

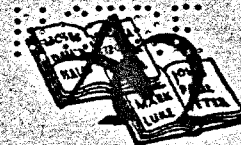
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Theological Studies

FEBRUARY • 1942

THE ETHICS OF CONJUGAL INTIMACY ACCORDING TO ST. ALBERT THE GREAT	<i>John J. Clifford</i>	1
ST. CYPRIAN AND THE RECONCILIATION OF APOSTATES	<i>John H. Taylor</i>	27
FORM-CRITICISM OF THE SYNOPTIC HEALING NARRATIVES, II	<i>Laurence J. McGinley</i>	47
ST. THOMAS' THOUGHT ON GRATIA OPERANS, II	<i>Bernard Lonergan</i>	69
SOCIAL ACTION IN THE EARLY CHURCH, 30-180 A.D., II	<i>Paul Hanly Furfey</i>	89
MONOTHEISM AND THE HISTORICAL PROCESS	<i>William H. McClellan</i>	109
CURRENT THEOLOGY		137
BOOK REVIEWS		146



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THE ETHICS OF CONJUGAL INTIMACY

ACCORDING TO ST. ALBERT THE GREAT

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I. THEORETICAL DOCTRINE

The treatise of St. Albert the Great on the *debitum maritale* falls easily into two sections, of which the first deals with the theory and the second with the practical aspects of the subject matter. In the first section, Albert is preoccupied with the task of vindicating marital congress from the imputation of sin. Some fourteen articles of the treatise marshal their arguments to achieve this objective. Herein are reviewed the tenets of historical theology and the discussion moves from the upper extreme of the perfect wholesomeness of the act to the nether reach of the sheer sinfulness thereof. Albert follows the order of the *Liber Sententiarum* upon which his teaching forms a running commentary and an enucleated development.

We may depart from the traditional arrangement of the *Liber Sententiarum* without doing injury to the substantial content of Albert's doctrine, and group his thought under the subsequent captions: 1) the marital relation, *in se*, is not sinful;

2) but concupiscence, its unruly concomitant, needs exculpation; 3) where such exculpation is wanting, the marital relation is sinful; 4) the antidote to concupiscence is found in the natural and supernatural laws of matrimony; 5) there is no *bonum delectabile* amongst the benefits accruing from the institution of matrimony.

Albert's first objective is to establish the sinlessness of marital commerce *in se*. To do this, he sets upon the Paterniani heretics. Now heresy of any sort was a stench in the nostrils of our progenitors in the faith, who anathematized its authors and damned them in unmitigated terms. Of these Paterniani who reprobated all marital relations as sinful and proudly proclaimed themselves the issue of fornication and prostitution, Albert bespeaks nought but evil in declaring them, "the lowest of heretics, with a right neither to a temporal nor to an eternal heritage; liars without understanding of what they speak nor comprehension of what they say."¹

But the fundamental argument which these heretics advanced in defense of their position demanded a very subtle distinction to sap its logical strength. They seized upon the widely admitted teaching that the voluptuousness of coition was so vehement as to subvert, temporarily, the use of reason. And this temporary derangement of the mind, a *per se* effect of coition, they employed to prove that marital commerce was an evil *secundum se*. The force of their argument derives from the authority of Aristotle who formulated this general principle, to wit, "the complete good of man as man is the good of reason and understanding."² Whatever, then, undermines reason is an evil *secundum se*. But coitus undermines reason, to become thereby, an evil *secundum se*.

Albert does not attempt to deny the supposition underlying this argument. He concedes, rather, the power of coition to despoil man of reason. Nothing remains but to distinguish the

¹Vol. 30, D. 26, a. 13, Sol. The text of St. Albert's works followed here is that of the "Opera omnia revisa et locupletata: Steph. Caes. Aug. Borgnet, annuente faventeque Pont. Max. Leone XIII."

²Ethica X.

manner of that spoliation. Accordingly Albert discriminates between two phases or functions of reason in relation to coition. The first or preliminary phase acts in regulating the circumstances of coition, namely, as to when, how, with whom, why, and to what degree; and this phase operates prior to marital commerce. The second phase of the same moral act of reason functions in directing the act itself and operates concomitantly with its placement.

Following the lines of this distinction Albert maintains that coitus, by force of its eager pleasure, does not overcome reason in its first phase or function but only in its second or concomitant phase of direction. And to a further pressing of the difficulty, namely, that the act is purposeless, if concomitant or directive reason is overcome, the ready answer of Albert is that the office of concomitant reason is directive merely in the sense of watching over and not in the sense of regulating the act. For the first phase of mental action projects its own regulatory virtue into the second phase or function thereof, much after the fashion of an energy from a motor which persists in its medium long after the motor is stayed. Where concupiscence does not dominate the primal phase of mentation, the second function of the same moral act is not purposeless. Albert makes frequent use of this distinction throughout the present treatise and it obtains special pertinence in the field of motivation which, in the thought of our author, determines the innocence or guilt of marital intimacy.

But Albert does not rest content with this first onset against the logic of the Paterniani. He proceeds to lay bare an equivocation lurking in their use of the term "*secundum se*," in the expression, namely, that coition is an evil *secundum se*. If the term "*secundum se*" signifies that coitus by its very nature and essence is evil, to wit, that evil is a property of the constituent elements of coitus, then the term "*secundum se*" conveys and implies a falsehood. Were the allegation of the Paterniani true, it would follow that coitus, even in Paradise, would have been a thing evil in itself. But if the term "*secundum se*" means coitus taken by itself, independently, namely, of the laws of

matrimony and its blessings or benefits, the expression conveys what is true, in as much as coitus, without the laws of matrimony, may be pronounced an evil *secundum se*.³

The laws and benefits of matrimony to which Albert herein refers are offspring, fidelity, and the sacrament. These benefits are regarded by our author as the natural motives which bestir the partners to the accomplishment of marital relations. So native to marriage are these same blessings that Albert looks upon them as natural checks upon unruly concupiscence which by their presence hold libido in leash and by their absence allow passion to rush the citadel of reason. This view of Albert opens for us the natural transit from the sinlessness of marital commerce *in se* to its sinfulness *per accidens*, by reason, namely, of a lack of proper objectives concordant with the normative prescriptions of the standard of morality.

For Albert and the Scholastic doctors who preceded him, the particular norm of morality pertinent to the ethical relations of coitus derives from the conformity of the act with the divine purpose of its institution. Now offspring is the primal end of marital relations in the divine economy, as this is revealed in the command of God to Adam and Eve. Whence it is, that this same primal end constitutes the principal determinant of ethical conduct in the intimacy of marriage. Prior to the advent of sin, the generation of children, was, in scholastic thought, the sole motive of this intimate relation. Referring to Adam and Eve, Albert declares, "they would never have known each other except in the hope and certitude of offspring; for each single relation would have issued in pregnancy."⁴

With the advent of sin came concupiscence. A force so potent unto evil, that in the words of Albert, "there broke loose an inundating flood, because of the ravages of concupiscence. And since Noe and his sons and their wives were ordered singly to enter the ark and might, therefrom, fear to multiply the human race, a second command was given thereunto, concupiscence being especially thwarted from causing ruin by virtue

³Vol. 30, D. 26, aa. 9, 13 ad 6.

⁴Vol. 27, D. 20, a. 4, Sol.

of holy fidelity."⁵ This second institution of marriage was effected to provide a salutary remedy against the banefulness of concupiscence. Marital commerce or the use of matrimony, however, did not constitute the aforementioned remedy but an "incorruptible couch" and the "blessing of the sacrament" supplied that benefit. This point is of capital importance.

Nowhere does Albert, nor indeed the scholastic doctors on whose teaching he relies, maintain that the intimate relations of marriage were instituted to satisfy, in a legitimate way, the demands of concupiscence. Such a doctrine they repudiate indignantly. True it is, that the re-institution of marriage subsequent to the flood was designed both as an office of nature and as a remedy against concupiscence but nevertheless this remedy was not marital commerce. For Albert makes the explicit assertion that marriage medicates concupiscence, first by a proper sacramental grace which remits the ardor of concupiscence and second through legal safeguards, human and divine, which divest concupiscence of the shamefulness inherent in its nature. "It is false," he asserts, "to state that the power and permission of lying together is granted through marriage. Although lying together is found in marriage, yet matrimony is not for such a purpose."⁶

Moreover a principle which merited the universal acceptance of the contemporaries as well as the predecessors of Albert in the learned world stated, in effect, that both spiritual and bodily ills were to be medicated by their contraries. If then the pruritus of coitus was to be assuaged by coitus, all the world could perceive that the principle of cures by opposites was indeed faulty. Yet, in the minds of many, it was this very assumption, namely, that coitus was a remedy for libido, which underlay the doctrine that matrimony was a remedy against concupiscence. Whence they urged the obvious difficulty that no malady is cured by medication which increases its virulence and hence marital commerce was not a remedy against concupiscence.⁷

⁵Vol. 30, D. 26, a. 5, ad 3.

⁶Vol. 30, D. 26, a. 8, Sol.

⁷Vol. 30, D. 26, a. 8, obj. 1.

To this objection, there were some who replied that matrimony operated against concupiscence by confining it to one legitimate person and one marital couch. But a forthright answer to that point was the fact that the intensity of a disease increased with its confinement. Hereupon Albert entered the controversy to emphasize the true doctrine, namely, that the grace of the sacrament effects a remission in the virulence of concupiscence by abating its potency, not merely externally in limiting it to monogamy but likewise internally by weakening its intrinsic strength. What the nature of this matrimonial grace is and the mode of its operation against the potency of concupiscence, will be duly considered later on.

Now if the legitimate use of matrimony were a cure for the irregularity of concupiscence, no one, much less Albert, would refuse to sanction matrimonial relations on the plea of satisfying the exigencies of concupiscence. But Albert does refuse to justify the marital act when the motive thereof is concupiscent satisfaction. He lays down the general principle that coitus, *causa concupiscentiae explendae*, is at least a venial sin. Rather than quote single and separated passages in confirmation of that general principle, it may be well to translate in full the excerpt in which Albert deals with the sinfulness or innocence of the marital act under the influence of various motives.

There are four reasons for consummating matrimony and three motives leading thereto. Of these reasons the first is the hope of progeny, the second is fidelity to the *debitum*, the third is mindfulness of the blessing of the sacrament and the fourth is a remedy against concupiscence. Of the motives, the first is virtue, namely, love of spreading, through progeny, the cultus of God, love of justice in rendering the *debitum*, confidence of a future union in one spirit with God; the second is the prompting of nature informed by virtue; the third is the urge of vicious nature.

If therefore marital commerce proceeds both from the first three reasons and the first two motives, the act is, in my judgement, meritorious and claims no indulgence. But if it proceeds both from the fourth reason and the third motive in such wise however that nature anticipates concupiscence and prevents a conversion of uxorious into adulterous pleasure, then the sin is venial. But if concupiscence fore-

stalls nature and pleasure becomes the supreme purpose of the act, the sin is mortal."⁸

From this discussion of motivation, emerges Albert's explicit declaration that marital commerce in order to satisfy concupiscence is either venially or mortally sinful. Venially sinful it is, when nature so restrains concupiscence as to prevent, and mortally sinful when nature fails to prevent, an adulterous approach to one's proper spouse.

Modern scholastic writers, establishing the common current opinion, teach that the ends of matrimony are threefold, namely, offspring, mutual aid, and medication of concupiscence. In this common opinion marriage operates as a remedy for concupiscence through the use of marital relations and the enjoyments of the pleasure thereto conjoined. "A secondary purpose of matrimony, at once essential, as well as a *finis operis* (can. 1013), is the medication of concupiscence, in so far as concupiscence does not stimulate to unlawful deeds, if it obtains legitimate gratification through marital commerce in accord with the Apostle: 'but if they do not contain themselves, let them marry. For it is better to marry than to be burnt.'"⁹ With this first phase of common current opinion, Albert, as previously indicated, is at variance. Likewise he places himself squarely against the second aspect of current common teaching when he denies that the medication of concupiscence is an intrinsic end or purpose of matrimony.

Matrimony, in the Albertan concept, has a twofold *finis operis*. Prior to sin, it was designed, at its first institution, to propagate humankind. Consequent upon sin, it was reinstated, after the flood, as a remedy against fornication. St. Paul's text, "but for fear of fornication, let every man have his wife and let every woman have her husband" (I Cor. 7, 2), is used to prove this particular *finis operis*. Between matrimony as a remedy against fornication and matrimony as a remedy against concupiscence, there appears, at first glance, no striking differ-

⁸Vol 30, D. 26, a. 11, Sol.

⁹Cappello, *De Matr.* n. 9; I Cor. 7:9.

ence. But to the earlier Scholastic mind, it was promiscuity which caused the flood and the reinstatement of matrimony after the flood was designed to cure that plague spot in humankind.

However there exists an immense difference of opinion between the older and the modern scholastic viewpoint on the manner in which marriage medicates concupiscence. Modern scholastic opinion looks upon the use of marital intimacy as the remedy for concupiscence. Older scholastic opinion, as embodied in Albert's teaching, called the present day tenet ridiculous and placed the efficacy of the remedial function of matrimony in the power of sanctifying grace to temper the ardor of concupiscence.

"As to matrimonial pleasure and its medication of concupiscence, this statement must be made, that the virtues of matrimony, namely, fidelity and the grace therein conferred, perform such an office. It is simply ridiculous to remedy concupiscence by the very act which increases it the more and renders its cravings the more intense. Besides this, when such prurience was not, matrimony none the less flourished. Pleasure does not take into account the essence of matrimony but only indicates at times the reason in the mind of the contractor."¹⁰

To understand the reason which prompted Albert to maintain the sinfulness of marital relations motivated by concupiscence, we are constrained to review, briefly at least, Albert's teaching on original sin. For Albert and the scholastic doctors who preceded him, it was a common practice to distinguish, in original sin, a formal and a material element. In Albert's teaching, the formal element consists "in a lack of due justice; the material element is concupiscence."¹¹ This material element is present in coitus, in fact it is "an inevitable adjunct of coitus";¹² "it is a punishment derived from original sin, it is a proof of the existence of original sin, and its shameful presence is so degrading that if a man submitted to it voluntarily, it would be a mortal sin."¹³

The reason for thus censuring concupiscence is clarified by a study of Albert's discussion of the nature of concupiscence. And

¹⁰Vol. 30, D. 31, a. 1, ad delect.

¹²Vol. 30, D. 36, a. 9, ad 2.

¹¹Vol. 27, D. 30, a. 3, Sol.

¹³Vol. 30, D. 31, a. 19, Sol.

in this study of the nature of concupiscence, the first problem is the nomenclature employed. Where there is no need of a close distinction, Albert employs the terms concupiscence, libido, *fomes* in the same sense: "in truth, *fomes, sive libido, sive concupiscentia*, are in the soul and are properly passions and actions of the soul; but they are affirmed of the flesh, because things delectable are of the flesh."¹⁴ The term concupiscence itself is employed, in a wide sense, to designate a reprobate will with a bent towards all evil; and in a restricted sense, it is predicated of venery and the pleasures of the flesh. Used in this narrow sense, it receives the designation of "*fomes*."¹⁵ Libido may signify a will reprobate against God and surfeiting itself in lewd coition or merely the punishment of shameful concupiscence.¹⁶

Concupiscence in all the senses in which it is used by Albert conveys the idea of rebellion against reason, disobedience to its command, refractoriness to its rule.

The first sin is *aversion* from God and conversion to a mutable good; it *perverts* the order by which reason was subject to God and the body subject to reason; and all this is discovered in that disorder, for habitual libido which is diffused throughout the body united to the soul, inclines towards a mutable good and declines, as far as possible, from the immutable nor does it submit to the hierarchy of reason.¹⁷

Herein, of course, Albert is outlining the nature of libido or concupiscence in general. Where he speaks of libido or concupiscence in a restricted sense, his language is more vehement: "concupiscence is the shameful punishment which is inseparably attached to this act;"¹⁸ libidinous concupiscence which snuffs out reason by way of the pruritus of the flesh in coition;¹⁹ through the vehemence of pleasure it snatches away reason."²⁰ Hence to enter upon marital relations to gratify concupiscence meant to Albert but to foster rebellion of the lower against the higher nature of man, to threaten the dominance of reason and even to overthrow its sway.

¹⁴Vol. 33, q. 108, m. 2, Sol.

¹⁶Vol. 30, D. 31, a. 21, ad q. 2, ad 1.

¹⁸Vol. 30, D. 26, a. 8, ad 1.

²⁰Vol. 30, D. 32, a. 11, ad 2.

¹⁵Vol. 33, q. 108, m. 3, ad q. 1, ad obj. 1.

¹⁷Vol. 27, D. 30, a. 1, Sol.

¹⁹Vol. 27, D. 31, a. 2, Sol.

But the ignominy of this revolt of concupiscence against reason finds no clearer illustration than in a contrast of the potency of reason over the body prior to and its impotency subsequent to original sin. How complete was the sway of reason over human conduct in Paradise can receive no better illustration than a juxtaposition of the marital relations of innocent and tainted human nature. Of our first parents in Paradise, Albert states: "They would, indeed, have had pleasure in marital intimacy but, as in eating and drinking, a pleasure subject to reason. And the organs of generation would not react, except so far, and so long and at such a time, as reason desired."²¹ A more complete and detailed sovereignty of the rational faculty over the most perverse and stubbornly rebellious potencies of man could hardly be delineated. Moreover the pleasure of marital relations in Paradise, though intense, indeed more intense than at present, would nevertheless have no power against reason. "For that operation would have had place without ardor, namely, that pleasure which overcomes reason in action, since reason would have been fortified by the grace of innocence and nothing, be it ever so vehement, could have distracted reason from its contemplation of the Immutable First Good."²²

Outlined here is the supreme mastery of spirit over flesh, a mastery so perfect in its ambit as to include, apparently, even the reflex potencies of generation. For Albert advances so far as to maintain "that the stimulation of the genital nerve-tract would not occur except at the command of reason and the results therefrom would likewise be under the domain of reason."²³ Nor does he hesitate to affirm that "the heat of passion would have been the servant of reason and hence it could not overreach reason; and reason moreover would have caused both the first movements of the body and regulated all activity of the same in accord with the dignity of the state of primal justice."²⁴

²¹Vol. 27, D. 20, a. 2, Sol.

²²Vol. 30, D. 26, a. 7, Sol.

²³Vol. 27, D. 20, a. 2, ad 2.

²⁴Vol. 27, D. 20, a. 2, ad 3.

By contrast, then, with the ideal of Paradise, the present condition of man is shameful and this shame is manifest especially in the rebellion of concupiscence against reason, particularly in coition. This rebellion is a punishment of original sin, and as all punishment bears the stigma of shame, so too concupiscence is termed the "*turpitudine poenae*."²⁵ To exercise marital relations then for the sake of concupiscence would, in the estimation of Albert, be to degrade the high office of matrimony to the level of things shameful. Such unreasonable conduct merited from Albert and his scholastic predecessors the stricture of sin. What alone could save the act from sin, since concupiscence was ever present in it, was the motivation furnished by the institution of marriage as an office of nature or the practice of virtue thereby afforded. "Matrimony claims indulgence not in an unqualified sense, but only in so far as coition takes place for the sake of concupiscence. Accomplished for other purposes, namely, in the hope of offspring, or by reason of fidelity or to render the debt, this act stands in no need of indulgence."²⁶

As in all human acts, so in this particular marital function, a congeries of the above mentioned motives may be the activating force which evokes the accomplishment of marital intimacy. And in this interplay of motives, we have an index to the norm established by Albert for weighing the serious or non-serious guilt of such relations. Where concupiscence initiates the act, but has consciously associated with it the hope of offspring, the act is venially sinful; the same is true when the desire of issue originates the act, but consciously shares the field of motivation with concupiscence. But where the unique motive is hope of offspring and concupiscence, because unavoidable, is endured, the act is virtuous at once and meritorious. The act is seriously sinful only where concupiscence is the sole and dominating motive thereof.²⁷

There is, in the diction of Albert, a curious phrase which affords an insight into the circumstances under which concupis-

²⁵Vol. 30, D. 26, a. 8, ad 1.

²⁶Vol. 30, D. 26, a. 1, ad 5.

²⁷Vol. 30, D. 26, a. 11, Sol.

cence assumes the dominant role in coition. "*Ardentior amator uxoris*" is the term employed, and while in itself the expression is innocent enough, still in the mind of Albert it connotes something gravely reprehensible. For that husband is said to be *ardentior amator* who would enter into dalliance with his spouse, were she not his proper mate.²⁸ A further analysis of this concept discloses, on the part of such a husband, a total lack of appreciation of the higher motivation of matrimonial intimacy and a desire to seek and rest content in his selfish carnal gratification. Clustering around this main concept are such subsidiary ideas as: "the angel spoke to Tobias of him who was an *ardentior amator* of his spouse, and of him it is true that he shut out God from his mind, since concupiscence held sway over him";²⁹ "he is named an *ardentior amator* who passes beyond the permission and decencies of all matrimony."³⁰

Now the danger of concupiscence wresting from reason control of this act is an ever present one and to frustrate this violent power of concupiscence Albert declares the outright need of supernatural aid and succor. Against this downward pull of concupiscence is set the upward lift of grace. For the sacrament of matrimony confers a special grace, due to which there is a remission in the intensity of the forces of concupiscence.³¹ But the nature of that grace, whether it is, indeed, of the supernatural order, as is commonly conceived, or some aid of the purely natural order, is not too clear. Albert scrutinizes three theories on matrimonial grace prevalent in his day, expresses his preference, and yet fails to clarify, thereby, the nature of the aid conferred by the rite of marriage.

Of the three schools of thought, mentioned by Albert, the first maintained that matrimony imparted no supernatural grace. This view, however, did not deny to marriage its sacramental dignity. For its proponents taught that the appellation, sacrament, may be predicated of marriage and the other sacred

²⁸Vol. 30, D. 31, a. 6, ad 2.

²⁹Vol. 30, p. 257, ad 3.

³⁰Vol. 30, p. 253, Sol.

³¹Vol. 30, D. 26, a. 8, ad 1.

rites both because of what the rites symbolize and because of what they effect. Accordingly the other sacred rites are sacraments in the dual sense of symbolizing and effecting; but matrimony is a sacrament only in so far as it symbolizes, namely, the union of the Word with human nature.

A second school of theologians held that marriage is a sacrament in the dual sense of signifying and conferring grace. Yet the grace imparted functions diversely from the grace of the other sacraments. For the grace of the sacrament of matrimony is not bestowed in respect to good, but rather in respect to evil, in the sense that the grace of marriage is a regression from evil and not a progression unto good. To the natural query, in what, then, does this grace consist, their ready response proclaimed it to be that gift which prevents concupiscence from rushing men to destruction. More fully, it is that grace which harmonizes with the nature of marriage or with some external adjunct which assuages concupiscence and keeps it within the bounds of the proprieties and benefits of marriage. This theory explains the reason why some of the Fathers apparently denied the grace-giving function of matrimony; for the granting of grace here is not for the sake of good but for the relief of evil; matrimony impedes the good, not indeed in itself, but by reason of the burdens which follow in its train. This second explanation of the sacramental grace finds, with Albert, greater favor than the first.

Some other skilled theologians enunciated a third theory or explanation of the sacramental grace of marriage. According to them, matrimony bestows grace for the sake of good; and not of good in a general manner, but for the sake of the particular good to be done by a married person. Naturally this genus of good is made up of the loyal cooperation of one spouse with the other, in the commingling of their effects, and in the religious upbringing of their children.³²

This last opinion has much probability in the judgment of Albert. However, in commenting on the efficient cause of the

³²Vol. 30, D. 26, a. 14, ad q. 2.

components of matrimonial life, Albert states that the commingling of the sexes emerges from the law of nature, the distinctions of legitimate persons from the law of Moses, the love and mutual aid of joint efforts from the civil law, but the remedial power against concupiscence proceeds in a signal manner from the law of Christ; because matrimony now, *ex opere operato*, confers a remedy against concupiscence which it did not formerly confer, except *ex opere operante*.³³ And this succor granted by matrimony he terms in another place, where the discussion does not turn upon the formal nature of the aid, "an interior sacramental grace which diminishes the forces of concupiscence."³⁴

Despite this clear and oft repeated statement upon the office of matrimonial grace in medicating concupiscence, there remains a feeling of uneasiness as to the surety with which Albert clings to that teaching under all and varied circumstances. There is, for instance, an apparent, at least, reversal of that doctrinal stand in his answer to some objections which are found in the treatise upon matrimonial impediments. Therein it is urged that priests, above all men, need a remedy against concupiscence. As matrimony offers such a remedy, they should marry. Thereto Albert replies "that matrimony is an indirect remedy which excuses rather than cures the disease. But the ministers of the Lord must be cured of this disease. So they receive a true and direct cure which is none other than the spiritual grace which cools the fires of concupiscence and the exercise of spiritual functions which, in turn, withdraws the mind from the matters of concupiscence."³⁵

If some obscurity mars the clarity of Albert's teaching upon the manner, though not upon the fact of matrimony's aid against concupiscence, there is, on the contrary, not a minimal doubt either about the manner or the fact of help against concupiscence from another sacrament, namely, baptism. In speaking of baptism as an antidote to concupiscence, Albert throws

³³Vol. 30, D. 26, a. 15, ad q. 1.

³⁴Vol. 30, D. 26, a. 8, Sol.

³⁵Vol. 30, D. 37, a. 3, ad 3.

a new and a clearer light upon the workings of concupiscence, with the result therefrom of a better understanding of the might of concupiscence, in general, to wreck souls, and in particular to do so in matrimonial relations. His delineation of the power of concupiscence over the unregenerate soul is so vivid as to create a fatalistic impression: the unbaptized are marked for mortal sin.

In the unbaptized and unreconciled by sanctifying grace, the fires of concupiscence are, as Augustine holds, fiercely blazing. Whence they cannot resist mortal sin. In those renewed by sanctifying grace, concupiscence is curbed. Whence they resist its bent to mortal but not to venial sin.³⁶

A dual necessity exists. One of inevitability which indeed no man inherits from original sin, except prior to his restoration by grace. There is likewise a necessity of proneness, not to mortal, but to venial sin, and this necessity lies upon all men.³⁷

Man, guilty after sin, is under a necessity to die. He cannot but die, since he has, necessarily, an illness which brings him low. To this corresponds that state of free will, where man cannot resist mortal sin through lack of restraining grace due to the hurt of sin.³⁸ Here, of course, enters the problem of free will *versus* the compulsion of concupiscence. As this particular problem is outside the ambit of our paper, we content ourselves with stating that Albert solves the node in orthodox fashion. He adds, "as man must die, so must he sin, that is, so far forth as he lacks restraining and saving grace. Yet his freedom from coaction he never loses." In other words, the necessity of sinning, "*necessitas inevitabilitatis*," signifies that man, due to the allurements of concupiscence, will, without grace, inevitably sin, because, freely, he will not do continuous battle with concupiscence.³⁹

Now concupiscence is at the zenith of its power in the marital act. If it is not curbed therein by the blessings and grace of matrimony it will, in accord with the aforementioned doctrine

³⁶Vol. 33, q. 111, m. 2, Sol.

³⁷Vol. 33, q. 113, ad quaest.

³⁸Vol. 33, q. 100, m. 3, ad obj.

³⁹Vol. 33, q. 100, t. 15, q. 95, ad 3.

of Albert, lead inevitably to mortal sin. Wherefore "all marital relations need exculpation."⁴⁰ If this exculpation, which lies in the virtuous desire of the tripartite blessing of matrimony, is lacking, full reign is thereby accorded to wanton concupiscence. "Concupiscence would be a mortal sin were it not excused by the uprightness of these blessings."⁴¹ To engage in marital intimacy for the sake of concupiscence is to reject and deliberately so, the remedial function of matrimony and put at nought the safeguards of the triple blessing of its divine institution. Such conduct is tantamount to a renunciation of the restraints of matrimonial grace. Where restraining grace is absent, the descent into serious sin is inevitable. Like to a stone which necessarily gravitates toward earth unless some inhibiting force checks its descent, so concupiscence gravitates to mortal sin unless inhibited by restraining grace.⁴² However if one of the blessings of matrimony is safeguarded in the intentions of the participants, though the gratification of concupiscence be the formal motive of the act, the sin therein is not mortal in character.⁴³

The need of exculpating marital relations grows singularly pressing when, through the eyes of Albert, one looks upon the dread effects caused by concupiscence in the souls of men. In portraying this disaster, the language of Albert grows strikingly vivid. "Concupiscence in coition carnalizes the soul"⁴⁴; "the voluptuousness of its movements so pervades the soul as to make it wholly flesh"⁴⁵; "in coition, the soul lies, as it were, suffocated by the flesh"⁴⁶; "coition totally emasculates the spirit."⁴⁷ Nor does any purely mortal being, with the exception only of the Blessed Virgin, escape from this noxious might of concupiscence. "We must repeat what was previously said, that the fires of concupiscence were quenched only in the Blessed Virgin. Here too must be recalled the distinction of the older doctors, that the fires of concupiscence comprehend a threefold power, to wit,

⁴⁰Vol. 30, D. 31, a. 21, ad q. 2.

⁴²Vol. 33, q. 100, m. 2, Sol.

⁴⁴Vol. 30, D. 33, a. 16, ad obj. 1.

⁴⁶Vol. 30, D. 31, a. 28, Sol.

⁴¹Vol. 30, D. 21, a. 4, ad obj. 2.

⁴³Vol. 30, D. 31 G.

⁴⁵Vol. 27, D. 31, a. 3, ad quaest.

⁴⁷Vol. 30, D. 31, a. 28, ad 5.

incitement to mortal sin, incitement to venial sin, and a punishment of the flesh, namely the fetidness which clings to it."⁴⁸

What augments the noxiousness of concupiscence, and at once aids us to understand the Albertan doctrine thereon, is the strange fact that Albert looks upon concupiscence as something foreign to human nature. For not from God came concupiscence but from Satan. His words become an echo of St. Dionysius:

There is corruption in the body of Adam. Its sign is concupiscence. And original sin is infused into children through this concupiscence, which is termed by Dionysius mad concupiscence. It is a poison which the serpent poured into the body of Adam because of his disobedience. And Dionysius adds, in his book *De Divinis Nominibus*, that the evil of the devil is irrational anger, mad concupiscence, and a wanton imagination. Nor were these evils implanted in human nature by God the Creator, but they were infused therein by the serpent.⁴⁹

And later, Albert quotes St. Damascene to this effect, "that concupiscence is a degrading and blameworthy passion which God neither placed in human nature nor took unto Himself in His human nature."⁵⁰ In addition to the authority of holy men for such statements, Albert reveals his own philosophical reasons for adhering to the doctrine. Briefly they may be thus summarized. Concupiscence, both as penalty of past sin and as an incitement to future sin, is an evil thing. Now of evil, God cannot be the author. But He does rule evil unto good. Insofar as concupiscence is at once an illustration of the justice of God and an incitement, through resistance thereto, unto virtue, it comes from God regulating evil unto good. It does not come, however, *secundum se*, from God⁵¹.

The attack of concupiscence, as previously noted, is upon reason. Not only Albert, but the scholastic doctors who preceded him, lean heavily upon Scripture for their proof of the statement that the ardor of coition undermines, temporarily, the ascendancy of reason. They are fond of citing the text of Tobias, namely: "They who in such manner receive matrimony

⁴⁸Vol. 33, q. 111, m. 3, ad Sol.

⁵⁰Vol. 33, q. 108, 3, ad obj.

⁴⁹Vol. 33, q. 107, m. 1, ad Sol.

⁵¹Vol. 33, q. 108, Sol., et ad 1.

as to shut out God from themselves and from their minds and to give themselves to their lusts as the horse and the mule which have not understanding, over them the devil hath power."⁵² Arguing from this text, Albert and his scholastic predecessors discover two disastrous reactions of concupiscence upon the rational nature of man. Where concupiscence becomes the dominant motive of coition, they see in the text, first, a warrant for maintaining that it divorces the intellect from the immutable good, God, and turns it to a mutable good, fleshly pleasure, thereby banishing God from the mind.⁵³ Secondly, this same dominance of concupiscence subverts reason and renders men similar to the horse and mule which have no reason.⁵⁴

An examination of the intrinsic worth and value of this Tobitian text is in order, since from it have been deduced certain evil effects of concupiscence. In the *Cursus Sacrae Scripturae*, a critical study of the Book of Tobias has been done by R. Galdos, S.J. As a result thereof, a serious doubt is cast upon the authenticity of these words "and to give themselves to their lust as the horse and mule which have not understanding." This comparison to the horse and mule has apparently been taken in its entirety from Psalm 31, v. 9, where indeed the comparison is pertinent and authentic and where, moreover, there is no question of lustful conduct. R. Galdos believes that this small increment to the original text may be due either to St. Jerome himself or at least to some pre-Jerome editor of the Aramaic version who mindful of Psalm 39, transferred v. 9 to this place and restricted the comparison to libidinous actions.⁵⁵

Likewise in this same chapter of Tobias, there has crept into the text of v. 22 a gloss of St. Jerome. The Vulgate reads, "when the third night is past, thou shalt take the virgin with the fear of the Lord, moved rather by love for children than by lust, that in the seed of Abraham thou mayst obtain a blessing in children." The phrase, "moved rather by love of children than

⁵²Tobias 6:18.

⁵³Vol. 30, D. 31, a. 21, ad 3.

⁵⁴Vol. 30, D. 26, a. 11, Sol.

⁵⁵R. Galdos. *Tobit*, n. 349.

by lust," R. Galdos looks upon as an interpolation in the original text: "contra ut hieronymiana glossa adjuncta mihi videtur phrasis illa '*amore filiorum magis quam libidine ductus.*'"⁵⁶ But the argument which Albert and his scholastic predecessors base upon these texts of Tobias loses none of its scriptural authority, since the entire teaching on matrimonial relations, as derived from the Book of Tobias, amply bears out the tenets Albert wishes to emphasize in the use of the aforesaid texts.

For the sentiments of Sara and Tobias anent their marriage express the thoughts, if not the words, of the texts excluded above because of their doubtful authenticity. How humble and touching is the prayer of Sara couched in these terms: "Thou knowest, O Lord, that I never coveted a husband and have kept my soul clean from all lust. Never have I joined myself with them that play; neither have I made myself partaker with them that walk in lightness. But a husband I consented to take with thy fear, not with my lust."⁵⁷ Again Tobias prays: "And now, Lord, thou knowest that not for fleshly lust do I take my sister to wife, but only for the love of posterity, in which thy name may be blessed for ever and ever."⁵⁸ Herein we behold the sanctity of the marriage act as it is portrayed in Holy Scripture. Not to satisfy concupiscence, not to gratify sensuality, but for the sake of posterity, such indeed is the motivation taught by the Holy Ghost. What a contrast, therein, to modern writers, even Catholics, who openly teach that the salvation of marriage lies in the gratification of the sense of venery and who advance so far as to suggest modes of sensual satisfaction which approach a paganization of this sacred act.

A holy and sublime doctrine on matrimony and its use is inculcated in this book of Tobias. How natural, then, that such doctors of the Church as Jerome, Augustine, and Albert were deeply influenced thereby and established their norms of marital conduct upon the precepts imparted by Raphael to Tobias. As found in the concluding verses of chapter six of the Tobitian

⁵⁶R. Galdos. *Tobit*, n. 356.

⁵⁷Tobias 3: 16-18.

⁵⁸Tobias 8:9.

narrative, the Angel's doctrine on marital intimacy reveals the inspiration of the Holy Spirit whose words we may thus humbly summarize. Spouses who so surrender themselves to sensual delights as to shut out God from their minds, become prey to the power of Satan. Better far for the newlywed to institute a triduum of prayer and sacrifice to prepare themselves holily to consummate their marriage. Let them, on the third evening, with reverence for God in their hearts, know each other, in the expectation of the divine blessing of children.

II. PRACTICAL DOCTRINE

We may initiate the study of Albert's practical doctrine on the *debitum* by stating the principle which directs his reasoning in confronting the concrete problems created by the intimacies of married life. The principle may be thus formulated: "It is necessary, so it seems, to assert that no action of a husband in respect of his wife is *per se* mortally sinful provided the relation of the act to the *vas debitum* is guarded."⁵⁹ Such teaching approximates the common doctrine of today that conjugal intimacies free from all the taint of onanism are not forbidden. But the author does not let this principle stand isolated. Rather he proceeds to integrate it with his fundamental teaching on concupiscence. While it remains true that marital intimacies which retain their relation to the primary purposes of conjugal life are never seriously sinful *in se*, yet the manner of their practice may be a sign of concupiscence which is gravely culpable. The attitude adopted in intimacy is a sign of such concupiscence.

Albert regards the converse coital attitude as that determined by nature itself. Any departure from the same, he terms unnatural. But here unnatural calls for explanation. Albert employs the term in a two-fold signification. Thus the substantial of an act may be unnatural, as when human faculties are misused or perverted. The accidentals of an act may be unnatural, as when the manner of use, taught by nature itself, is flouted.

⁵⁹Vol. 30, D. 31, a. 24, Sol.

Now a lateral attitude is a deviation from the nature-taught position and hence, unnatural. Both a sedentary and standing attitude are more unnatural, while a brutish attitude constitutes the greatest deviation. "And some indeed declare that the last mentioned position is a mortal sin, but this displeases me."⁶⁰

From this principle determinative of the morality of matrimonial intimacies in general, it is but another step to a second leading principle laid down by Albert as normative of the particular intimacy of marriage, namely, cohabitation. "Upon request of the petitioner, no matter at what hour, the *debitum* is to be discharged as far as opportunity and competence permit."⁶¹ Although Albert does not employ the phrase, "reasonable request," undoubtedly that is the intent of his words. Yet in urging the obligations of the *debitum*, he passes beyond what might be deemed reasonable limits as when he maintains that the *debitum* is to be rendered in a sacred place or church if no other place is at hand, nor is the church, in his opinion, thereby desecrated.⁶² Again Albert leans to a very wide interpretation of the term reasonable when he declares "if one of the parties is aware of the other's state of dangerous concupiscence, then is he under obligation to drop the affairs which engage him and seek out the secrecy of his chamber and render the *debitum*."⁶³

And the claims of piety form no exception to the exigencies of the *debitum*. This is manifest in Albert's doctrine, for example, on the interrelation of the *debitum* and the reception of the Eucharist. It would not come strangely to an age strong in faith, were Albert to teach that preparation for Holy Communion constituted a reasonable excuse from the duties of the *debitum*. But his is the opposite stand. And logically so, because his fundamental tenet has been that marital congress motivated by the desire of progeny is a meritorious act. Wherefore neither party to the relation, be he petitioner or granter of the *debitum*, is therefore to be forbidden Holy Communion.

⁶⁰Vol. 30, D. 31, a. 24, Sol.

⁶¹Vol. 30, D. 32, a. 12, Sol.

⁶²Vol. 30, D. 32, a. 12, ad 2, 3

⁶³Vol. 30, D. 32, a. 12, Sol.

Rather indeed all discretion is his, whether humbly, because of carnal pleasure, he refrain, or with devotion approach the Holy Table.⁶⁴ However, piety towards this august sacrament does furnish a valid exemption from the claims of the *debitum* where the motives of consummating this relation are those of concupiscence. Such parties are to be admonished not to approach the Holy Table, nor is it discretionary with them to do so. Yet if they betake themselves thereto out of devotion no prohibition is to be imposed.⁶⁵

Behind this particular admonition to refrain from the Eucharistic stands Albert's conviction of concupiscence as a force debasing the mind and preventing its rising to heavenly ideas for "in coition the spirit lies, as it were, suffocated under the flesh."⁶⁶ Thus while the exigencies of the *debitum* largely outweigh the claims of piety in preparation for the Eucharist, the opposite obtains for devotion after the reception of Holy Communion: "During the day of reception, the *debitum* is not to be sought nor granted unless the other party is very insistent. If however a consummation takes place, I do not believe that it is a mortal sin."⁶⁷

Besides these days of Communion, the author likewise establishes processional days, major feast days, and days of fast, as time ill favored for seeking the *debitum*. In view of Albert's teaching on the grossness of concupiscence, the reason he assigns for abstention on such days comes with no surprise. He deems it unseemly for the spirit at one hour to mount unto God in prayer and to be debased, at another, beneath the flesh. Moreover the identical reason prevails for great feast days and particularly for those of the Blessed Mother and of Our Lord. "For then, indeed, is made a commemoration of her stainless chastity and of her flowering, our Lord Jesus Christ. And it is truly unseemly for a member of Christ to give himself over to the pleasures of incontinence and corruption."⁶⁸ As for fast days,

⁶⁴Vol. 30, D. 32, a. 13, Sol.

⁶⁵Vol. 30, D. 31, a. 28, Sol.

⁶⁶Vol. 30, D. 32, a. 10, Sol.

⁶⁵Vol. 30, D. 32, a. 13, ad quaest. 1.

⁶⁷Vol. 30, D. 32, a. 13, ad quaest. 2.

such as Lent, Ember Days, and vigils, they have been instituted for mortifying the body and "it does not become the flesh, withdrawn as it is from the necessities of individual life, to be replete with the fatness of voluptuousness intended for the wholesomeness of the race."⁶⁹

After this survey of the positive and obligatory duties of the *debitum*, it is legitimate to fix attention upon the negative side, by considering the reasons which prompt the author to declare the binding power of the *debitum* temporarily relaxed. Here, where experience would lead us to expect a series of extenuating causes grouped under the classical caption of impotence, moral or physical, we meet, on the contrary, only two excuses, namely, the privileged first month and the period of gestation.

Making his own the opinion of canonists who teach that the first month of marriage is barred to the obligation of the *debitum*, Albert explains this exemption by asserting that this time has been set apart for the neo-married to consider seriously the reasons for aspiring to a higher state of life.⁷⁰ This reason falls strangely upon modern ears. Had not due thought been given to the seriousness of matrimony prior to accepting its life long bonds? Why indeed, and so soon, ponder again release from its claims, in exchange for a better life whose merits must have been duly weighed before reception of the sacrament of matrimony?

If we make further inquiry and demand why the positive law intervenes to remit temporarily, for an entire month, an obligation of natural law, the answer returned is not so satisfactory. "It concerns the legislator how one uses one's right; wherefore the law determines after what fashion marriage is to be honorably consummated."⁷¹ That a future consummation should be more honorable than a present one and in such a degree as to suspend a natural right, appears, in compelling power, an argument more subjective than objective. And per-

⁶⁹Vol. 30, D. 32, a. 10, Sol.

⁷⁰Vol. 30, D. 27, a. 8, Sol.

⁷¹Vol. 30, D. 27, a. 8, ad 1.

haps some such conviction it was which led to the withdrawal of the law from the present *Codex Juris Canonici*.

A second and naturally privileged period of exemption from the law of the *debitum* comprises the months of gestation. Here Albert teaches that the serious dangers of intercourse during pregnancy should act as a curb upon the desires of the married and lead them to forego marital congress. In common with the medical teaching of his time, he conceives these perils as a loss of the embryo or at least as a loss of the seminal contents of the uterus. To explain the physiological reason of this danger, he notes that the pleasure of coition sets up contractions in the uterus. These movements of the uterus together with the satisfaction of carnal appetite serve to dilate the organ and open thereby the internal orifice whence are expelled, especially in the first four months of pregnancy, the embryo and the semen.⁷²

As to the sinfulness of the use of matrimony during gestation, he maintains that the fault would not reach the level of a mortal offense. While this judgment on the moral guilt of coition during pregnancy is entirely consistent with his proximate norm of action, namely, that no marital relation, short of onanism, is a mortal sin, yet it appears inconsistent with his teaching that a great danger, springing from congress during this period, overshadows the embryo. For Albert's description of the physiological reaction of coition upon the pregnant womb, namely, the setting up of contractions in the organ and the consequent aperture of the internal orifice, would in our present understanding of obstetrics make coition appear, at least objectively, a direct cause of abortion. Certainly Albert's age did not understand, in our sense, the physiological processes involved, as is clear from the fact that he deems such coition of no greater malice than a venial sin.

Though Albert explicitly teaches that man and wife have equal rights in the *debitum*, yet in excusing them from its bond he favors the head of the household. Thus, by grace of that medieval institution, pilgrimages to holy places, he allows the

⁷²Vol. 30, D, 31, a. 22, Sol.

husband to make a conditional vow of visiting such hallowed spots but fails to grant the same boon to the wife. If a wife, fearful of her own continence, dissents from her husband's will to visit the holy places, then the husband sins in vowing and must seek a commutation of such a vow. But if the wife's dissent is based upon affection for his companionship, then our author thinks that the husband may peregrinate, by reason of his necessity of visiting the Holy Land and the *limina* of the Apostles. Yet, he maintains that the wife may not pursue the same course, "for men are cautious in going on pilgrimages and do so with aid and edification unto the Church, while nothing similar graces such actions of women."⁷³

No treatise on the present subject would approach completeness without some reference to abuses which contravene the laws of the *debitum*. Now the abuses to which Albert directs attention are not contraception or neo-onanism, as our common experience might intimate; rather, Albert singles out the disparate abuses of voluntary sterilization and direct abortion. The subject of artificial or self-procured sterilization claims consideration under the query: "What penance is due unto those who induce sterility through the agency of poisonous drugs?"⁷⁴

Three points are stressed in the answer to the aforesaid question. First, and very naturally, a severe penance is to be imposed; second, the guilty parties are to stop the practice and not repeat it in the future; and third, where possible, they are to be prevailed upon to forgo the use of matrimony. However, where this abstention is out of the question, "they cannot, I believe, be constrained, lest thereby a greater evil come to pass."⁷⁵ It seems evident that Albert is speaking of a temporary sterility induced by some potion; otherwise his admonition against a repetition of the potion would be futile.

A difficulty opens out of the author's words: "If it can be done, since they sin against matrimony, they must be induced not to use matrimony." What constitutes this sin against matrimony? It cannot be a repetition of the potion as that was precluded in their amendment of life. Nor is it a past sin, un-

⁷³Vol. 30, D, 32, a. 6, Sol.

⁷⁴Vol. 30, D, 31, a. 18, Sol.

less by way of remembrance, since the past sin was deleted by penance. If it means that the use of matrimony during or subsequent to the period of sterility constitutes a sin, then there appears no convincing reason why they cannot be constrained to abandon what is actually sinful. If the use of matrimony any time after the attempt at sterility is a sin, then the doctrine of the author is far removed from the commonly held opinion of the present day. However, another meaning may be attributed to the words of the author since "*peccare*" is used likewise in an amoral sense. In which case, the meaning would be that the sterile but penitent partners offend against the institution of matrimony by fruitless coition and are, therefore, to be induced to give over its use but not to be constrained. Counter to this interpretation, however, runs the general principle of Albert, that coition without benefit of issue is not admissible.

We conclude this paper with a brief glance at Albert's concept of the constituents of domestic society, in order to add a final note of completeness to his doctrine. In commenting on the text of Genesis, "Let us make him a help like unto himself" (Genesis 2:8), the author states that woman's chief function, as a helpmeet, lies in her office of motherhood.⁷⁶ But with Aristotle he acknowledges man's need of woman in many other offices of conjugal society.⁷⁷ Though the wife is subject to the husband in the regimen of domestic society, still a perfect parity obtains in whatever touches the *debitum*.⁷⁸ A union of body and soul is the effect of marital communion but of the two comminglings, the latter is, by far, the more important.⁷⁹ "No conjugal union other than that of mutual consent forms the essential note of matrimony. And of that consent, carnal commingling is but the consequent. Marriage does not look upon it as something essential, but as something dependent upon the will of the two parties."⁸⁰ Whether marriage be consummated or not, this union of wills, by grace of the sacrament, signifies the union of Christ with His Church in charity.⁸¹

⁷⁶Vol. 30, D. 28, a. 7, ad 4.

⁷⁸Vol. 30, D. 28, a. 7, ad 4.

⁸⁰Vol. 30, D. 30, a. 9, ad 5.

⁷⁷Vol. 30, D. 27, a. 7, ad 2.

⁷⁹Vol. 30, D. 27, a. 7, ad Sol.

⁸¹Vol. 30, D. 26, a. 15, ad 4.

ST. CYPRIAN AND THE RECONCILIATION OF APOSTATES

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IT seems that at the end of the third century the attitude of the Church towards those who fell into sins of fornication, adultery, and apostasy after Baptism was somewhat more lenient than it had been in the early part of the century. But just how much had the penitential discipline changed? Various answers have been given to this question by historians who have studied the history of penance in the early Church, the controversy centering chiefly around the "edict of Callistus" which allowed absolution to penitents guilty of adultery. It is not my purpose, however, to recount here the widely divergent views on this very difficult problem: they have been summarized by d'Alès¹ and Rauschen² and most recently by Mortimer.³

In this study I am concerned with Cyprian's treatment of the lapsed in the Decian persecution. Several questions naturally present themselves to anyone who has even a slight acquaintance with the documents of the period: (1) Was Cyprian the first African bishop to reconcile apostates? (2) If not, did he notably temper the penitential discipline in their regard? (3) Did he suffer any doubts or misgivings about granting them reconciliation?

Modern scholarship has given us a vast array of opinions in answer to these questions. Some of the more noteworthy conclusions, more or less typical of different schools of thought, are here presented.

¹A. d'Alès. *L'Edit de Calliste*. (Paris. 1914) pp. 3-11.

²G. Rauschen. *Eucharist and Penance*. (St. Louis. Herder. 1913) pp. 152-155.

³R. C. Mortimer. *The Origins of Private Penance*. (Oxford. 1939) pp. 6-14. Mortimer's work is directed chiefly against the arguments of Paul Galtier who, in *L'Eglise et la rémission des péchés aux premiers siècles* (Paris. 1932), ably defended the existence of private penance in the earliest times. Some of Mortimer's interpretations of passages from Tertullian, Origen, and Cyprian have been subjected to careful criticism by G. H. Joyce. "Private Penance in the Early Church." [*Journal of Theological Studies*. XLII (1941) 18-42].