

The doctrine of original sin according to Augustine of Rome (Favaroni) († 1443) *)

B. — ORIGINAL SIN AND OUR PARTICIPATION IN THE SIN OF ADAM.

1. *The notion of actual sin.*

Sin has three meanings : firstly, concupiscence of the flesh which remains in us as a result of original sin is often called sin ; secondly, the common acceptation of the Scholastics that sin is an inordinate act perpetrated against the divine law — this is actual sin ; and thirdly, sin can also be understood as the obligation to undergo punishment ¹⁾, as a divine decree ordaining man to punishment due to sin.

From Favaroni's pen three principal definitions of actual sin can be collected : the first is that given above, *obliquitas sive inordinatio in opere perpetrato commissa contra legem Dei eternam*. The second is more descriptive « *Diligenter est advertendum quod quemadmodum in actuali peccato ade tria principaliter considerare debemus, videlicet actum sue transgressionis iniuste, et debitum ius-*

*) *Augustiniana* vii (1957) pp. 100-117. We wish to express our sincere gratitude to the Directors of the Vatican and Angelica Libraries (Rome) for the use of the manuscripts.

¹⁾ *Primum est advertendum quod de peccato possumus loqui tripliciter: primum de vicio quodam nature quod concupiscentia carnis communiter appellatur per quam caro viciose concupiscit adversus spiritum et adversatur ei ad opus iusticie ... secundo possumus loqui de peccato tamquam de obliquitate sive inordinatione in opere perpetrato commissa contra legem Dei eternam, et sic communiter loquuntur doctores eciam scholastici de peccato... Est quedam tertia aliqua acceptatio peccati de quo loqui possumus qua videlicet reatus ipse sive obligatio ad penam satisfactoriam dicitur peccatum et hoc est peccatum quod remittitur per ecclesiastica sacramenta. De Perfecta Iustitia V 187 v2.*

ticie perditae, et tertio debitum pene subeunde secundum exigentiam vindicative iustitiae, et ista tria attendenda sunt etiam in quolibet actu culpe moralis quo aliquis cadit a sua gratia ipsum iustificante; sive sit actus interior precise, sive sit actus exterior interiori appositus et quodlibet ipsorum suo modo vocatur peccatum »²⁾). And thirdly 'Est advertendum quod circa peccatum debemus distinguere tres rationes videlicet, rationem deformitatis, rationem voluntarii et rationem culpe' ³⁾). The first gives us a definition properly speaking, the second and third give us a distinction of its elements.

Our present exposition is taken from the context of this last mentioned definition. From the point of view of method much can be said for and against this procedure. On the one hand it deals fairly exclusively, though not in a completely satisfying way, with the different elements of sin — in fact it is the most complete exposition we have come across. On the other hand the Commentary on the epistle to the Romans appears to present his ideas more crystallized and finalised — it was written in 1422 — than the earlier works from which we shall be taking his concept of original sin.

Nor indeed will our method lack dangers and difficulties. The principal difficulty arises from the fact that the specific intent of our theologian in the present context is not identically our own specific intent. Favaroni's intent is polemical, ours is exclusively expository. Commenting on 'Propterea tradidit illos Deus in passiones ignominiae' ⁴⁾ he places the thesis that one sin can be of itself the penalty for another ⁵⁾. He then adduces the explanation of St. Thomas to the contrary ⁶⁾ that one sin can be the penalty for another

²⁾ *De Peccato* V 210 v1.

³⁾ *In ep. ad Rom.* A 376 125 v1.

⁴⁾ *Rom.* 1, 26.

⁵⁾ Ad hunc passum diligenter attendant illi quos superius aliquantulum tetigi dicentes unum peccatum non esse per se penam alterius: merces quidem per se respicit illud cuius est merces et non per accidens. Si ergo hec iniquitas, tam nefandum peccatum merces est ydolatrie profecto hoc peccatum per se respicit illud ut per hoc sit pena illius. *In ep. ad Rom.* A 376 125 r2.

⁶⁾ Fav., *In ep. ad Rom.* A 376 S. Thomas 1-11 q. 87 a. 2. 125 r2.

Deinde respondent ad hoc dubium Respondeo dicendum quod de peccato dupliciter loqui possumus per se qui dupliciter per se et per accidens. scilicet et per accidens: per se quidem Per se enim consideratur peccatum ut nullo modo peccatum potest esse poena egreditur a voluntate sic enim habet rationem peccati: peccatum enim per se conside-

not per se but per accidens. Now he says that this is to be rejected for four reasons ⁷⁾. It is from the refutation made of this opinion that our ideas are taken.

tionem culpe, quod si nullo modo est voluntarium non est peccatum; et hoc modo ut dicunt unum peccatum non potest esse pena alterius quia de ratione pene est quod sit contra voluntatem et sic manifestum est quod per se loquendo peccatum non potest esse pena peccati. Per accidens autem peccatum potest esse pena peccati tripliciter; primo quidem ex parte cause que removet prohibens. Cause enim inclinantes ad peccatum sunt passiones inordinate et temptatio dyaboli et alia huiusmodi que impediuntur per divinum auxilium quod iuste subtrahit deus propter peccatum et talis subtractio est huius peccati pena et est a deo qui iuste (125 vl) trahit auxilium suum ab ingrato et sic peccatum sequens subtractionem divini auxilii per accidens dicitur pena peccati precedentis; et hoc modo ut dicit, loquitur Ap. Propter quod tradidit Deus in desideria cordis ipsorum et in passiones ignominie; quia subtrahendo auxilium suum permittuntur peccatores vinci a passionibus suis. Alio modo potest esse pena ex parte substantie actus peccati qui afflictionem inducit et hoc sive sit actus interior ut patet in ira et in invidia quod notabiliter affligit ipsum iratum vel invidum sive actus exterior sicut aliqui gravibus laboribus et dampnis opprimuntur ut expleant actum peccati sicut Sap. dicitur Lapsati sumus in semitis iniquitatis et ambulavimus vias difficiles.

ratur secundum quod egreditur a voluntate: sic enim habet rationem culpe; de ratione autem poenae est quod sit contra voluntatem ut in lo. habitum est, unde manifestum est quod peccatum per se loquendo nullo modo potest esse poena peccati. Per accidens autem peccatum potest esse poena peccati tripliciter. Primo quidem ex parte causae quae est remotio prohibentis; sunt enim causae inclinantes ad peccatum passiones tentatio diaboli, et alia huiusmodi quae quidem causae impediuntur per auxilium divinae gratiae quae subtrahitur per peccatum; unde cum ipsa subtractio gratiae sit quedam poena a Deo ut supra dictum est, sequitur, quod per accidens etiam peccatum quod ex hoc sequitur poena dicatur: et hoc modo loquitur Ap. Rom. 1, dicens Propter quod tradidit eos Deus in desideria cordis eorum quae sunt animae passiones; quia scilicet deserti homines ab auxilio divinae gratiae vincuntur a passionibus; et hoc modo semper peccatum dicitur esse poena precedentis peccati: alio modo ex parte substantiae actus qui afflictionem inducit sive sit actus interior ut patet in ipsa ira et in invidia; sive actus exterior, ut patet cum aliqui gravi labore opprimuntur, et damno ut expleant actum peccati secundum illud Sap. 5 Lassati sumus in via iniquitatis. Tertio modo ex parte effectus ut scilicet aliquod peccatum dicatur poena respectu effectus consequentis: sed hiis duobus ultimis modis unum peccatum non solum est poena praecedentis peccati sed etiam sui.

⁷⁾ Sed isti in hac positione multipliciter deficiunt, primo quidem quoniam non distinguunt circa peccatum tres rationes diversas, secundo quia non distinguunt de voluntario, tertio quia non distinguunt de pena, quarto quia frustra peccatum dicunt esse penam alterius peccati per accidens. *In ep. ad Rom. A 376 125 vl.*

The concept of actual sin entails three distinct elements : deformity of the act arising from its embracing an unlawful — or incommensurate ⁸⁾, to use the thomistic expression — object, voluntareity of the act and guilt of the act. It is of the first only that the concept of sin is per se predicated i. e. of the deformity ⁹⁾. To clarify his position he introduces the analogy between sins in nature and art on the one hand and sins in morality on the other. There can be sins in nature and art which are not voluntary — their character of sin proceeds from their deformity which in these fields is entirely independent of the will of man ¹⁰⁾. Similarly therefore in sins of the will their character of sin proceeds from their deformity, and it is from this their denomination as sin proceeds. Understandably then, sin is to be distinguished from voluntareity : sin is the relation of the act to its object, voluntareity is the intentional characteristic of the act ¹¹⁾. On this distinction rests his first complaint against the explanation of St. Thomas ¹²⁾.

Secondly we must consider the relation between voluntareity and culpability — ratio voluntarii et ratio culpae.

Voluntary can be accepted in three senses ¹³⁾ ; we are interested

⁸⁾ Cf. 1-11 q. 71 a. 6 c.

⁹⁾ Est advertendum quod circa peccatum debemus distinguere tres rationes videlicet rationem deformitatis, rationem voluntarii et rationem culpe: rationem quidem deformitatis quoniam omne peccatum est deformitas quedam contra aliquam regulam directivam disponentem bene, et sic est obliquitas contra ipsam rectitudinem regule et deformitas contra conformitatem quam regula requirit et malum contra illud bonum ad quod regula dirigit et ordinat. *Ibid.* 125 v1.

¹⁰⁾ In arte similiter nam cum peccat grammaticus non recte loquens vel medicus potans non recta potatione non attendimus voluntarium sed discordantiam... similiter inquam est in peccatis moris. *Ibid.* 125 v2.

¹¹⁾ Secundo attendenda est ratio voluntarii ut quod illa deviatio a recta regula voluntaria sit et a proposito fiat. Non est igitur eadem ratio voluntarii et peccati quin ymo peccatum debet esse objectum voluntarii maxime qualiter isti intelligunt voluntarium, acceptionem videlicet voluntatis. Manifestum est quod acceptio voluntatis objective aliquid respicit, et cum respicit id quod est peccatum manifeste distinguitur peccatum ab acceptione. *In ep. ad Rom.* A 376 125 v2.

¹²⁾ Per hoc patere potest quid dicendum sit ad illa que isti dicunt de peccato per se considerato. Cum enim primo dicunt quod peccatum per se consideratur secundum quod egreditur a voluntate (126 v1) patet hoc esse falsum. Peccatum namque ut peccatum est non respicit voluntatem sed regulam a qua discordat et obliquitatem contra rectitudinem illius regule et deformitatem contra conformitatem quam inducit regula. *Ibid.* 126 r2.

¹³⁾ Nam voluntarium potest aliquid tripliciter dici: uno modo quia emanat

only in the third. In this last meaning voluntary signifies that which is in our power, and it is precisely from this voluntary that guilt arises. It is by reason of wilful neglect to preserve justice that sin entails the 'ratio culpae' or 'debitum iustitiae' ¹⁴). It is obvious that that only can be in our power which proceeds from free will ¹⁵). So that a thing may be voluntary taking the word in the first or second sense without its being voluntary in the third sense i. e. without its being culpable. For example the intelligences that move the heavens, according to the « Ptolemaic » system, move them voluntarily but it is not in their power not to move them ¹⁶). Similarly is God created man with certain desires or attractions without however giving him the necessary grace to control these desires, man's passions would have run riot voluntarily but not culpably ¹⁷).

immediate a voluntate et sic non solum actus acceptionis verum etiam respuicionis dicitur voluntarium... Secundo modo aliquid dicitur voluntarium secundum quod distinguitur contra involuntarium vel contra noluntarium qualiter nolle distinguitur a velle, nolle autem dicitur noluntarium, velle autem dicitur voluntarium... Tertio modo dicitur voluntarium eo quod est in potestate voluntatis et sic proprie accipit voluntarium Aristoteles in 3io. Ethicorum cum dicit operationes nostras virtutum et viciorum esse voluntarias et esse in nobis i. e. in nostra potestate, et ab isto voluntario venit imputabilitas quoniam illud solum est imputabile quod est vel erat in potestate nostra et qualiter erat in potestate taliter erat imputabile. *Ibid.* 126 r1.

¹⁴) Cf. ...debitum vero iustitiae perditur dicitur peccatum culpe quoniam in eo stat ratio culpe... *De peccato* V 210 v1. Duos igitur reatus contraxit ex actu adulterii (209 v1) perpetrati, reatum videlicet culpe qui est debitum habende iustitiae et reatum pene qui est debitum luende miserie... sic igitur incunctanter tenere debemus quod in quolibet alio actu culpe mortalis mortaliter peccans incurrit hos duos reatus quemadmodum in exemplo adulterii declaratum est. *Ibid.* V 209 r2.

¹⁵) That our theologian admitted the existence and substantial integrity of free will has been already shown. *Augustiniana* (VII) 1954 pp. 113-114.

¹⁶) Attendenda est ergo diligenter distinctio de voluntario inter duos primos modos et hunc tertium ; nam Intelligentia movens coelum, quia movet per intellectum et voluntatem potest dici movere voluntarie duobus primis modis non autem tertio modo quoniam non habet in potestate movere et non movere. *In ep. ad Rom.* 126 r1.

¹⁷) Unde tertio attendenda est ratio culpe, hec autem est ratio imputabilitatis. Staret autem quod aliquid fieret acceptibiliter et tamen non imputabiliter. Si enim deus non dedisset angelo vel homini rectitudinem voluntatis per quam esset iusta voluntas et dedisset tamen ei affectiones per quas posset se voluntas movere ad alia, talis voluntas impreceps ivisset post commoda et delectabilia deviando a regulis (126 r1) morum i. e. rectarum appeticionum et tamen inculpabiliter ita quod nulle oblique appeticiones essent culpe quoniam non fuissent imputabiles ut pulchre declarat Anselmus in tractatu suo 'De Casu Dyaboli'. *In ep. ad Rom.* A 376 125 v2.

Voluntary then in the third sense is nothing else than free will, commonly called liberum, and in this sense is distinguished against « voluntarium » even by St. Thomas himself. Voluntary is that which proceeds from an intrinsic principle with cognition of its end ¹⁸⁾ whereas freedom is an elicitive power of the will with regard to those things which are means to the end ¹⁹⁾.

Ratio voluntarii and ratio culpae are simply what we call voluntarium and liberum. Guilt and imputability derive from free will not from voluntareity : and this position forms a second exception to the words of St. Thomas quoted above ²⁰⁾.

Following our theologian, our third consideration regards the penalty of sin. As we have seen in our opening paragraph the debt of punishment can itself be called sin ; not however in the same sense as the debt of justice or the act of sin, but inasmuch as it is a necessary consequence of sin and so forms part of the complete notion of sin : for this reason it is called sin ²¹⁾.

Two questions are now decided. Firstly we have seen actual sin to be a deliberate deflection of man from the norm of morality. Culpability proceeds from free will which is in turn radicated in voluntareity without however being identified with it, at least when we take the terms in their strict meaning. Actual sin comprises three elements — the act, debt of justice and debt of punishment. Secondly, in the question of terminology, the word sin can have a wide or a strict meaning. In its wide meaning it can be applied to each of the constituents, the act, debt of justice or debt of punishment, so as to have an analogical signification, at least by an analogy of attribution. In its strict sense though, it signifies only the objective de-

¹⁸⁾ I-II q. 6 a. 1.

¹⁹⁾ I-II q. 13 a. 3; I q. 82 aa. 1, 2.

²⁰⁾ Cum autem ulterius dicunt quod peccatum ut egreditur a voluntate habet rationem culpe etiam istud patet falsum esse. Rationem namque culpe habet ab imputabilitate: aliquid autem potest egredi a voluntate quod non est imputabile et ideo si esset malum non tamen esset culpe. *In ep. ad Rom.* A 376 126 vl.

²¹⁾ ... quemadmodum in actuali peccato Ade actus prevaricationis fuit materiale, debitum vero iustitiae fuit formale et ex hiis duobus complebatur peccatum culpe, deinde debitum pene exigite consecutum est peccatum culpe non tamquam aliud peccatum cum precedenti faciens numerum sed tamquam completivum ut iam non dicamus tria fuisse peccata sed unum ... licet quodlibet ipsorum sortiatur nomen peccati quia tamen ex alia et alia ratione unum se habet respectu alterius sicut materiale respectu sui formalis non dicuntur tria peccata sed unum peccatum quantum ad peccatum culpe. *De Peccato* V 211 rl.

formity of the act which deflects from the rule of justice it ought to imitate.

Taken in its strict sense of moral deformity one sin can be per se the punishment for another ²²), the 'defectus honestatis' which per se belongs to sin, is of itself poena damnificativa. This too is the opinion of Scotus and St. Bonaventure ²³).

Nowhere in what I have been able to consult of Favaroni have I come across even the term 'habitual sin' and so we must only see if his writings contain anything corresponding to the concept. By habitual sin we commonly understand a state of injustice which perseveres in the soul as a consequence of an unjust act ²⁴).

As a result of sin man contracts a double debt, a debt of justice and a debt of punishment ²⁵). The debt of justice is the loss of actual justice, the debt of punishment is the obligation to undergo punishment ²⁶). The debt of justice is the privation of the act or habit of justifying grace ²⁷), therefore it must be something internal. Although

²²) Illa etiam que loquuntur in secundo modo (etiam) non salvat quod peccatum sit pena per accidens alterius peccati. Cum enim dicunt quod substantia actus peccati afflictionem inducit ut patet in ira et in invidia, hoc utique verum est sed hoc pertinet ad per se et non per accidens: ira etiam que est extra mensuram ipsa est peccatum eo quod transgreditur regulam rationis que regula bene disponit hominem et ideo necessaria est quod hec deviatio male illum disponat; per se ergo est quod hec ira sit malum quoddam in hoc quod immoderata est. *In ep. ad Rom.* A 376 126 v1.

²³) Both in 2 Sent.-Dist. 36.

²⁴) L. BILLOT, *De Peccatis*. Thesis IV.

²⁵) Ad intelligentiam hujus conclusionis est advertendum quod in omni actu culpe mortalis per quem aliquis cadit a gratia justificante duplicem incurrit reatum, reatum videlicet culpe et reatum pene subeunde pro actu per quem perdidit gratiam vel iustitiam actualem. *De peccato* V 209 r1. Almost the same obscurity is to be seen in the works of Scotus, and as a consequence there is a dissension as to the proper interpretation of his concept of habitual sin. P. MINGES, *Duns Scoti Doctrina Philosophica et Theologica*, Quaracchi 1930, I, 484 interprets it as having the double element, negatively the privation of grace, and positively the obligation to punishment. On the contrary, N. KRAUTWIG, *Die Grundlagen der Busslehre des Joannes Duns Scotus*, Freiburg 1938, p. 18 understands it solely as the obligation to punishment.

²⁶) Reatus culpe est debitum perditae gratiae et iustitiae actualis; reatus pene est debitum pene subeunde (209 r2) sive obligatio quedam ad penam luendam. *Ibid.* 209 r1.

²⁷) ... quoniam cum talis resurget ad gratiam justificantem, reatus culpe cedit redimenti iustitiae actuali ut supra dixi. Voco autem hic iustitiam actualem contra iustitiam originalem, actum vel habitum gratiae iustificantis. *Ibid.* 210 r1.

in itself it is a DEBT of justice, it is cancelled out, not by the advent of a debt of grace but by the advent of grace itself ²⁸).

The debt of punishment is not anything internal in the sinner but it is the sentence of eternal damnation written in the hidden laws of God as in a decree, or in the minds and knowledge of the Angels ²⁹). It is the obligation to eternal punishment, and as we shall see, remains after the guilt has been wiped away by perfect contrition. This alone should be sufficient to authorise us to exclude the possibility of habitual sin consisting solely in the divine decree ordaining man to punishment. We cannot determine any further to which of these concepts the term habitual sin must be applied.

A few words will suffice on the distinction of sin. Sin is essentially an inordinate act by which the will turns from God its last end to creatures, and specific difference in sin is taken, not from the term from which the will recedes — which is always identical, God — but from the object to which the will is converted ³⁰). It is according to the different specific nature of created good to which the will turns that the specific nature of the sin is determined ³¹), so that we have avarice, gluttony and pride as specifically distinct sins ³²). Of course there remains always the theologically specific difference

²⁸) Ergo iam iustificatus adhuc habet reatum preteritorum actuum et iste reatus non est reatus culpe quoniam reatus culpe cedit redimenti iustitie et gratie iustificanti, nec potest simul stare reatus culpe cum gratia iustificante quoniam ut dictum est reatus culpe est debitum ammissee iustitie quod debitum cedit redimenti iustitie. *Ibid.* 209 r2.

²⁹) Patet quoniam dicit Augustinus quod talis reatus scriptus est in chyrographo et in noticia spiritualium potestatum ... et scriptus est idem reatus in occultis legibus Dei. *De Peccato* 210 r2.

³⁰) Rursus quemadmodum motus corporis non sumit speciem nisi a termino ad quem, non autem a termino a quo, ut patet in multis locis Physice, ita motus voluntatis non sumit speciem nisi a termino ad quem, utpote a conversione ad commutabile bonum non autem ab aversione ab incommutabili bono. *Ibid.* 220 v2.

³¹) Omnis (peccator) avertuntur ab incommutabili bono sed hinc non sumitur species peccatorum; convertuntur autem ad diverse speciei commutabilia bona et penes ista sumuntur diverse species peccatorum. Quantum autem ad aversionem spectat, qui in uno peccat factus est omnium reus. Quantum autem ad conversionem non sic, et est unum peccatum alio gravius secundum studiosiorem motum vel quo ad viliores terminum commutabilis boni vel quo ad conatum voluntatis. *Ibid.* 220 v2.

³²) Deinde una (voluntas) convertetur per avaritiam ad pecuniam, reliqua per gulam ad esum ciborum, reliqua vero per superbiam ad honores seculi et sic de aliis speciebus peccatorum. *Ibid.* 220 v2.

of mortal and venial ³³⁾ the denial of which is so logical in lutheranism ³⁴⁾. And this will suffice to show that not all sins are identical.

2. The notion of Original Sin.

As already pointed out, two opinions on the nature of original sin form the background to his treatment of the subject, the first makes original sin consist in concupiscence, the second in the privation of original justice ³⁵⁾.

Regarding the first we must note well that it is not concupiscence of the flesh alone that makes original sin, as the Protestants afterwards assert, but it is « quaedam qualitas in anima immissa a carne ». Four conclusions, the substance of which we have already outlined, are brought forward to show the insufficiency of this opinion ³⁶⁾.

The second opinion, he tells us, is more scientific but still incomplete ³⁷⁾. Against it he has two difficulties, and firstly that this

³³⁾ Consequentia patet quoniam omne peccatum aut totaliter tollit ut mortale, aut saltem minuit caritatem ut veniale. *De Perfecta Iustitia* V 196 r1.

³⁴⁾ DENZ, *Ench. Sym.* nn. 748 and 899.

³⁵⁾ Circa hoc peccatum diversi diversa senserunt; quidam namque quod sit concupiscentia carnis et quaedam qualitas in anima immissa a carne ... alii vero senserunt quod hoc peccatum sit carentia originalis iustitiae cum debito tamen habendi eam et in hoc certe sequuntur Anselmum in Tract. de Conceptu Virginali. V 200 r1. Hoc autem peccatum quidam scholastici dixerunt esse quamdam carnalem concupiscentiam habitantem in carne nostra per quam carnaliter concupiscimus contra legem dei ... quidam autem alii dixerunt quod hoc peccatum quod per originem trahimus esse carentiam originalis iustitiae cum debito habendi ipsam sed per sacramentum Christi absolvimur a debito habendi originalem iustitiam et etiam dicimur absolvi a peccato originali. Isti proprius et magis scientifice loquuntur. *In ep. ad Rom.* A 376 180 v2.

³⁶⁾ Prima Conclusio: Nulla essentia qualitatis, in quocumque subjecto existat, est complete peccatum originale. Secunda Conclusio: Ipsa affectio anime que dicitur concupiscentia carnis sive fomes peccati, non est formaliter ipsum originale peccatum. Tertia Conclusio: Illa affectio anime que dicitur concupiscentia carnis sive fomes peccati, per se considerata non est ipsa carentia originalis iustitiae, formaliter sumpta. Quarta Conclusio: Carnalis affectio anime que dicitur concupiscentia carnis, per se considerata, non est aliqua culpa. *De Peccato* V 200 r2 - 202 r1.

³⁷⁾ Quinta Conclusio: Carentia originalis iustitiae per se considerata non est aliqua culpa igitur nec ipsa est formaliter originale peccatum. *Ibid.* V 202 v1.

lack of original justice is to be found in holy men in whom there was not original sin³⁸). In the Commentary to the epistle to the Romans he gives this same reason, but in an inverse way, namely that we find holy men sanctified in their mothers' womb who nevertheless are infected with original sin: in these, there is therefore — according to his own expression — not the lack of original justice but there is sin³⁹). Hence the lack of original justice must be something distinct from original sin. And secondly he argues that original sin is wiped out in baptism but original justice is not restored. The lack of original justice under which the baptised remain is not any fault since all character of fault was deleted in baptism⁴⁰).

The lack of original justice cannot therefore be original sin. But original sin must consist in some element which is distinct both from concupiscence and from the lack of original justice. Favaroni seeks the solution in the identity of the sin of Adam with that of his descendants.

Summing up the whole theory it is briefly this: just as in the sin of Adam there are three things to be considered viz. the act of transgression, the debt of justice and the debt of punishment, so also in original sin. Now in the sin of Adam the act of transgression is the sin as it is against the divine law — the *ratio peccati*, the debt of justice is the guilt — the *ratio culpae*, and the debt of punishment is the consequence — the *ratio poenae*⁴¹). These three elements will similarly be realised in original sin in children.

³⁸) Probo primum quia ipsa carentia justitiae originalis non est culpa quoniam reperitur in sanctis viris in quibus tamen non reperitur culpa originalis. *Ibid.* V 202 vl.

³⁹) Staret certe quod aliquis nasceretur originem trahens ab Adamo cum ipsa originali justitia et tamen contraheret originale peccatum... quinyo quique in ventre sanctificati sunt sicut Samson, et Jeremias et Joannis Baptista et quique fuerint alii, simul sanctificati erant et subditi peccato originali nam adhuc obligabantur ad circumcisionem per quod debebatur in eis peccatum originale. *In ep. ad Rom.* A 376 f. 180 v2.

⁴⁰) Secundo, culpa originalis non remanet in parvulis baptizatis post sacramentum regenerationis, remanet tamen in eis carentia originalis iusticie, quoniam non restituuntur ad originalem iusticiam ... Aliud igitur est in originali peccato ipsa culpa que per sacramentum deletur et aliud ipsa carentia originalis iusticie que post sacramentum baptizmatismatis remanet. *De Peccato* V 202 vl.

⁴¹) Quemadmodum in actuali peccato ade tria principaliter considerare debemus, videlicet actum sue transgressionis iniuste, et debitum iusticie perditae et tertio, debitum pene subeunde secundum exigentiam vindicative iusticie ... actus

The sixth conclusion expresses as indubitable the connexion between the lack of original justice and original sin ⁴²). In the seventh conclusion he proposes to show that each one descending from Adam incurs a guilt which is washed away by the sacrament of baptism ⁴³). The truth of this assertion is proved from the well known passages of St. Augustine's *De Nuptiis et Concupiscentia* where the holy Doctor shows that concupiscence « transit reatu, manet actu » ⁴⁴). This reatus however is not a mere modality of concupiscence but an adequately distinct entity ⁴⁵) — it is the reatus which constitutes the specific and proper element of sin ⁴⁶).

It has four names : vinculum, reatus, obligatio, debitum : but whatever way it is indicated it means the same thing viz. the sin or guilt which each one incurs remaining after the act of transgression has passed ⁴⁷). This reatus contracted by birth and remitted in bap-

ade ... dicitur peccatum moris quoniam factum est contra regulam legis divine ... debitum vero iusticie perditur dicitur peccatum culpe quoniam in eo stat ratio culpe ... debitum eciam subeunde pene dicitur peccatum quoniam factum est et contractum ex peccato culpe ... eodem inquam modo hec tria per ordinem que in actuali peccato ade concernuntur debent et in ipsis infantibus descendentibus seminaliter ab Adam concerni quantum ad peccatum quod per originem trahunt. *De Peccato* V 210 vl.

⁴²) Sexta Conclusio: Propagati seminaliter ab Adam per originem trahunt carentiam originalis iusticie propter peccatum ade ... consequentia patet quoniam talis concupiscentia carnis est obex contra originalem iustitiam et est causa carentie talis iusticie. Ista tamen conclusio non debet esse catholico dubia. *Ibid.* V 202 v2.

⁴³) Septima Conclusio: Descendentes ab Adam per seminalem propagationem per originem trahunt quemdam reatum quod per sacramentum baptismatis in regeneratione dimittitur. *Ibid.* V 203 r2.

⁴⁴) C. 26. ML. 44, 430.

⁴⁵) Multum differunt concupiscentia carnis quae in baptizatis remanet post baptismum et reatus qui per baptismum deletur. Et reatus ille utique nactus est per originem et in eo stat propria ratio peccati per quam originale peccatum est quedam culpa atque iniusticia quedam. Ideo fallebantur illi qui in peccato originali solam videbant concupiscentiam carnis quam trahimus quidem per originem, sed tamen remanet post baptismum in sanctis. *De Peccato* V 203 r2.

⁴⁶) ... et in eo stat propria ratio peccati...

⁴⁷) Et est advertendum quod tale debitum quod iure trahitur per generationem ab Adam quemadmodum dicitur vinculum culpe ita dicitur debitum culpe et reatus culpe et est locutio intransitiva; vinculum namque culpe dicitur vinculum quod est culpa et reatus culpe i. e. reatus qui est culpa. *Ibid.* V 204 v2.

tism is *in* each one ⁴⁸⁾ and is the reason why each one may be justly condemned ⁴⁹⁾.

The eighth conclusion explains how the selfsame perverse act which constituted the actual sin of Adam constitutes also original sin in children ⁵⁰⁾. The legitimacy of this conclusion is suffragated by St. Augustine ⁵¹⁾ where the Saint, commenting on the words of Genesis that every male whose flesh shall not be circumcised shall perish from the people because he had broken the covenant of God, clearly shows that the new-born violated no other pact or testament but that given to Adam in the garden of Paradise not to eat the forbidden fruit.

From this point arise two further considerations on original sin namely, on the unity of the sin and the diversity of the imputability. All have sinned by the selfsame act by which Adam sinned — there are only two alternatives, either they sinned by the act of Adam or by an act distinct from that of Adam. An act distinct from that of Adam cannot be admitted for then original sin would no longer be a sin of nature but a personal sin, nor would it be one for the whole human race but there would be as many sins as there were born children of Adam ⁵²⁾. From this moral inexistence in Adam arises

⁴⁸⁾ Duo trahit profecto ab Adam per actum propagationis, carentiam vid. per-dite justicie quam acceperat et debitum ad ipsam habendam. Tale autem debitum est ille reatus cum quo quilibet nascitur seminaliter propagatus ab Adam... (204 r2) et per hoc, cum per actum propagationis unusquisque descendit ab Adam in suo esse completo in quo sit persona distincta ab Adam et iam non sit Adam, et nascitur debitor amisse justicie ... et tale debitum est originale peccatum quod remittitur in baptismo. *Ibid.* V 204 r1.

⁴⁹⁾ Si vero dicitur originale peccatum non esse absolute dicendum peccatum ... aut dampnatur infans qui moritur sine baptismo nullum habens peccatum preter originale, aut sine peccato dampnatur. Sed nihil horum accipimus. *Ibid.* V 200 r1.

⁵⁰⁾ Octava Conclusio: Omnes propagati seminaliter ab Adam eodem actu prevaricationis ade prevaricati sunt preceptum dei quod dederat ipsi ade. *Ibid.* V 207 v1.

⁵¹⁾ *De Civitate Dei* xvi, 27. ML. 41, 506.

⁵²⁾ Quarta (sub)-conclusio: Eodem unico actu Adam et omnes seminaliter propagati ab eo prevaricati sunt legem divinam ... Aut igitur actu distincto ab actu quo prevaricatus est ipse Adam aut omnino eodem. Primum non potest dici quoniam habuissent proprium peccatum et personaliter peccassent quod falsum est. Item quilibet eorum suo actu distincto ab actu alterius prevaricatus fuisset legem divinam, sic tot fuissent actus prevaricationis quotquot erant in Adam seminaliter propagandi ab eo quod falsum est. Restat igitur quod unico actu et ipse Adam et omnes alii prevaricati sunt legem divinam. *De Peccato* V 208 r1.

furthermore the diversity of imputability by which the descendants are less guilty inasmuch as they enjoyed only a virtual existence ⁵³).

From this virtual existence can be readily seen in what manner the sin was voluntary. By the fusion of all the wills of the descendants with that of Adam there arises the natural bond between them and that of Adam, independently it would seem, of any pact on the part of God. Hence our sin is voluntary because it was voluntary in Adam. Considering the sin in each one prescinding from Adam it is involuntary ⁵⁴), or natural ⁵⁵) and is less imputable.

The consequential element is touched upon in the ninth conclusion which tells us of the liability to punishment incurred by every sin ⁵⁶). Favaroni proceeds on the lines of the controversy between St. Augustine and the Pelagians on the nature of sin. Firstly he proves that for every actual sin is due a debt of punishment ⁵⁷) and passing on to the dispute with Julian he concludes that this debt is due also to original sin ⁵⁸). Under this conclusion he touches only the existence of the debt of punishment due to original sin, but nothing as to its nature.

Having now seen the general trend of his theory, it might be well to observe that he retained this identical doctrine all through

⁵³) Quinta (sub-)conclusio: Propagandi seminaliter ab Adam tanto differencius ab Adam peccaverunt in actu transgressionis quantum differencius ipsi in ipso erant ... quanto videlicet differencius est esse in semine et esse in completo actu distincto. ... Ex quo apparere potest quanto minus in actu transgressionis quam Adam peccaverunt posterius sui, et tanto minus actus ille transgressionis imputatur posteris quanto minus erant in esse distincto. *Ibid.* V 208 r1. Cf. *In ep. ad Rom.* A 376, 185 r1 - r2.

⁵⁴) Septima (sub-)conclusio: Descendentes seminaliter ab Adam ipso Adami peccato voluntario peccaverunt. ... Ideo peccatum illius transgressionis dici potest voluntarium et involuntarium, secundum quod ad alium vel ad alium peccantem potest referri. Si enim referatur ad Adam fuit utique voluntarium, si referatur ad nos fuit involuntarium. *De Peccato* V 208 v2. Cf. also: Peccatum vero personale in unoquoque ortum est ex conditione personali et ex propria voluntate. Peccatum vero naturale oritur in cunctis hominibus ex natura, natura autem non absolute et simpliciter considerata, sed condicionate, obligata videlicet in Adam. *Ibid.* V 206 r2.

⁵⁵) Cf. *In ep. ad Rom.* A 376 188 r2.

⁵⁶) Nona Conclusio Principalis: Omnes descendentes seminaliter ab Adam per generationem contrahunt reatum pene sensitive distinctum a reatu culpe. *De Peccato* V 209 r1.

⁵⁷) *De Nuptiis et Concupiscentia* c. 26. ML. 44, 430.

⁵⁸) *Contra Julianum* vi, c. 19 n. 60. ML. 44, 860.

his works ⁵⁹). His expressions, although sometimes not very precise or thorough, always lend themselves to the above interpretation; and secondly, as often as he speaks of original sin he refers back to his tract on it.

3. *The formal constituent of original sin.*

The term « formal element » or its equivalent is frequently used by Favaroni with regard to original sin and each time it seems to have a different shade of meaning. Sometimes he assigns our participation in the act of Adam for which we deserve the privation of original justice the formal element in original sin ⁶⁰); sometimes the debt of justice itself is called the formal element ⁶¹); or perhaps the formal element is the ratio culpae integrated from the act and the debt of justice together ⁶²). We must therefore investigate more

⁵⁹) Et esto quod proles reducta esset ad originalem iusticiam quantum ad obedientiam virium inferiorum ad vires superiores, nulla namque existente rebellione, nulla existente concupiscentia aut in actu aut in habitu tam in parente quam in prole, adhuc tamen proles contraheret per seminationem ab Adam reatum illius transgressionis, et hic stat peccatum originale principaliter tamquam formale, sicut declaravi in tractatu de hoc peccato. *In ep. ad Rom.* A 376 186 v1. Dicendum est quod quantum ad actum et quantum ad obliquitatem idem omnino peccatum concernitur in Adam et in propagandis ab eo, quia omnes propagandi erant seminaliter in Adam ergo eundem actum fecerunt ... sed ille actus obliquus non equaliter sed inequaliter imputatus fuit ipsi ade et propagandis ab eo. *In ep. ad Rom.* A 376 187 v2. Est itaque attendum aliud vicium et malum quod trahimus per originem et est reatus transgressionis facte per Adam, cujus quidem transgressionis nos omnes qui seminaliter eramus in Adam et seminaliter derivati sumus participes sumus et ille reatus proprie est peccatum originale quod in baptismo deletur. *In ep. ad Ephesiōs* A 641 57 v1 (written 1426).

⁶⁰) Sumus enim participes illius transgressionis et propter participationem talem meremur privari originali iustitia et ita privati nascimur tamquam sub pena condigna peccato: illam igitur carentiam originalis iusticie contrahimus tamquam pena debita peccato: oportet igitur prius intelligere participationem illius transgressionis velut causam et peccatum, deinde carentiam originalis iusticie velut sequelam et penam illius peccati. *In ep. ad Rom.* A 376 181 r1.

⁶¹) ... ita et pariformiter circa infantes considerandum est; actus prevaricationis est materiale ... debitum contractum perditie iusticie est formale, debitum pene exigite est sequela ad precedens... verum quod materiale in aliquo peccato preterit remanente formale ut in peccato ade preterit actus prevaricationis qui fuit, ut dictum est, materiale in illo peccato et remansit utrumque debitum, iusticie videlicet perditie et debitum pene exigite. *De Peccato* V 211 r1.

⁶²) Rursus circa originale peccatum in infantibus considerandum est quod quemadmodum in actuali peccato ade actus prevaricationis fuit materiale, debitum

closely whether the formal element in original sin is to be identified with the actual sin of Adam, or whether it is a state of culpable privation induced by that sin. We are convinced that the former represents the true theory of Favaroni — our reasons are as follows.

The identification of the formal element in original sin with an habitual state of injustice inherent in each one is inconsistent with his theory on the identity of the sin of Adam and the sin of his descendents. The descendents are not just in a state of culpable privation induced by the transgression of Adam, but they have committed the same sin of commission ⁶³): they have transgressed the precept given to Adam ⁶⁴) and so have committed a sin of disobedience: and if the sin of Adam had been a sin of gluttony or stealing so also would it have been in his descendents ⁶⁵).

Secondly, it is impossible that the formal element should be a debt of justice inexistent in each one. Conclusive proof for this point is to be found in the case of those sanctified in their mothers' womb as Samson, Jeremias or John the Baptist, or would be the case with any other child so sanctified. These were sanctified i. e. justice was restored, but they were still bound by original sin ⁶⁶). This was by special dispensation of God whereby He positively dispensed from

vero iusticie perditae fuit formale, et ex hiis duobus complebatur peccatum culpe... *Ibid.* V 211 r1.

⁶³) Peccatum hoc originale intelligi debet peccatum illius commissionis et non sola carentia originalis iusticie cum debito habendi eam, sed hoc est potius effectus peccati originalis quam ipsum peccatum originale, quemadmodum in Adam carentia in qua remansit originalis iusticie cum debito habendi fuit effectus illius transgressionis, pariformiter intelligere debemus in descendentibus: primo namque intelligere debemus illam eandem transgressionem, deinde ex hac imputabilitate incurrimus carentiam originalis iusticie et debitum habendi eam. *In ep. ad Rom.* A 376 188 r1.

⁶⁴) Octava Conclusio: Omnes propagati seminaliter ab Adam eodem actu prevaricationis Ade prevaricati sunt preceptum Dei quo dederat ipsi Ade. *De Peccato* V 207 v1.

⁶⁵) Cf. *Ibid.* V 2221 r2.

⁶⁶) Staret certe quod aliquis nasceretur originem trahens ab Adam cum ipsa originali iusticia et tamen contraheret originale peccatum quemadmodum stat aliquem ab actuali peccato resurgere ad statum gracie et sanctificationis et tamen post totam sanctificationem remanere obnoxium precedenti peccato; quinimo quique in ventre sanctificati sunt sicut Samson et Jeremias et Joannes Baptista et quique fuerint alii, simul sanctificati erant et subditi peccato originali. *In ep. ad Rom.* A 376 180 v2.

the loss of justice without absolving from original sin ⁶⁷⁾, just as He might also dispense from the debt of justice without dispensing from the debt of punishment ⁶⁸⁾. If then original sin is found where the debt of justice is absent, it is evident that the debt of justice cannot be the formal constituent of original sin.

In reading these texts we must always remember that the notion of sin here entailed is analogical by an analogy of attribution only, just as we saw verified regarding the concept of sin in general. Each of the three elements integrating sin, the act, the debt of justice and the debt of punishment, although they constitute only one sin as regards the sin of guilt, can well be named distinct sins in view of other considerations ⁶⁹⁾. It is obvious that in this there can be no question of an analogy of intrinsic proportion, but only an extrinsic analogy of attribution. This however is a true analogy, hence whoever is obliged by any one of the three — since they are separable — may be said to be in a state of sin.

We are left then to the conclusion that the determining element is the actual sin of Adam which can be ours only by an extrinsic imputation. It is his act that we committed, and the injustice concomitant with that act that we inherit. *Peccatum originale originans* is *peccatum originale originatum formaliter sumptum*.

But if for our theologian the formal and principal element is our participation in the actual sin of Adam, he is no less explicit in assigning real effects inherent in each one amongst the sons of Adam who contract it.

First of all, it is of Catholic Faith that on account of original sin we incur the privation of original justice ⁷⁰⁾. Just as Adam received original justice to be transferred to all his descendents, so by his sin he lost this justice to all his descendents ⁷¹⁾. This loss of

⁶⁷⁾ Illam igitur carentiam originalis justicie contrahimus tamquam pena debita peccato ... posset autem Deus dispensare cum illa sequela et per consequens cum tali pena, remanente adhuc reatu. *Ibid.* A 376 181 r1.

⁶⁸⁾ *De Peccato* V 211 r2.

⁶⁹⁾ ... licet quodlibet ipsorum sortiatur nomen peccati quia tamen ex alia et alia ratione unum se habet respectu alterius sicut materiale respectu sui formalis, non dicuntur tria peccata sed unum peccatum quantum ad peccatum culpe ; quantum vero ad alias rationes peccati bene tamen possunt dici tria peccata. *Ibid.* V 211 r1.

⁷⁰⁾ See footnote 42.

⁷¹⁾ Ad cujus intellectum considerandum est quod omnes propagati et propa-

original justice is the consequence of his sin both in his own person and in that of his descendents ⁷²).

Secondly by the sin of Adam we incur not only the death of the body but also the death of the soul ⁷³), which is eternal death, and which in this life is the privation of grace, the life of the soul ⁷⁴). This death of the soul is taken away by the restoration of justice so that those who by a special privilege of God were restored to justice in their mothers' womb did not incur this death of the soul ⁷⁵).

Thirdly, on account of original sin we are by nature « children of wrath » ⁷⁶). Nature here in the acceptation of St. Paul does not

gandi erant seminaliter in Adam et per virtutem generativam sicut planta in suo semine. Quapropter omnes erant in Adam unus homo et erant omnes una anima. Quapropter cum acceperat Adam originalem justiciam non solum in se accepit eam retinendam, verum etiam per actum generationis in posteris transfundendam ... quapropter originalem justiciam quam acceperat Adam omnes acceperunt eo modo quo in Adam erant ... Rursus quoniam omnes propagandi erant seminaliter in Adam ymo erant Adam et unus homo cum eo, ideo Adam peccante omnes peccaverunt, et perdente Adam acceptam originalem justiciam omnes similiter qui in ipso erant et ipsi perdiderunt eandem. *De Peccato* V 203 v2.

⁷²) Peccatum hoc originale intelligi debet peccatum illius commissionis et non sola carentia originalis justicie cum debito habendi eam, sed hoc est potius effectus peccati originalis quam ipsum peccatum originale ... primo namque intelligamus illam eandem transgressionem imputari descendantibus ab Adam que imputata fuit ipsi Ade; deinde ex hac imputabilitate incurrimus carentiam originalis justicie et debitum habendi eam. *In ep. ad Rom.* A 376 188 r1.

⁷³) *Ibid.* A 376 181 v1.

⁷⁴) Primum est quod mors anime que venit ex peccato est ejus separatio a Deo. Est enim Deus vita anime cum anima ei per amorem et sanctum affectum inheret. *In ep. ad Eph.* A 641 58 r1. Sic conformiter in vita spiritali considerandum est quemadmodum in vita naturali... vita quidem prima est unio Dei ad animam per internum illapsum quo divinus Spiritus et increatus unit seipsum spiritui nostro et anime nostre ad vitam ... *In ep. ad Gal.* A 641 37 r1.

⁷⁵) Quicumque naturam in utero matris sanctificati sunt et sancti de cetero vixerunt, non gustaverunt mortem anime que pena est et sequela peccati que per originem trahitur, ideo non ad omnes pervenit talis mors... *In ep. ad Rom.* A 376 183 v2.

⁷⁶) Ideo videndum est quod sit illud vitium ex quo sumus filii irae. Propter quod est advertendum quod duo mala contrahimus per originem que non erant in natura ante peccatum voluntarie commissum. Alia est carentia originalis justicie cum qua natura nostra primo creata, et propter peccatum Ade fuit perdita et sic natura nostra fuit divisa in appetitus diversos contrarios et ad invicem repugnantes ... hanc aliqui intellexerunt esse peccatum originale sed non ... quoniam hoc ut dictum est remanet post baptismum in quo tamen deletur peccatum originale. Est itaque attendendum aliud vitium et malum quod trahimus per originem et est reatus

indicate the substance of man ⁷⁷) but rather nature vitiated with the vice of nature. Now by generation from Adam we contract two vices — the first is the lack of original justice in which our nature was in the beginning created, and on account of this there exists the rebellion of the lower faculties against the higher, but not on account of this are we sons of wrath. The second vice is the participation in the sin of Adam and it is this vice which subjects us to the wrath of God.

Hence we think to deduce quite legitimately that for Favaroni original sin induces in the soul of each one of us the privation of sanctifying grace, even though it is not in the habitual privation of this grace that the sin as such essentially consists. Original sin itself is the extrinsic imputation of the actual sin of Adam which carries with it the privation of grace as its effect. For the loss of original justice is essentially the loss of charity since charity is the essential element of justice ⁷⁸). Adam before his sin had the divine gift of charity but by his sin he lost it ⁷⁹) and the same effects are incurred by his descendents as were incurred by Adam himself. The death of the soul is the privation of charity for in charity the life of the soul consists, as we have seen. The wrath of God comes from our state of enmity with God resulting from the absence of charity.

Nicolaus TONER, O. E. S. A.

(To be continued).

transgressionis facte per Adam cujus quidem transgressionis nos omnes qui seminaliter eramus in Adam et seminaliter derivati sumus, participes sumus et ille reatus proprie est peccatum originale ... et propter hoc peccatum natura nascimur filii irae. *In ep. ad Eph.* A 641 57 v1.

⁷⁷) Natura hic non debet sumi secundum substantiam ... sed natura hic accipitur cum vicio quo est vitata. *Ibid.* A 641 57 v1.

⁷⁸) Quarta Conclusio: Sola caritas in homine est per essentiam suam vera iusticia per quam homo iustificatur et iuste vivit coram Deo. *De Merito Christi* V 225 v1.

⁷⁹) Est autem alia iustitia fidei que est caritatis diffusio in cordibus nostris per spiritum sanctum qui eciam infunditur nobis ut diligamus puro corde et sacris affectibus Deum et proximum, qualem iusticiam acceperat Adam et postmodum perdiderat per peccatum. *In ep. ad Gal.* A 641 19 v2.