have prevented it or at least could easily have done so, it is not imputed to them as a grave sin that, from a certain shame and human fear, they abstain from reproof, or indeed smile, especially if laughter is excited by the artifice of the speech rather than by the base matter itself [2]. As is evident, they sin in no way if they have a just cause for tolerating the matters, for example, because rebuke would move others to say or do worse things.

[2] Lehmkuhl, I, 826. Cf. St. Alphonsus, book 3, no. 427.

But let them endeavor at least by a certain manner of silence to disapprove such things. It can also happen that from one's personal condition, for example that of a priest, a special scandal may arise unless he testifies that he is averse to these conversations.

What is to be done in workshops?

6. Finally, you should observe that in workshops and offices where several young persons are gathered, the danger of conversations of this kind is so common that a change of place will scarcely be useful. Wherefore, rather let the confessor commend to workers and clerks, urging it gravely, that they not provoke these things nor have a notable part in them. Moreover, having observed the quality and authority of the persons and their natural fortitude, let him give them courage so that they may decline these things not fearfully and timidly but firmly and simply.

But a fuller remedy is to be sought either from the master of the workshop or the head of the office, if he possesses authority by which he can efficaciously restrain these things; or from an association of good men who are more numerous in the same workshop and mutually assist one another in correcting and removing this.

The writing of evil books.

395. - 1. Those who write, or indiscriminately sell to all, books or newspapers which incite to lust or are hostile to good morals sin mortally, because it is certain that many will sin mortally therefrom.

Sale.

Nor can it be tolerated that obscene newspapers be displayed in taverns and public places.

Sellers can be excused for a short time by the gravest necessity.

Reading.

2. Without a sufficient cause, which literary studies or dealings with literature can furnish, to read base books, even from curiosity alone, will be at least venial, even with the proximate danger excluded, because a remote danger is certainly incurred.

But if, as wholly obscene books commonly do, they proximately dispose one toward carnal pleasure, this is to be judged rather mortal in unmarried persons. Those, therefore, can be excepted who by age or custom do not incur a danger of this kind.

Rarely, however, will there be a just cause for reading wholly obscene books, and younger persons are greatly to be turned away even from lightly immodest readings: anthropologists themselves testify that these are incentives to lust. And prolonged reading often ends in lustfulness.

And girls and women are especially to be turned away from novels in general, lest they hope for a chimerical life or, given over to vain dreams, lose time and moral vigor.

The ecclesiastical law must also be observed, which by the law itself condemns both books "which deliberately attack good morals" and books "which professedly treat, narrate, or teach lascivious or obscene matters" (canon 1399 of the Code of Canon Law).

Adolescents who, moved by curiosity, seek certain obscene words in dictionaries in order that they may know their meaning better commonly do not sin except lightly. Thus also Noldin, *De sexto*, no. 59.

Gestures.

396. - What has been said concerning words can generally be transferred to less decorous gestures, since these also are signs. Cf. Palmieri, vol. 2, treatise 6, no. 990, at the end.

§ 2. On Looks

The force of looks and of nudity.

397. - Looks excite lust less directly than touches, and more easily have a just excuse. These things are to be observed concerning looks.

1. One's own nudity is of itself less stirring. That nudity which is had without any affection or complacency in the nudity is of itself free from guilt, as is that which, according to the custom of the country, is judged reasonable. Before others it will of itself be better to conform oneself to the custom of the country; when alone, one who loves perfect chastity will, without anxiety, avoid all nudity toward which some affection is borne, or which pleases the sense, even a non-venereal sense: let this not be admitted without cause.

2. In order now to speak of the sin which immodest looks are judged to contain of themselves:

On looking at one's own body.

a) A look at one's own body, even at its dishonorable parts, which is neither deliberate nor prolonged and arises from curiosity or levity, does not of itself exceed a venial sin.

On looking at another's body.

b) To look in passing, from some levity or in jest, at the less honorable parts of a person even of the other sex is regarded as venial of itself.

On the contrary, they do not of themselves excuse from mortal sin a man who in our regions directs fixed eyes upon the nude breast of a woman.

c) The sight of the nude person of the other sex, or even of one's own sex if he is loved with a sensual love, or if the one looking is prone to homosexual excess, no more seems capable of being excused from mortal sin than the sight of human intercourse, unless distance or the manner of looking - in passing - greatly diminishes the danger.

On looking at brute animals.

d) The sight of the intercourse of animals does not of itself exceed a venial sin.

e) Concerning the sight of a picture, etc., cf. no. 400.

N.B. As we have already observed, the sight of a dishonorable part of a body otherwise covered excites the flesh much less than the sight of a person whose private parts alone are covered.

What is lawful for physicians.

398. - Useful looks are lawful for physicians. Let them beware, however, lest they feign usefulness or abuse the occasion to foster their own lust. Wherefore it is also to be commended that a person of the other sex have a trustworthy companion, especially a relative, such as a mother or sister.

What is lawful for painters and sculptors.

399. - What is to be said concerning painters and sculptors? Some speak more severely than others concerning them. It is not ours to pass judgment concerning the necessity which the cultivation of art creates. Nor are we those who can change the common estimation concerning this matter. Insofar as there is need, art furnishes a just cause; and the very prevailing opinion creates a necessity for magistrates and the directors of academies to tolerate these things. From another aspect, the serious end of study diminishes the danger. Cf. also Alberti, no. 99.

A useful manner of acting.

Wherefore, more usefully and efficaciously, we shall endeavor to do this:

1. With the directors of an academy: that persons not be exhibited beyond what is judged necessary; that persons of different sexes not be exhibited at the same time; that students of different sexes not be mixed; that possible precautions be admitted in exhibiting persons: for example, that the person not remove garments before the painters or sculptors [1]; that the eyes be

veiled; that the private parts be covered, at least for affirming modesty; if it is done privately, that an honorable witness of the same sex be present; etc.

[1] A woman excites lust more when she removes her garments than when she is seen with her garments already removed; one who walks does so more than one who sits motionless without garments.

2. Individual painters and sculptors must be commanded those things which convert the proximate occasion into a remote one.

It can never be permitted that they paint or fashion obscene things, or certain things in a lascivious manner, except perhaps in an extreme necessity [2]. Concerning paintings or sculptures which are not obscene but sufficiently nude, the circumstances of the person requesting them, the place of exhibition, the detriment to be sustained if they are refused, scandal, the efficacy of the refusal, etc., must be weighed. For a God-fearing painter or sculptor will never of his own accord fashion those things which are for many an occasion of temptations and sins.

[2] Lehmkuhl, I, 827, 4.

"To paint or fashion an image of a person basely loved by one who requests that the image be made, provided the artist knows of the base love, will not be lawful without grave sin, except for a cause of entirely grave poverty or similar necessity. For it is a thing which greatly fosters base love; but since the thing is not evil in itself, nor does it necessarily have an evil use, the cooperation, although proximate, is only ma- terial, provided that compliance with the base end is not given to the formal request [3]."

[3] Lehmkuhl, I, 827, 3.

Moreover, it is evident that nude things can honorably be painted for scientific studies, for example, of anatomical art.

What is to be said of photographic images.

3. The things said concerning painters are valid concerning those who make photographic images. A somewhat more benign response can be given concerning them, insofar as they furnish less prolonged labor, and what they themselves deny will most easily be granted by others.

What is to be said of persons who allow themselves to be painted.

4. "Since the action itself is not gravely base in itself, and the danger of depraved consent arises rather from the malice of those looking than from the nature of the thing, the aforesaid authors are excessively severe when they charge with grave sin women who thus exhibit themselves nude to be looked upon [4]."

[4] Génicot, I, 407.

This is rightly said as regards the exhibition itself. But they must furthermore avoid all formal cooperation toward painting or sculpting indecorous things. Material cooperation, according to the general rules, can be excused in proportion to the gravity of the cause and of the evil. Cf. Noldin, *De sexto*, no. 60.

On viewing a picture or statue.

400. - The sight of a nude picture or sculpture must be estimated from the cause, from the manner of representation, and from the object.

A painting sharpens the stimuli of the flesh more than a sculpture. Executed in a vivid manner, a painting excites scarcely less than the natural thing. In these matters habit itself can have very great force: "No passion arises from things to which one is accustomed."

St. Alphonsus [5] does not condemn of mortal sin one who, for example, displays in a garden a statue of a woman with only the private parts covered, although these things are in no way positively to be approved.

[5] Book 2, no. 56.

N.B. Concerning visiting museums, cf. the counsels given in no. 183.

§ 3. On Touches, Kisses, Etc

On museums. — On a modest touch.

401. - 1. A touch which is commonly judged modest, such as holding a hand, an embrace, or a kiss according to the custom of the country, can be disapproved only from the depraved affection of the agent, which is not to be presumed even in doubt. Nor is it very stimula- ting, and there is a just cause for permitting a spontaneous movement of the flesh.

But if the truly depraved affection of the agent is established, even a touch of this kind cannot be admitted unless a just cause of one's own detriment or that of the agent - who would be defamed by the repulse - excuses the cooperation. Therefore, an easy excuse from the grave guilt of this cooperation is at hand. Cf. what was said concerning betrothed persons, no. 295, at the end.

On kisses given from affection.

2. Nor are kisses given and returned from an affection of piety between parents and descendants incentives to lust.

3. Mercy, another noble affection, can also prudently - by guarding against delusion - be expressed through kisses which are directed toward an end wholly diverse from Venus.

4. Kisses, even honorable ones, by which love is signified are more stimulating. Their honesty must be estimated from the honesty of the love. Done in passing and quickly, even with a cause lacking, they are thought to be only venial.

Kisses to be reprehended.

Kisses repeated too frequently, especially upon the mouth or lips, and embraces too prolonged, because they gravely move the flesh and have no cause between unmarried persons, are judged grave, unless the carnal movement is positively repressed and, if pollution is more imminent, these things are ceased.

The dove-like kiss, by which the tongue of one is received in the mouth of the other, is marked with still graver reprehension.

5. Therefore, in practice, kisses are to be absolutely prohibited to those who, since they do not have marriage negotiations between themselves, can exercise them only from sensuality; but most especially to those between whom a suspect or less honorable love exists; and, also because of scandal, between priests and unrelated persons.

The manner of acting for the confessor.

From the general rules, the confessor will gather what, while he endeavors to obtain all things, he can sometimes tolerate as having been done in good faith; let him be especially cautious and severe when there is question of those persons who profess perfect continence.

Kisses given from jest.

6. Kisses done in passing from some venial vanity, jest, curiosity, levity, or wantonness do not exceed venial guilt.

Touching one's own body.

402. - A touch of the dishonorable parts of one's own body, made from curiosity or levity, does not exceed a venial sin, provided that scandal and the danger of venereal consent are excluded. If it is done deliberately and lingeringly, then it is more gravely reproved, because it is judged gravely stimulating of itself [1].

[1] St. Alphonsus, book 3, no. 419.

If it is done for some natural and not evil end, it will not even be venial: for example, if by rubbing you wish to extinguish non-venereal itching. Concerning pollution perhaps about to arise, cf. what was said in nos. 379, 380.

Penances.

Even positive penances can be suspect. There are therefore persons who, for the very guardianship of purity, ought to put aside hairshirts and omit disciplines. Abstinences, fasts, and various acts of self-denial do not fall under this suspicion.

Touching another's body.

403. - A touch of the less honorable parts of another's body, made in passing, is not judged mortal. But kisses impressed upon parts of this kind or upon less customary places are generally mortal, because they arise from lust or proximately induce it (St. Alphonsus, book 3, no. 417).

A touch of the dishonorable parts of another's body, made in passing from wantonness or curiosity, without affection and danger of venereal consent, can be excused from mortal sin, at least if the person is of the same sex and some occasion, for example of persons swimming or washing together, has given place to the wantonness. (Sanchez, *De matrimonio*, book 9, disputation 46, no. 12.)

Similarly, they excuse maidservants who touch the private parts of little children whom they dress, because this age is less moving. Nevertheless, they are diligently to be deterred from frequently making these touches, lest the children assume a depraved habit of touching themselves. But those who tickle infants upon the private parts are especially to be reprehended. Moreover, it is objectively grave to excite venereal titillation of which an infant is capable.

Other touches of the uncovered dishonorable parts of another's body, especially if the person is of the other sex or is a beloved person, cannot be excused from mortal sin. (Cf. Sanchez, in the cited place; Tamburini, *Explicatio decalogi*, book 7, chapter 8, § 1, no. 6, at the end; § 2, nos. 3, 4.)

Indeed, touches of the private parts of the other sex over the garments, even if done in passing, are very suspect, although strictly they do not seem capable of being condemned as mortal (Sanchez, *De matrimonio*, book 9, disputation 46, no. 11; Palmieri, vol. 2, treatise 6, no. 982, who inclines toward the more severe opinion of St. Alphonsus, book 3, no. 420).

Touching brute animals.

404. - A touch of the genital parts of brute animals is judged venial of itself. If it is carried as far as the emission of semen, St. Alphonsus responds rather severely; but, in the end, the affection of the agent must be considered.

What is lawful for physicians.

405. - Physicians and surgeons who, in exercising their art, must touch the bodies of others even in the dishonorable parts are excused from every sin because of necessity. Nor does involuntary pollution stand in the way. They must indeed convert the proximate occasion of sin into a remote one. This is easier for them, since they are moved by an honorable and grave end and, having implored the assistance of God, can rely upon it more confidently.

Nevertheless, it is necessary that in these examinations and in the manner of acting they not exceed due measure. Cf. Capellmann, *De sexto praecepto*, at the end.

Those who then sin formally are commonly situated in a necessary occasion [2]. And you will bring them with the greatest difficulty to abandon their art, even if they can. Wherefore it will be preferable efficaciously to turn those who are excessively lustful away from exercising a dangerous art while they are applying themselves to studies, or better still, before they have chosen those studies. For the more remote they are from exercising the art, the less the occasion seems necessary, and the more easily they will be persuaded.

[2] St. Alphonsus, book 3, no. 488.

On women physicians.

406. - Several women today have already attained a degree in the medical art. That they assist persons of their own sex in those matters in which they are proved to be as skilled and competent as men can contribute to a greater cultivation of modesty. But, since experience is still recent and uncertain, sick women who seek for themselves the services of male physicians are not to be disapproved.

Special questions concerning the breasts.

407. - Because of the noble work of offering the breasts to offspring, the breasts of a mother give place to a twofold question.

On the preparation of the breasts.

1. Provident God has joined a certain pleasure to this pious office, which pleasure, according to the general canon often inculcated, participates in the honesty of the work, so that it can be accepted both by a wife and by a widow or unmarried woman.

But if, as sometimes happens, strictly venereal pleasure arises, the woman ought not on that account to abstain from her noble action; outside the married state, however, she is forbidden positively to consent to it. But, unless the penitent spontaneously asks a question, the confessor will do better not to excite scruples of this kind.

On the preparation of the breasts.

2. Today not a few wives, especially those of a more honorable condition, are accustomed after childbirth to retain breasts that are too dry, so that they lack a sufficient quantity of milk for nourishing the offspring. If this defect is foreseen, physicians endeavor to meet it even before childbirth by a certain preparation of the breasts, and this in a twofold manner: by an instrument, commonly called a *tire-lait*, by which the breasts are drawn through the aspiration of air and, as it were, artificially sucked; and by various manipulations performed by hand (*massage*). No inconvenience is connected with the former manner; but sexual excitations accompany the latter. Although these, as merely concomitant, are excused by the honorable end, even in unmarried persons, with consent excluded, they are nevertheless better and more prudently avoided. Wherefore, unless the latter manner excels by a serious usefulness, the former should rather be employed.

§ 4. On Theatrical Performances

On theatrical performances, as regards actors.

408. - 1. Those who perform base theatrical works sin mortally, because they are the ruin of their neighbor. A proportionate necessity, according to the general principles, can excuse material cooperation. Yet no profit regularly excuses from the performance of a very base play. At most, it can be tolerated that, in order to avoid the gravest necessity and with the danger of impure pleasure remote, someone take part in it once or twice, until another manner of living, diligently sought, is found [1]. Cf. what was said above, no. 394.

[1] Cf. St. Alphonsus, book 2, no. 56; and Tamburini, *In Decalogum*, book 5, chapter 1, § 4, no. 28, to be compared with book 7, chapter 8, § 5, no. 1.

But if someone must - as happens not rarely - illustrate the obscene signification itself by tone or gesture and thus excite applause, this seems to us to be a direct provocation of evil, which can never be excused.

As regards magistrates.

2. Magistrates themselves who permit these things sin gravely of themselves. Nevertheless, they can sometimes be excused if, in order to prevent a greater evil, they do not punish them and merely tolerate them. In large cities, it can scarcely happen that, according to received custom, they do not permit certain things to be performed. But they never ought or are able to admit things properly base if they have the authority to prevent them.

Therefore, a Catholic magistrate will endeavor so to diminish the evil that he avoids ridicule harmful to his authority; yet on the other hand it cannot be said that good morals make no progress under Catholic magistrates.

As regards spectators.

409. - To attend very base plays without necessity and to watch those things which of themselves move one greatly is judged grave of itself, unless someone has learned by experience that he is little moved by these things.

To attend plays which are not very base from curiosity will be venial, unless grave scandal or one's own danger should prohibit the matter more gravely for you. All guilt will be absent, with precautions employed, if there was a just cause for attending: as if servants, children, or wives, unless they accompanied them, would suffer the grave indignation of their master, father, or husband; or if one were compelled, as it were, to attend by a public office; or if there were a true usefulness for a Catholic man in knowing these things sufficiently, lest, to the detriment of his activity, he seem too much a stranger in his own region.

But you should observe that the senses are excited more by lascivious dances which are often inserted than by the plays themselves; and that in frequenting theaters it often happens that the danger proceeds, more than from the things performed, from other persons attending or from the companions with whom they are approached. Therefore, it is to be counseled of itself that a wife accompany her husband, rather than that he go alone to watch theatrical performances.

This genus of lascivious dances is also accustomed to be exhibited in "circuses." Nor do the girls who take part in equestrian performances use modest clothing. Wherefore these spectacles must often be judged no more mildly than theaters: they are not rarely more stimulating to the spectators.

As regards cooperators.

410. - One who favors plays of this kind with money, but not insofar as they are base, furnishes material cooperation which is to be estimated according to the general rules. Cf. Palmieri, *Opus theologicum*, vol. 2, treatise 6, no. 994.

N.B. Concerning counsels on attending or not attending theaters, cf. above, no. 204.

§ 5. On Dances

On dances in themselves and in the concrete.

411. - 1. Dances in themselves are neither evil nor acts of lust, but of gladness. Cf. St. Thomas on chapter 3 of Isaiah.

2. In the concrete, however, they are dangerous and cannot be praised.

Therefore, for a just cause, such as custom, the decorum of one's own state, or the command of parents, to lead them or attend them, unless there is a probable danger of sin, will not be unlawful. Cf. Palmieri, *Opus theologicum*, vol. 2, treatise 6, no. 995.

Nevertheless, care must be taken that those dances in which the impure signification is sufficiently manifest not be participated in. We would speak more severely of these than of certain dances, such as the waltz, which some rigorously prohibit. For although in these women are, as it were, excessively in the hands of men, custom, and also the necessity of attending to rhythmic movements, diminish the force of exciting lust, so that they can be exercised honorably. Cf. what was said above, no. 203.

What is to be thought of public dances.

3. Dances which are proposed indiscriminately to all are more to be disapproved than those which are reserved for selected persons. But whether more sins are committed at the "popular" dances of the public squares than at the dances of the rich can be doubted. The clothing of the people is more modest; the license of words and actions is more audacious.

Indeed, in the country annual dances are sometimes conducted sufficiently innocently; and where there is such a custom, it is to be feared that, if they are suppressed, graver excesses will be committed on that day. Wherefore Berardi in no way disapproves of them in his region.

What is to be thought of masked dances.

4. In masked dances, the occasion of ruin is easier. Nevertheless, even here the circumstances and the condition of the person must be weighed. Cf. Palmieri, vol. 2, treatise 6, no. 995.

Berardi treats this argument extensively, *De occasionariis*, nos. 165-170.

On dances of children.

5. In certain places dances of children

of both sexes are instituted. These are not to be praised. For they are foreign to a genuine education, and, although venereal concupiscence may be presumed absent from them, they serve only to foster the worldly spirit of vanity.

But concerning what is to be counseled, cf. above, no. 203.

§ 6. On Clothing

On clothing.

412. - 1. Concerning less modest clothing, whether in dances or outside dances, a few words will suffice.

Judgment.

Those who originate customs of this kind sin gravely; those who merely conform themselves to an already received custom are more easily excused from grave sin. St. Alphonsus [1] admits that this is valid even concerning a bared breast. He himself, however, wisely adds: "Nevertheless, I do not doubt that the opinion, as related above, must be used with great discretion by a prudent confessor, lest he indulge the excessive license of women, which involves lust, since those living piously do not so proceed.... I do not doubt that an indecorous custom of this kind is strenuously to be restrained and extirpated by preachers and confessors, insofar as it can be done."

[1] Book 2, nos. 54, 55.

But this must always be urged, that clothing be adapted at the same time to custom and to modesty.

2. Indeed, in our days, that the desire of St. Alphonsus may be satisfied, that excessive servitude by which Christian women are attendants of tailors and prostitutes in the garments to be worn seems worthy of being shaken off; and, with the aid of an association, it is to be procured that those who devise new manners of clothing be impelled by the very hope of profit to devise and propagate garments which are at once beautiful and modest.

Chapter V. On the Virtue of Modesty

The notion of modesty.

413. - Just as, after the introduction, we made the beginning of our discourse from the virtue of chastity, so may it be permitted us to reserve the end of this treatise for the same virtue.

To the many arts by which true lust prepares a way for itself, or, having already entered, dissembles itself, the virtue of Modesty is contrary, which we can call the bulwark of chastity.

Modesty, by its inclination, counsels us to avoid every signification of lust, and in looks, kisses, and touches to flee every suspect pleasure, but rather to manifest and profess chastity and continence.

It counsels us to perform this whether alone or before witnesses, because "we have been made a spectacle to angels and to men [1]."

[1] 1 Corinthians 4:9.

Modesty so pertains to chastity that it is not distinguished from it as a virtue [2].

[2] II-II, question 151, article 4.

Its merit.

By the noble pursuit of it, all chastity is strengthened and angelic chastity is prepared.

Parergon: How the Confessor Ought to Conduct Himself

Various counsels.

414. - In cases of chastity and of the opposed lust, although the confessor cannot state false things, he must nevertheless act so prudently that, insofar as he can, he may avert from penitents the danger of falling; especially since it is often most difficult to pronounce with certainty concerning light or grave sin, concerning full or merely imperfect imputability; and rash condemnation has not rarely led a soul to despair, improvident hesitation to scarcely curable anxiety, and inconsiderate excuse to fatal audacity. Wherefore, let him quiet the fearful with firm responses, but at the same time efficaciously induce penitents, especially clerics and younger persons, to follow safer things, according to that saying [1]: "In this matter of the sixth precept, it is necessary, insofar as it is possible, to employ every severity."

[1] St. Alphonsus, *Homo apostolicus*, treatise 9, no. 34.

But paternal severity, which restrains rash actions, by no means excludes benevolence toward persons.

Nevertheless, that he may provide for his own security and perfection, let the confessor diligently attend that his affability remain supernatural, and that he seek himself in no matter.

Let him also show himself courteous and benign in such a way that he gives occasion to no sensual affection in others.

Let him not be ignorant that religious paranoia can lie hidden beneath a veil of intense piety, which is rooted in a morbid but exceedingly vehement concupiscence. Nor are there lacking persons for whom, in order to experience pleasure, it is sufficient to speak with another concerning sexual matters. Therefore, persons of this kind, especially unmarried women, can seek base satisfactions in the very tribunal of penance.

"Wherefore, the confessor must act with the greatest caution and vigilant prudence with persons of this kind, all the more because the religious-erotic fanaticism of women, especially unmarried women, sends deep roots into the feminine heart, which are afterward removed with sufficient difficulty. Unless the greatest vigilance, caution, and prudence are employed, the reputation of the priest can suffer the greatest detriment. When these women present themselves, they are to be sent quickly to a physician [2]."

[2] Antonelli, vol. 2, nos. 222, 223. Cf. also Gemelli, *Non moechaberis*, pp. 43, 44, 55.

He will counsel spouses a tenor of life by which they may live, each content with the other, and grow in mutual love and esteem. Yet he should not neglect to lead them toward more perfect counsels.

But he will especially exhort others to these things:

That they flee whatever things are strange and unusual in these matters.

That, if there is a grave cause for seeing, reading, or treating something which can move the sense, they preserve a simple, not anxious, manner of acting.

That, except for a just cause, they involve themselves as little as possible in these matters and firmly repel specious pretexts.

That, even in a necessary action, they endeavor to avoid less pure affections and movements of the flesh.

That they value sincerity and strength of soul most highly and acquire them for themselves.

That they be mindful of human dignity and of the love with which Christ has espoused to himself the soul of the faithful.

That they assiduously foster higher studies.

That they taste most frequently the heavenly food of the Eucharist, with the devotion that is fitting.

That, also by tender devotion toward the most pure Virgin, they foster in themselves not only horror of sin but an apostolic love of chastity, of which St. Paul handed down an eminent example.

In this manner he will inculcate a delicate and pleasing purity; and he will form Christians concerning whom Athenagoras already said in the second century: "Since we have the hope of eternal life, we despise the pleasures of this life" [3].

[3] *Legatio pro christianis*, no. 32 (*M.P.G.* 6, 966).

Supplements

More general pleasure.

415. - To no. 24. That more general adjustment of which the discussion is undertaken there follows especially pleasures that are at least more vehement and fully conscious.

Indeed, the efficacy which sensations themselves as such possess for inducing certain reflex movements in other faculties is not to be denied: thus, while we eat, a certain spontaneous production or secretion of saliva takes place.

But the process most notable and to be attended to by us is that from a sensation - by which name more recent philosophers also call pain and pleasure, *le plaisir* - there results a certain definite affection, especially an affection of feeling well or ill (*sentiment de bien-être ou de malaise*); and that this affection determine a more general harmonious adjustment of the body or within the body. These physiological changes of the body are generally: palpitation of the heart, more or less strong and frequent; varying local pressure (*pression*) of the blood (*par vaso-motion*); breathing more or less ample and frequent. These changes are accompanied here and there by a more intense or relaxed muscular tone (*ton musculaire*); a varying distribution of electrical power throughout the body; a varying affection and action of the nerves (*différences d'innervation*), etc.

Coenesthesia.

416. To no. 25. - § 1 will be proposed more accurately thus: 1. This adjustment of the body can accompany exterior satisfactions and can also precede them, if they have been foreseen and expected. But an apt disposition of the body prepares us for a fuller enjoyment of pleasurable things.

By a rationale not dissimilar, some remedy can be brought to cryptorchism and eunuchoidism - the state, as it were, of eunuchs - and perhaps some potency restored even to eunuchs themselves and to old men.

A remedy for sexual inversion.

417. To no. 37. - Sexual inversion of a certain kind seems capable of being corrected by the at least partial extirpation of the testicles of the infirm man suffering from sexual paresthesia, and by the transplantation of healthy testicles, or a part of them, into the infirm subject. For it has been observed that the stimulating elements called "hormones," which pertain to internal secretion, are in themselves diverse for females and for males; and that the "hormones" of one sex are impeded and lulled by the "hormones" of the other sex. Cf. Dr. Hirschfeld, *Künstliche Verjüngung; Künstliche Geschlechts-Umwandlung*.

The special nature of that pleasure.

418. To no. 91. - Concerning the special rationale of venereal pleasure, it is useful to set forth these things more distinctly. 1. Insofar as sensation is taken concretely with pleasantness, or pleasure is considered as incorporated in sensation, this one thing formally differs from the

pleasures which other agreeable sensations of sight, hearing, and touch afford. 2. But if we take the enjoyment itself of the subject - I mean sensible enjoyment, not more spiritual joy - according to the opinion more probable today, the various enjoyments (*jouissances*), taken as such and as though separated from their cause, indeed vary in the unequal participation of body and soul - the body has a greater part in the satisfaction of taste than in the satisfaction of sight; the participation of the body is greatest in venereal satis- faction - and they also vary in intensity; but all enjoyments are reduced to one common thing generically or specifically, so that the moral specification must be derived from the cause.

Matrimony in the modern Russian state.

418-bis. To no. 116. - In the present Russian republic, so tyrannically oppressed by the "Bolshevik" faction, the tenets of "free love" have obtained legal sanction in the new Code, whose second section, consisting of five chapters, is devoted to matrimonial law. Thus matrimony, despoiled of every religious note, neither gives any right to spouses nor imposes any duty of cohabitation, nor introduces a community of goods: it creates only the obligation of supporting a needy spouse. The just causes of perfect divorce, moreover, are mutual consent and even the separation desired by either spouse. How truly St. Paul wrote: "For when you were the servants of sin, you were free from justice" (Romans 6:20)!

The revelation of the mysteries of life.

419. To no. 199. - Concerning the manner and method of revealing the mysteries of life. It also pertains to a prudent method that those things which suggest the phantasm of sexual intercourse not be proposed. Therefore, let the discussion be rather of the conjunction of the spermatozoa with the female ovum than of the conjunction of the sexual parts or the penetration of the male member into the vagina.

In a learned report concerning this argument, Rev. Father Hurth, S.J., opportunely distinguishes *sexual education*, which is simply to be commended, and *sexual revelation*, which can be nothing except a part of the former education, to be prudently carried out.

The use of a doubtful marriage.

420. To no. 235. - Concerning the use of a doubtful marriage, the things written there suppose that no impediment of crime intervenes by which the marriage is certainly rendered null; and that the faculty of contracting another, certain marriage has not been granted to the innocent party, because the presumption for the validity of the prior marriage induces a presumption for the nullity of the other marriage, which latter presumption would restore liberty to the party who is held by no prior bond.

The essential malice of pollution.

421. To no. 327. - Concerning the essential malice of pollution, these things are furthermore to be observed.

Those who place the essential malice of pollution in the complete use of the venereal powers deprived of a relation to the species, and those who place it in pleasure wrongly sought, do not seem

to differ so greatly from one another as regards the matter.

For both profess that the order whose privation is principally to be attended to is the order toward the species.

But the former contend that, according to the principles of St. Thomas, pleasure follows the nature of the operation, so that the operation is not evil because of the pleasure, but the pleasure is evil because of the operation, and consequently the rationale of malice cannot be found in the pleasure itself as such; that pleasure, as a subjective affection of the subject, can have no immediate order toward the species: that the subject is pleased is always some good of man; but pleasure is regulated by the operation, which here is regulated by the good of the species; that the abuse of pleasure is not the sole malice of pollution, because that abuse would place merely a disorder in the subject himself, whose reason would be conquered by passion.

But these things do not seem capable of being denied.

The latter, however, assume the principle of St. Thomas: sins are morally specified from the mutable good toward which the sinner turns himself. But here the good is pleasure. Nor does this seem capable of being doubtful to anyone.

Wherefore, the two opinions seem capable of being reconciled in this manner, by distinguishing the gravity of the sin and its specification. Because the sinner seeks pleasure, the sin is against chastity and is referred to Temperance. But there is a privation of the order toward the species which the operation to which the pleasure is joined ought to have. And from this privation pollution has its principal malice. If it were principally an abuse of pleasure as such, it would destroy only the order of man within himself.

But if you judge the controversy to concern this, whether pollution is evil because the pleasure sought is deprived of a relation to the good of the species, or because the operation from which the pleasure is taken is deprived of this relation, we judge that the latter must be held.

Wherefore, with pleasure removed, the complete use of the venereal powers outside intercourse remains gravely forbidden because of the privation of the order toward the species; but with the use of the venereal powers removed, pleasure is deprived of its proximate rule and must be judged from elsewhere to be good or evil.

We are confirmed by the authority of St. Thomas. When I-II, question 34, article 1, in the body, concludes, "The pleasures of good operations are good, but those of evil operations are evil"; when II-II, question 154, article 4, demonstrates the malice of imperfect lust from the fact that "consent to the pleasure of mortal sin is a mortal sin, and not only consent to the act," he certainly does not place the primary rationale of malice in the pleasure itself but in the disordered act. Wherefore, II-II, question 153, article 3, represents the sin of lust as an abuse of the venereal powers, not as an abuse of pleasure.

Certain Things to be Noted concerning Sexual Psychology

I. Certain Notions concerning the Lower or Animal Psychic Life

Sensation, affection, appetite.

422. - 1. In the higher or rational psychic life, right philosophy, departing from Cartesian tenets, recognizes only a twofold faculty: intellect and will, or rational cognition and appetite; but the third, which was called the affective faculty or affection (*le sentiment*), some judge to pertain to the intellect and others to the will.

Moreover, in the lower psychic life, three things occur which are observed distinctly: sensations or sensitive apprehensions; affections, agreeable or disagreeable, resulting therefrom; and appetite, or tendencies of pursuit or aversion. Modern authors also reduce these three to two. But, inquiring more into what appears simple or irreducible and what composite, they are accustomed to exhibit both of the former things as simple: sensations and affections, while they contend that appetite can be resolved into each of the two preceding elements. Classical philosophy, however, looking more to active faculties, instead refers all things to apprehension and appetite. In pleasure or the contrary affection there intervene: **a)** conjunction with good or evil, as the proximate cause of an agreeable or disagreeable affection; **b)** perception of this conjunction; **c)** the consequent complacency or displeasure. But whether pleasure or the contrary affection is formally in apprehen- sion or in appetite: concerning this matter the Scholastics dispute, and St. Thomas himself seems to have varied. Cf. *De veritate*, question 26, article 4, reply to objection 4; *In tertium Sententiarum*, distinction 15, question 2, article 3, solution 2; *Summa theologica*, I-II, question 35, article 1. Concerning this matter cf. Froebes, *Lehrbuch der experimentellen Psychologie*, vol. 1, pp. 24, 197, 198; vol. 2, p. 425, no. 2.

2. In order that we may say a few things concerning the individual elements: sensations are distinguished into three genera, according to physiologists: external sensations, so called from their object or cause by which they are determined, for example by contact; kinesthetic sensations, that is, those by which we are chiefly informed concerning the position and movement either of the body itself or of the members in their mutual relation (cf. Froebes, in the cited work, vol. 1, p. 145); organic sensations, which are excited by a change in the internal organs and teach us the state of the organism, but especially warn us concerning disturbed functions of vegetative life, as concerning poorly digested foods, visceral obstruction, hunger, thirst, and fatigue.

3. Affection or affective state designates the state and condition of the subject within himself, or the manner in which he experiences himself to be, whence we say: I am - or, I feel - well or ill.

Affection is accustomed to be joined with sensations, whether it accompanies them or results from them: thus a healthy man experiences the sense of agreeable satiety if, within the limits of temperance, he consumes good and pleasant foods. Nevertheless, it can sometimes subsist independently of sensations. Thus, with the will commanding, or with a cause of great joy dominating, someone in the midst of sensible pain can judge himself to be well or well affected, just as, on the contrary, moral sorrows can impede the efficacy of agreeable sensations. Therefore, between affection and sensations there prevail laws of association and mutual influence.

Most authors today, at least when there is discussion of lower psychology, distinguish only two specifically diverse affections: that of pleasantness or that of discomfort (*jouissance, bien-être, ou malaise, indisposition*). Nevertheless, not a few, with Wundt, recognize several pairs of affections: of excitation and quiet; of tension and relaxation.

The more vehement affections produce physiological changes of the internal organs, which changes in turn produce sensations and partial affections connected with them. Thus sadness of soul removes hunger and brings indigestion of the stomach, which itself also changes our affection.

Several partial affections - according to not a few physiologists, even if they are contrary - are accustomed to flow together into a resultant sum which is called the total affection. But the total affection arising from the cooperation of all organic sensations, or the affection of our body taken as a whole, is called the general or common affection.

4. Appetite is the act by which the subject is borne toward an apprehended good, whether present or absent. In the lower appetite the tendency is spontaneous; upon it, from instinct, there follows, likewise spontaneously, an exterior pursuit or flight: instinctive directions are less defined in man.

II. Which Psychic Elements Pertain to the Strictly Sexual or Venereal Act

The sexual act in animal life.

423. - A. In the lower or animal psychic life.

We call strictly sexual or venereal any act which nature destines and reserves, by an immediate or mediate relation, to the proper conjunction of both sexes - we are not treating of the sexual function of lower animals - or any actuation of the genital apparatus which, from the end of the work, tends toward the procreation of offspring. Therefore, the complete acts are natural and unnatural intercourse; and the incomplete acts are, in the man, pleasurable erection and agitation of the member; in the woman, pleasurable erection of the clitoris and contraction of the vagina.

Which acts are venereal.

Therefore: **1. Venereal sensations are: a)** an external sensation, when by contact itself, in the glans, clitoris, lips of the pudendum, vagina, or mouth of the uterus, the titillation proper to the sexual organ is excited - not a mere sensation of heat, hardness, etc.; **b)** kinesthetic sensations which are directed toward a venereal act or arise from a strictly sexual impulse, for example from an obscene phantasm. Therefore, the mere sensation of an erection of the member, by which we are informed concerning its position, is not sexual; **c)** organic sensations produced by the blood by which the cavernous bodies of the penis and clitoris are filled, which are joined with the emission of semen, at least broadly so called.

Is there a venereal affection?

2. As regards affection, we have already said above that, according to the more probable opinion, in animal life there is no specifically proper affection if it is taken separately from sensation.

But an affection merely agreeable is observed in the complete act; in the incomplete act, however, an affection composed of partial affections, some agreeable and others disagreeable, yet in such a way that the dominant or prevailing one is an affection of a certain discomfort and tension which has not been satisfied.

Venereal appetite.

3. Venereal appetite spontaneously embraces the complete act as satiating; if it is not complete or is altogether absent, it is borne of its own accord, through sexual instinct, toward completing it or procuring it by suitable actions.

What is venereal pleasure?

424. - Corollary. What is venereal pleasure? It is the psychic state induced by a venereal or strictly sexual sensation and the affection joined with it. The consequent movement of the sensitive appetite toward this pleasure solicits the higher appetite itself.

The power of phantasy.

425. - Scholion. All venereal sensations can also be represented phantastically, and then produce the same effect as external sensations.

B. In the Higher Rational Life — Parts of the higher life.

426. - 1. Through reflex cognition, both the good of venereal pleasure and the morally good, together with its demands, are known. These give place to deliberation concerning consent to or rejection of the sensation which has arisen and the affection produced.

2. The higher appetite can deliberately embrace the present pleasure, or not consent to it; in the latter case the pleasure is never full or of the whole man. Man cannot directly restrain the sensations and the connected affection, at least entirely, by the command of the will. Before they have arisen, however, he will be able by a physical means, for example by ligation, to prevent blood from flowing in and thus to prevent reflex agitations of the member from taking place. He can often, though not always, prevent the cooperation of the phantasy, especially by diverting the imagination to other things to be considered.

III. On Sexual Instinct

A. In Nonrational Animals

What sexual instinct is.

427. - By the name sexual instinct is meant an innate propensity toward sexual acts. This disposition is generally habitual or latent; it passes into act with the aid of stimuli which can be external or internal.

What these are has already been stated in the body of the book, and we shall speak of them again below.

But you should observe that in animals the proximate power for the venereal act and the connected excitation is not present at every time of the year.

But when internal secretion makes them ardent or in heat, then, if an external stimulus is present, for example the odor of the body of the other sex, they are impelled toward manipulations which induce orgasm, by which they at the same time resolve the preceding affective state, which is one of a certain tension or turgescence. And even apart from external occasions, instinct, through an innate association, excites a phantasm of the manipulations which are to be performed about the sexual organs of the other sex.

Therefore, a sufficiently accepted theory distinguishes three things of which sexual instinct is composed: *turgescence, manipulation, detumescence*.

Moreover, in nonrational animals sexual instinct is determined only toward venereal acts, or toward perceiving their own pleasure from copulation. And it is irresistible, insofar as the animal cannot resist it by its own effort: external fears alone can overcome the impulse.

B. In Man

A twofold rationale of sexual instinct.

428. - 1. Sexual instinct is also present in man, but is less defined. For a twofold instinct can be distinguished: one, *strictly so called*, which is borne immediately toward carnal pleasure to be obtained through copulation: it moves body toward body in order to obtain venereal pleasure. The other moves person toward person, or seeks a person of the other sex because of secondary sexual characters, that is, because of the psychic and somatic qualities of the other sex, whose company is thereby rendered agreeable. But this interest in the person remotely disposes one toward venereal pleasure. Together with the person, the body is near; familiar association soon excites the carnal appetite itself. All these things have been wisely ordered so that matrimony among men would truly be not a mere conjunction of bodies, but would dispose and lead toward bodily enjoyment through a more universal union.

Various stimuli.

429. - On sexual instinct strictly so called. The stimuli of sexual instinct strictly so called are distinguished into normal or customary stimuli common to men, and abnormal stimuli which are proper to certain persons. They are further *specific* if they have almost no other use than to actualize sexual instinct; while those are called *common* which also possess some other utility.

Normal and specific stimuli are *psychic* or *nonpsychic*, that is, merely material. The latter affect the nerve centers by a chemical influence and operate independently of every consciousness of the subject: thus aphrodisiac drugs, and especially the "hormones" secreted internally, to whose influence nocturnal pollution seems chiefly to be ascribed. Some add the very pressure (*la pression*) of a gland which abounds in elements to be excreted.

A *psychic* stimulus does not move unless it is known. In order that it exert its power, besides an object suitable for exciting the appetite, or savory, and that object known, there is required in the subject an

aptitude for undergoing that incitation, and then for acting upon the object, or for being acted upon, which we can call *sensibility*: it is called "receptivity and reactivity."

These subjective aptitudes vary considerably. There are some who are affected in no way by a whole particular class of stimuli, while for others the stimulus must be furnished with certain peculiar notes: some are excited by nudity, others by colors; some, besides nudity, require definite forms of the body from which others shrink. Stimuli, therefore, are relative, yet not to such a degree that there are none to which a common excitatory power can be assigned, which, before experience, is to be presumed capable of being effective. Such are, when perceived by external sensation or represented internally, the sexual functions, the sexual parts, a certain nudity of the body, and the acts preliminary to copulation.

The affective state.

2. Once the stimuli have been received, there follows a certain affective state, sufficiently complex, composed of the agreeable elements of sexual sensations and of the disagreeable elements of the excited and distended organ and of the unsatisfied venereal appetite: the excited and distended organ physiologically, and the unsatisfied appetite psychologically, induce an affective state in which discomfort and unpleasantness prevail.

Appetite.

3. Hence there arises an appetite for full satiety, which will be obtained when the agreeable affections are completed and the others removed. To this end, through instinct they appear to the phantasy, and through experience to reason, as manipulations to be performed about the sexual organs, especially those of the other sex; the subject is vehemently impelled to perform them (*the appetite of manipulation*). Excitation then increases with the addition of new stimuli, and the *akme*, or apex of excitation, is reached. Then the greatest pleasure of the lower order is obtained, and at the same time, with the outpouring of semen or quasi-semen, the *orgasm* is resolved, by which name is meant the whole process of the greatest carnal commotion, consisting of sensations, affections, and physiological changes. But the natural impulse to remove the tension of the organs is called the *appetite of detumescence*: it is satisfied in the orgasm itself.

Toward what venereal instinct tends in man.

430. - 4. You should therefore observe that, as such, venereal instinct is borne not toward procreating offspring but toward experiencing one's own pleasure.

But the nexus between stimuli, sensations, affections, appetite, and the impulse toward execution or exterior acts is not from human choice but from a natural connection and the instinct's innate associations.

5. Venereal instinct in man is variously subject to the command of the rational faculties. Led by intellect and will, which, because of the unity of the human composite, are also inclined toward seeking these things, man can deliberately seek sexual stimuli, retain them, increase them even artificially, preserve them longer, and excite himself in unusual ways for which there is no desire in brute animals. For man, unlike a brute animal, at the same time senses how unequal even complete carnal satisfaction is to procuring happiness. Therefore, the stimulus to perceive the sensation is

received in him with the desire of increasing satiety itself. And he can also deny assent to the stimuli and to the affections themselves, call the mind away to higher things, diminish the efficacy of the stimuli by antecedent thought, and deliberately flee occasions of excitation.

Sexual instinct broadly so called.

431. - On sexual instinct broadly so called. Persons of different sex can also be bound together by a noble friendship: thus the strictly sexual consideration is ordinarily very far removed from the affection of children toward both parents and of parents toward offspring. But when the other sex is formally sought, then love founded upon sexual characters is necessarily, at least in part, sensual. (And even into a noble affection toward a person of the other sex who is not closely related by blood, something sensual easily enters.)

Sexual instinct broadly so called also becomes active with the aid of stimuli which are chiefly psychic (which do not act unless known).

These stimuli induce an affective state similar to that which exists in venereal instinct. There is agreeableness if the person toward whom the subject is borne is present and place is given to the desired association. If either one is missed, an affection of tension and discomfort will prevail, with an inclination toward seeking full satisfaction. A more vehement affection brings about physiological changes, sensations with connected affections; not, however, in the genital organs, at least of itself. But if it begins to pass into carnal appetite, changes will at once be present in these organs. Yet you should observe that this carnal propensity can be involuntary and repudiated.

The appetite tends, as we have said, toward obtaining a common and total affection of agreeableness; toward retaining and completing it, if it is present. It therefore impels toward interior and exterior acts by which union with the beloved person is perceived. But the more the proximity of persons becomes a proximity of bodies, the more attention is directed toward typical bodily qualities (the secondary criteria of sex), and the more the union between persons manifests itself by bodily signs such as kisses, prolonged embraces, caresses, etc. Conversely, the more one withdraws from carnal instinct, the more attention is given to psychic qualities, and bodily signs of familiarity are more or less neglected.

These things prepare the way for not a few prudent counsels.

Nothing special need be added concerning the action of the higher faculties. When the matter advises it, these can prudently prevent the propensity from becoming carnal; prevent carnal movements which may happen to arise from being accepted; lead persons to renounce every satisfaction of the senses; and prudently break off the association itself when it is not very useful.

Errata and Addendum

432. - P. 17, line 8, for Goubert, read: Joubert.

P. 382, line 36, for *ex loco*... *loco* ("from place"... "place"), read: *ex ioco*... *ioco* ("from jest"... "jest").

To no. 241, 2. What if, lest the uterus be infected by the "microbes" of the vagina, a "condom" perforated with a small opening is employed so that it allows part of the semen to flow into the vagina while retaining the other part to be injected artificially into the uterus? We do not think that this method can be permitted, because it is not lawful for a man, in carnal heat, by a direct act of the will to pour out part of the semen outside the natural vessel, or to commit half a pollution. But by certain small pieces of fabric placed in the vagina which preserve the semen pure, it seems that the same immunity from contagion can be obtained.

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[1] *On the title above.* Although many of the cited writers may be alien to the faith, we nevertheless think it should be noted that Bloch, Forel, Lalande, and Nyström belong to the "Naturalist school," which we wholly disapprove.

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