

The doctrine of justification according to Augustine of Rome

(Favaroni) († 1443) *)

E. — Justice

We must distinguish a threefold justice according to the threefold law: the first is the moral justice of the philosophers, the second is the legal justice of the mosaic law, and the third is the justice of the evangelical law ¹⁾).

Justice as a virtue can be understood either as one of the cardinal virtues or as a « legal » virtue which commands all the other virtues ²⁾. The law commands works of temperance so that nothing be done beyond the limits of sobriety in eating and drinking. Similarly the law commands works of fortitude as for example to fight on perseveringly in war and not desert the lines. For this reason these works can be reduced to two virtues, either to their own proximately specific virtue — temperance or fortitude — or to justice in the sense of legal virtue ³⁾.

*) *Augustiniana* vii (1957) pp. 100-117; 349-366; 515-530; viii (1958) pp. 164-189.

¹⁾ Est igitur diligenter advertendum quod iuxta triplicem legem notanda est triplex iustitia. Est autem prima politica et moralis, secunda mosayca et ceremonialis, tertia evangelica et spiritualis, cuilibet itaque istarum si adimpleatur secundum ejus praecepta correspondit sua iustitia non altior et dignior quam sit sua lex. *In ep. ad Rom.* A 376 215 v2. Cf. E. STAKEMEIER, *Der Kampf um Augustinus auf dem Tridentinum*, Paderborn 1937, p. 37 where he enumerates five « justices » to be distinguished in Favaroni.

²⁾ *In ep. ad Gal.* A 641 16 v2; *De Merito Christi* V 225 v2.

³⁾ Opera igitur temperancie (or respectively fortitudinis) ad duplicem virtutem possunt reduci; videlicet ad virtutem specialem que est una de quattuor cardinalibus et dicitur temperancia ... sed quoniam illa eadem opera praecipit lex, ideo si fiant intuitu legis praecipientis reducuntur ad iustitiam legalem que est altera virtus, *In Ep. ad Gal.* A 641 16 v2.

These same good works can have two different specific forms of goodness. This different kind of goodness proceeds from the different motive under which the acts were elicited. If these acts simply regards the medium rationis in the works, then they are works of natural goodness receiving their specific goodness from that honesty which tends to restore the natural equilibrium in man. If, on the other hand, they are done in view of the law which commands them then they pertain to legal justice which is something higher and nobler ⁴⁾.

1. Moral Justice.

Moral justice springs from the natural dictates of reason and is only a further determination of these, proposed by philosophers and auctoritatively imposed by statesmen ; it is the law of the gentiles of which the Apostle speaks in Rom. ii, 14 ⁵⁾. Its object was to make men lead a moral life. The greatest exponents of this law were the Platonists, who amongst all the philosophers of antiquity were the most noble ⁶⁾.

The most direct proof that Favaroni professed the substantial integrity of human nature after the Fall is his contention that in infidels there can be true virtues — especially so since in this, as he clearly insinuates, he departs from the doctrine of St. Augustine ⁷⁾. Augustine wished to confute those who said that justice and justification were possible without faith. To establish this he took as his foundation that without faith there cannot be true justice nor true virtue ⁸⁾. If without faith there could be true justice, then

⁴⁾ Hec autem virtus (justice as a cardinal virtue) respicit hujusmodi opera ut in eis reperitur medium rationis inter data et accepta et ut talia sunt, reducuntur ad hanc virtutem specialem que dicitur justitia de qua Aristoteles 5^o Ethicorum. Si autem fiant illa opera intuitu legis praecipientis tunc reducuntur ad iustitiam legalem que est universalis virtus. *In ep. ad Gal.* A 641 16 v2.

⁵⁾ Ideo fundata est in rationibus moralibus et emanavit a virtuosus viris in vita morali et imposita fuit ut iuxta ipsam et per ipsam observatores fierent virtuosos per vitam moralem. *Ibid.* 13 r1.

⁶⁾ *Ibid.* 14 r1 and passim. Cf. also *Ibid.* 28 v2.

⁷⁾ This commentary bears the date 1425. Expressions of this doctrine are clearer here than in the earlier works.

⁸⁾ In illis autem disputationibus quas cum philosophis et Juliano heretico habuerit in pluribus libris suis, hoc habuit Augustinus fundamentum quia illi habitus morales quos illi reputabant virtutes non fuerunt vere virtutes, quoniam

without faith there could be due cult rendered to God, as his argument in *De Civitate Dei* ⁹⁾ runs ; or, as he argues in *Contra Julianum* ¹⁰⁾, if without faith true justice were possible, then without faith we could merit eternal life ¹¹⁾.

The fact that they cannot render due cult to God, replies Favaroni, proves that they have not the justice proper to the evangelical law, but it does not exclude real justice of another order ¹²⁾. To the second difficulty he gives a similar answer: the justice of the infidels does not exact the beatific vision because it has not that justice which Christ merited on the Cross and is infused by faith. But from this it does not follow that it is not real justice in its own i. e. the moral order ¹³⁾.

What then is to be our concept of moral justice ?

Aristotle assigns to every virtue — just as St. Augustine ¹⁴⁾ — officium et finis ¹⁵⁾. But Favaroni with Aristotle diverts from St. Augustine in asserting that virtue is constituted in its true character of virtue by its own proximate end, nor does it require that it tend

ubi non est vera iusticia veraciter justificans hominem ibi non potest esse aliqua vera virtus. *Ibid.* 11 v1. Cf. *In ep. ad Rom.* A 376 139 r2.

⁹⁾ *De Civitate Dei* xix, c. 4 n. 3-4. ML. 41, 628.

¹⁰⁾ *Contra Julianum* iv, c. 3 n. 17. ML. 44, 745.

¹¹⁾ Quod autem in eis non fuerit vera iustitia aliter probat in *De Civitate Dei* et aliter in iv *Contra Julianum* et in libro *De Natura et Gratia*. Ibi innititur huic fundamento quia non reddiderunt uni vero deo debitum cultum ... hic vero i. e. in iv *Contra Julianum* innititur huic apostolico fundamento quoniam si absque fide mediatoris dei et hominum potuit esse vera iustitia Christus gratis mortuus est. *In ep. ad Gal.* A 641 11 v2. Cf. *In ep. ad Rom.* A 376 r2 sqq.

¹²⁾ Cum vero in contrarium dicitur quod in eis non fuit vera iustitia ergo neque virtutes dicendum mihi videtur quod moralis iustitia utique fuit in eis; sed iustitia illa de qua loquitur Apostolus Paulus est iustitia theologica potius quam moralis quoniam est gratia divinitus infusa sicut et fides Jesu Christi est nobis per divinum motum infusa. *In ep. ad Gal.* A 641 13 r1.

¹³⁾ Cum vero B. Augustinus dicit quod si in illis fuissent vere virtutes ut vera iustitia vera prudentia et sic de aliis, fuissent consecuti premium virtutis quod est regnum dei, dicendum est quod non fuit in illis vera iustitia que ex deo est et nobis per fidem infunditur in virtute mortis Christi, et hec est illa iustitia cujus premium est regnum coelorum; sed fuit in eis iustitia et vera iustitia alterius generis que videlicet consistit in recta ratione moralis vite. *Ibid.* 13 r1.

¹⁴⁾ *Contra Julianum* iv, c. 3 n. 21. ML. 44, 749.

¹⁵⁾ Principium autem considerationis mee hoc est quod doctrina philosophica utique illa duo assignant virtuti morali, videlicet officium et finem ut habet ex suo libro ethicorum Aristoteles... *In ep. ad Gal.* A 641 11 v2.

to the ultimate end of man in order to have the character of true virtue ¹⁶).

The different moral virtues in man are in the powers of the soul principally in the concupiscent and irascible appetites, prudence in the intellect and justice in the will ¹⁷). But these powers by their own operation cannot directly attain to the final end of man as man, no more than the eye can execute an operation proper to man as a whole, but only that proper to the eye. But for this reason the operation of the eye is not to be condemned but it remains a true virtue of the eye, so neither do these virtues lose their character of virtue because they cannot tend to the ultimate end of man ¹⁸). Therefore they are real virtues — virtues because in themselves they make the subject good ; and moral because their office is moral and their dictating principle which is the medium rationis, is moral ¹⁹).

Even though these are called natural virtues it does not follow that man can come to their possession by purely natural means. It is unquestionable that a perfect possession of all the virtues described by philosophers demands a great gift of God ²⁰): in other

¹⁶) ... sed finis virtutis unius non debet accipi finis ultimus hominis, sed habet unusquisque habitus moralis sicut proprium officium ita et proprium finem et proximum, et ex illo fine sufficienter habet rationem virtutis. *Ibid.* 11 v2.

¹⁷) Iuxta hoc ergo considerandum est in homine circa virtutes morales: habet enim homo particulas suas in quibus locantur habitus morales quales sunt concupiscibilis et irascibilis potentie anime, et in hiis duabus particulis locantur omnes habitus morales preter prudentiam que est in intellectu et justitiam que est in voluntate. *Ibid.* 12 r1.

¹⁸) Ille autem particule per suas operationes non possunt attingere ultimum finem hominis quemadmodum nec oculus nec auris ... possunt attingere proprium opus totius hominis ... Sic ergo nec habitus morales existentes in illis particulis possunt attingere ultimum finem hominis ut possint ex eo habere rationem virtutis sed habet unusquisque proprium suum finem et proprium officium et per hec duo bonum facit habentem et opus ejus bonum reddit, et per hoc habet veram rationem virtutis. *Ibid.* 12 r1.

¹⁹) Illi igitur habitus morales que sunt in homine bene dirigentes operationes morales ex officio et ex fine, que est recta ratio in operibus, possunt utique habere veram rationem virtutis et dici vere virtutes. Et quoniam materiae illorum habituum sunt morales et officia moralia et medium rationis in officiis est morale, ideo illi habitus dici debent virtutes morales; ut virtutes dicantur ex eo quod bonificant subjecta in quibus sunt et opera ipsorum bona reddunt, morales autem virtutes dicuntur ab officiis moralibus et a medio rationis que morale est. *Ibid.* 13 r2.

²⁰) Circa hoc autem dubium distinguendum est de statu omnium virtutum in quo esset plena sanitas ... sic conformiter de sanitate anime per virtutes morales

words, to observe the precepts quoad substantiam operis grace is necessary. But also for those who though they did not attain to all the virtues but only to some, does the same principle hold — for according to Favaroni's opinion they did not attain these without a special gift of God ²¹). We might further ask what then can man do from his purely natural powers without the help of grace, but unfortunately our theologian refuses to proceed any further ²²).

None of these opinions would require revision after the Council of Trent.

2. Mosaic Justice.

The supereminence of the mosaic justice over the moral justice comes precisely from the greater excellence of the *motive* inspiring the fulfillment of the mosaic law over the motive inspiring the fulfillment of the natural law ²³). The civil law was given by man but the mosaic law was given by God ; to obey God is a higher virtue than to obey man and therefore the justice of the mosaic law is higher than the justice of the natural law.

Let it be clear once and for all against the calumny of Müller ²⁴) that the moral law existing in the old Testament is always exhibited as being in a class by itself. This point is abundantly clear from his Commentary to the Romans ²⁵). St. Paul excludes it when

considerandum est quod ex omnibus naturalibus viribus et cum tota doctrina morali non posset aliquis ad omnes virtutes morales pervenire sed opus esse magno desuper dono divino. *Ibid.* 17 vl. Cf. *In ep. ad Rom.* A 376 142 r2.

²¹) Sed esto quod nullus hominum erat tam integre virtuosus, sed tamen multi fuerunt multis virtutibus prediti sicut ostenderunt in preclaris operibus ... puto quod ex omnibus iis bonis dispositionibus naturalibus absque tamen singulari dei dono non potuerunt ad illas pervenire quoniam non video quibus viribus id effecerint. *Ibid.* 17 vl.

²²) ... sed quoniam non legi apud aliquem aliquas rationes quibus uteretur ostendere quod aliquis ex solis naturalibus posset assequi tales virtutes ideo non est opus ulteriori disponere. *Ibid.* 17 vl.

²³) Hec autem justitia huic legi correspondens altior est et dignior quam illa justitia correspondens legi polytice, eo quod obedire legi mosayce erat obedire deo et divinis preceptis emanantibus a divina prudentia; obedire autem legi polytice erat obedire preceptis emanantibus ab humana prudentia. *Ibid.* 13 r2.

²⁴) A. V. MÜLLER, *op. cit.* p. 9.

²⁵) Opera autem legis dicuntur quaecumque lege instituta vel determinata sunt ut ceremonialia et judicialia que numquam valuerunt conscientiam mundare etiamsi cum caritate et devotione fierent. *In ep. ad Rom.* A 376 155 vl.

speaking of justification under the old law ²⁶⁾, it is just the natural law and so is extended to all ²⁷⁾: it was this part of the law which « the gentiles who have not the law do by nature those things that are of the law » ²⁸⁾, and even Christ was bound by this law ²⁹⁾. It had no office of figuration or foreshadowing, therefore it does not cease on the advent of the new law ³⁰⁾. Assertions on this point could be multiplied.

How does this ceremonial and judicial law justify ? The law can be fulfilled in two ways, either according to the letter or according to the spirit. It was fulfilled according to the letter by those « carnal » jews who by their observances were justified « quo ad homines » but not « quo ad Deum ». It is fulfilled according to the spirit by true christians who observe the spirit of the law, i. e. they observe it not only as prefiguring but as being the reality

²⁶⁾ Ideo Apostolus cum hic dicit « arbitramur justificari hominem per fidem sine operibus legis » et cum superius dixit ... et etiam ad Galathas quod non justificabitur ex operibus legis omnis caro coram illo, loquitur et intendit de ceremonialibus et judicialibus, non autem de moralibus que pertinent ad decalogum. *Ibid.* A 376 160 v2.

²⁷⁾ Dicendum est quod etiam lex Moysi quo ad precepta moralia se extendit ad omnes quoniam precepta sunt de iure nature. Precepta vero ceremonialia et judicialia non se extendunt nisi ad Judaeos ideo lex quo ad illa non loquitur nisi hiis qui in illa lege sunt scil. Judaeis. *Ibid.* 155 r2.

²⁸⁾ Propter hec advertendum est quod lex Moysi in tria genera preceptorum dividebatur videlicet in moralia, ceremonialia et judicialia. Moralia precepta erant illa que communiter dicuntur precepta decalogi, que scripta fuerunt in tabulis lapideis ... hec autem precepta sunt de iure nature, ordinant enim nos in deum et in unius dei cognitionem ... precepta etiam decalogi in lege Moysii ordinantia nos ad nosmetipsos de iure naturalis rationis habentur ... ad hec autem omnia nos ordinant precepta secunde tabule: et sic precepta decalogi, que moralia dicuntur, in lege Moysi habentur ex dictamine rationis naturalis, et hec sunt que gentiles dicuntur naturaliter facere. *Ibid.* 142 r1.

²⁹⁾ Christus secundum naturam assumptam debebat observare precepta de iure nature... *De Merito Christi* V 233 v1.

³⁰⁾ Secundo diligenter considerandum est quod hec fides legem veterem excludit et abicit quo ad ceremonialia et iudicialia et generaliter quo ad omnia figurantia que Christum figurabant in vita et actibus ejus; non autem excludit precepta moralia per que deo vivimus et deum (174 r1) colimus et deum adoramus ... non, inquam, hec fides excludit hec precepta legis sed ipsam introducit quoniam per hanc fidem diffunditur caritas dei in cordibus nostris, et, ipsa mediante, iustificat. *In ep. ad Rom.* A 376 173 v2. Cf. f. 196 v1 of the same work where he again repeats the distinction and again denies the cessation of the moral precepts.

prefigured. Such only are truly justified apud Deum ³¹). This interpretation had already been proposed by St. Augustine ³²).

Not that all jews were « carnal » jews. Some observed this law merely from fear of punishment, others observed it out of obedience and love of justice. The punishment is adnexed to the law so that men may be refrained from sin ³³), but as far as justification is concerned this motive is useless — *timor qui non est ex caritate*, ergo nec ex fide quae per dilectionem operatur is what theologians now call *timor serviliter servilis* ³⁴). There is another fear in the law which is the gift of the Holy Ghost and is useful and just ³⁵). In this sense we must understand how the restraint imposed by the law, far from making man a greater sinner — as the *timor serviliter servilis* does — perfects him and renders him less unworthy to receive justification ³⁶).

³¹) Advertendum tamen circa factores legis quod possunt esse in duplici distinguui. Nam aliqui factores possunt esse legis quod ad litteram legis et tales iustique sunt non tamen apud deum. De hiis namque dicit Apostolus infra, « si enim Abraham ex operibus legis iustificatus est habet gloriam sed non apud Deum » ... Implecio ergo legis secundum litteram ipsius iustitiam habet quo ad homines non autem apud Deum. Alii autem possunt esse factores legis secundum spiritum quoniam lex spiritualis est et spiritus iustificat. Tales autem observatores legis sunt veri christiani qui spiritum legis habent et secundum spiritum legis vivunt, implentes legem qualiter Salvator dixit « non veni solvere legem sed adimplere ». *Ibid.* A 376 141 r1.

³²) *Contra Duae Epistolas Pelagianorum*, iii, c. 4 n. 10 ML. 44, 594.

³³) Propter transgressionem posita est lex ut qui transgrediuntur bonos mores saltem per legem emendentur, et revocentur ad bonos et retrahantur a malis: quod si sic est non subintrat lex ut superabundaret delictum in hominibus, sed ut homines minus peccarent. *In ep. ad Rom.* A 376 189 v2.

³⁴) Inimicus ergo iusticie est qui timore pene non peccat, lex ergo timorem habens non facit peccatum vincere ut homo iustificetur sed facit per timorem peccatum ex crescere apud Deum qui novit cor. Ut dicit « lex subintravit ut habundaret delictum » primo quia per prohibitionem crescit concupiscentia, secundo quia per comminationem pene crescit luctus et timor qui non est ex caritate ergo neque ex fide que per dilectionem operatur. *Ibid.* A 376 190 r1. For a more complete exposition of his doctrine on fear cf. *Augustiniana* viii (1958) pp. 167-169.

³⁵) Cum enim hic dicit « non enim accepistis spiritum servitutis iterum in timore » non incongrue hic per spiritum servitutis iterum in timore accipimus spiritum sanctum qui donum timoris domini in mentem adducat et servitutem dei qua servus dei quis nuncupari queat. Videtur igitur necesse esse hic intelligere spiritum hominis disponi per timorem, non quidem timorem domini et timorem filialem sed timorem servilem. *Ibid.* A 376 205 v1.

³⁶) Si tamen timore pene homines ab operibus malis ad que concupiscentia trahit, abstineant, multo minus peccant quam si illa perpetrarent incitante con-

Others now observed the law out of obedience and love of justice and these were justified by the law. But it was not the mere material execution of the precept that conferred this justice but the motive inspiring the execution, that is to say, the obedience to the Lawgiver ³⁷). Obviously it was always an obedience based on faith inasmuch as it was necessary first to know the motive and then to accept it. All the efficacy of the multiple ceremonial and judicial practices of the old testament is to be attributed to faith and obedience ³⁸).

Obedience to the law conferred the justice appropriate to the law — the justice that the divine dispensation exacted for that economy — and by this gave adequate though imperfect glory to God ³⁹): adequate, because such and no more was required by God; imperfect, in comparison with the justice of the new law. Mosaic Justice did entail a real justification of conscience but imperfect, because the law of itself could not confer the Holy Ghost which is necessary to true justice ⁴⁰). Hence it is that that final and

cupiscentia ... fuit igitur posita lex ne homines defluerunt per opera mala et minus disponderentur ad gratiam et ad veram iustitiam que semini Abrahae promissa fuit. *In ep. ad Gal.* A 641 23 v2.

³⁷) Dictum est quod sub sensu litterali (iudaei) in salutem obediebant legi et per consequens deo fructificabant ... ita tamen ut non timore pene sed amore iusticie facere que iubebantur. Licet enim ea que lex iubeat in sacrificiis et oblationibus non talia essent que de se iustificarent, accendebantur cum obedientia preceptoris et haec iustificabant: quemadmodum in primo precepto dato primo homini non id quod iubebatur secundum se iustificasset sed obedientia preceptoris et non esus cibi secundum se nocuit sed inobedientia precepti. *In ep. ad Rom.* A 376 197 v1.

³⁸) Ad secundum dubium dicendum est quod omnes sancti patres ex divina ordinatione offerebant sacrificia deo, non quidem quod illa placerent deo ut res quedam erant, sed prout erant signa et figure futurarum rerum et Abraham et omnes alii sancti patres ... talia sacrificia offerebant ex obedientia dei ordinantis et cum intelligentia rerum figuratarum. *In ep. ad Gal.* A 641 21 r1. Cf. ... Deus ipse alia atque alia iubeat et sub obedientia talium justificabantur et deo placebant. *In ep. ad Rom.* A 376 198 r2.

³⁹) Obedientia ergo sub sensu litterali iustificabat pro illo statu, et sic implentes legem utique deo fructificabant secundum exigentiam temporis illius. *In ep. ad Rom.* A 376 197 v1.

⁴⁰) Similiter impossibile erat legi dare spiritum sanctum ad hominis justificationem et in hoc eciam infirmabatur per carnem i. e. per carnales observantias que non merebantur donum spiritus sancti ad sanctificationem... *Ibid.* A 376 203 v1.

complete justification which would bring the jews to eternal life required also faith in the mystery of the death of Christ ⁴¹).

The doctrine of our theologian on moral and mosaic justice may be summarized in the following three points:

1. In both cases justice consists in a rectification of the will. The infidels have a true justice proceeding from the true virtue of which they are capable. True virtue does not necessarily require that the good act be elicited in view of the ultimate end of man but it is sufficient that it be elicited in view of the proximate end. The heathen can ordain these virtues only to the proximate end because he knows no better — he knows nothing of his supernatural destiny. Nevertheless the act must be elicited, that is to say, it must be an act of the will. On account of the difficulties of this fight man needs a special help — a special « gratia sanans ».

Similarly, justice of the old law consists in obedience to the law of God which presupposes faith in God. The justice of obedience is the justice proper to that dispensation. In order to come to a perfect justice, or perhaps better, in order to come to a fruitful justice, faith in the Incarnation of Our Divine Lord was required to allow participation in His merits. But the legal justice was a justice of obedience, i. e. a rectification of the will.

2. Favaroni does not teach that the only scope of the mosaic law was to intimidate and terrorize. Luther taught that the mosaic law was given just to frighten man, to make him know his weakness, the terribleness of sin and its great punishments, and for nothing else ⁴²). A. V. Müller tries to incriminate Favaroni of the same blasphemies ⁴³). From our short exposition we know that the law could confer « to those who used it properly » ⁴⁴) a certain justice

⁴¹) Non est aliquis justus ex opere nisi opus suum ordinat in suum debitum finem: ex operibus igitur legis non iustificabitur quisquis nisi ipsa opera legis ordinat ad finem ipsius legis qui est Christus in salutem omni credenti. *Ibid.* A 376 217 r2. Of itself the law was unable to remit sin or confer the Holy Ghost and in these two consists its great inferiority to the new law, as we shall afterwards see — cf. *infra* p. 324. These two gifts could be had only by participation in the death of Christ, so that their possession in the old testament demanded faith in the Mediator.

⁴²) H. GRISAR, *Luther*, Freiburg 1912, vol. iii p. 6.

⁴³) A. V. MÜLLER, *op. cit.* pp. 9-10.

⁴⁴) Cf. I Tim. i, 9. — Lex quidam bona est secundum tamen naturam bene dispositis propter quod Apostolus ad Timotheum scribens dicit « lex quidem bona

which was objectively speaking an honourable and worthy service of God — fructificabant deo secundum exigentiam temporis illius. A list of the detailed expositions of the law might be useful ⁴⁵).

3. The justice of the moral law and the justice of the mosaic law were both incomplete because they could not remit sin nor bestow the Holy Ghost ⁴⁶). In the old law these were done by faith in the Incarnation. However this question will again turn up when we shall consider Müller's accusation of the so-called lutheran « double justice » in Favaroni, so we can remit its solution till then.

3. *Evangelical Justice.*

On account of the tremendous importance of this question for a definite judgment of Favaroni's true opinion, we shall consider it as exhaustively and as completely as possible, and for convenience sake we shall reduce it under three headings: (i) Intimate nature, (ii) Perfection or supernaturality and (iii) Double justice ⁴⁷).

(i) *Intimate Nature.*

Justice is exhibited by Favaroni as coinciding with charity — it is charity that formally justifies. This concept is the final evolution of a carefully planned gradation of ideas expressed in the form of conclusions which we shall consider individually inasmuch as they will help to elucidate the point at issue. Since it is essentially charity it includes all the works of the other virtues, not only out of a

est si quis ea legitime utatur»: gratia autem est que reddit hominem secundum naturam bene dispositum et facit legitime uti lege. *In ep. ad Rom.* A 376 200 r2.

⁴⁵) *In ep. ad Hebreos* A 376 63 v1 - 65 r1; 70 v1 - 72 v1; 76 r1 - 77 v2; *In ep. ad Rom.* A 376 188 v1 - 190 r1; 196 v1 - 200 v1; 203 r1 - 204 v1; *In ep. ad Gal.* A 641 20 v2 - 23 r2; 26 r1 - 27 v2. As an example: Tria igitur fecit lex, dedit noticiam peccati, fecit hominem seipsum cognoscere confractum viribus quibus indiget ad vitandum peccatum et fecit inardescere concupiscentiam prohibitorum; sed hoc ultimum fecit per accidens, duo vero priora magis per se ... habet ergo se lex cum homine per modum noticie et doctrine circa ea que pertinet ad salutem, ergo bona est lex et laudabilis, licet non ipsa administrat vires ut fiant ea que docet fienda. *In ep. ad Rom.* A 376 199 r1.

⁴⁶) Ad hec duo invalida erat lex Moysi ac etiam lex naturalis: non enim poterat per carnalia sacrificia auferre peccatum ... similiter inefficax fuit et debilis ad justificandum quia non poterat dare gratiam justificantem que necessaria est ad implecionem legis. *In ep. ad Rom.* A 376 203 r2.

⁴⁷) We use the term « double justice » not because we think it the most precise and exact formula to express the idea of either Luther or Favaroni, but simply because it is the term employed by A. V. Müller.

debt of becomingness, as the Lutherans afterwards taught ⁴⁸⁾ but with a strict interdependence between the state of justice and the execution of the commandments.

The first conclusion states that charity alone is true virtue in man and in it is true virtue essentially and intrinsically verified ⁴⁹⁾. The sense of this assertion is that charity is the only virtue which perfects man *simpliciter*, that is to say, in relation to his last end and therefore it alone is true virtue. All the other good habits perfects man *simpliciter* only in so far as they are joined with charity. Therefore charity is the foundation of all true virtue — this is the meaning of « *convenit essentialiter et intrinsece ratio vere virtutis* » ⁵⁰⁾.

His proof is drawn on the authority of St. Augustine in « *De Moribus Ecclesiae Catholicae* » ⁵¹⁾ where the Holy Doctor says that if virtue leads us to a happy life then nothing else should be called virtue except the love of God. This means that all habits either moral or theological have their true character of virtue from charity, but it does not mean that no other good habit can be virtue but charity alone ⁵²⁾.

⁴⁸⁾ J. A. MÖHLER, *Symbolism or Exposition of the doctrinal differences between Catholics and Protestants as evidenced by their Symbolized writings* (English Translation), London 1906, pp. 161 sqq.

⁴⁹⁾ Prima Conclusio: Inter omnes habitus quibus iuvamur ut bene et recte vivamus sola caritas est vera virtus in homine vel ipsi soli convenit essentialiter et intrinsece ratio vere virtutis. *De Merito Christi* V 224 vl.

⁵⁰⁾ Hic Augustinus apertissime insinuat conclusionem ... nihil enim omnino intelligit esse virtutem nisi amorem Dei i. e. caritatem qua diligitur Deus, quae vel dicitur per essentiam vel per causalitatem. Si per essentiam dicitur tunc inter omnes habitus quibus iuvamur ut bene vivamus ipsa sola est virtus in homine quod utrum ita sit alias poterit investigari. Si vero dicatur per causalitatem ipsa est forma virtutum et ratio quare alii habitus dicantur virtutes quoniam nullus aliorum habituum est vera virtus nisi ex eo quod per officium suum serviat ei, videlicet caritati ita ut finem caritatis intendat: ac per hoc nullus aliorum habituum est essentialiter et intrinsece vera virtus, sed quilibet talis habet a caritate rationem vere virtutis ut sit vera virtus, caritas vero per se et intrinsece est essentialiter virtus. *Ibid.* V 224 vl.

⁵¹⁾ Quod si virtus ad beatam vitam nos ducit nihil omnino esse virtutem affirmaverim nisi summum amorem Dei ». *De Moribus Ecclesiae Catholicae*, c. 15 n. 25. ML. 32, 1322.

⁵²⁾ Quotcumque igitur multiplicentur habitus sive morales sive theologici ... quod sint vere virtutes habent ab officio caritatis, ymo a fine quem intendit caritas et ad quem dirigit officia ceterorum et hoc necesse est intelligi in verbis Augustini premissis, nisi velimus dicere quod nullus aliorum habituum quantumlibet ex

Favaroni senses the implication of this position viz. that the virtues of the infidel, which are obviously without true charity, are not true virtues ; but this he does not wish to concede. It is quite evident that his expressions in this tract (written probably before 1400) are much less resolute than the clear position explained above from the Commentary to the Galatians (which bears the date 1425) but his exposition shows the substantial identity of doctrine in both works.

Man can be considered in two ways. First of all *as man*, and under this aspect the justice corresponding to his nature consists in the moral habits ⁵³), for according to the aristotelian theory each entity is ordained to its proper operations, and these operations are determined by the nature of the end to be attained ⁵⁴). As explained above, this is true virtue *ex fine proximo*.

Secondly man can be considered inasmuch as he has within himself a *participation of the divine*, as Aristotle says, or inasmuch as he is the image of God, to use St. Augustine's expression viz. man as ordained to the beatific vision ⁵⁵). Now the only habit which directs us to this end is charity which is the love of God for Himself and everything else for the love of God, and thence it is that all other habits are ordained to the habit of charity ⁵⁶).

officio suo servit caritati est vera virtus, sed hoc nimis dissonat philosophis ... et aliis multis theologis. *De Merito Christi* V 224 v2.

⁵³) ... et licet homo ut homo ordinetur ad operationes morales et ita virtus ejus ut homo est sit virtus moralis... *Ibid.* V 224 v2. Cf. regarding the virtues of gentiles: bona quidem erant moralia ... sed quo ad retributionem futilia. *In ep. ad Rom.* A 376 134 v2.

⁵⁴) Notandum est autem propter conclusionem istam quod virtus est que bonum facit habentem et opus ejus bonum reddat, ut dicit Aristoteles 5^o Ethicorum. Est enim vis quedam rei per quam bene disponitur et habilitatur ut bene perficiat operationes ad quas ordinatur ut suum finem consequitur. Quelibet enim res est propter operationes, ut dicit Aristoteles 2^o Celi et Mundi, et secundum quod cujuslibet rei sunt proprie operationes ita est ejus propria virtus ut quia alia est propria operatio hominis alia equi, alia canis ... ita est ejus propria virtus ... ut iuxta proprios fines diversarum rerum sint proprie operationes ad illos fines et iuxta proprias operationes sint proprie virtutes bene perficientes operationes illas. *De Merito Christi* V 224 v2.

⁵⁵) Cf. *De Potestate Pape* V 156 v and 158 r.

⁵⁶) ... tamen quia propria operatio hominis secundum quod ordinatur ad operationes ejus secundum quod quid divinum in eo existit, ut dicit Aristoteles, sive secundum quod imago dei, ut dicit Augustinus ... hinc est quod habitus morales ordinantur ad habitum caritatis qui est circa finem hominis ut quid divinum in eo

Virtue therefore in the justified, is not to be accepted in the thomistic sense as any good quality of the mind which perfects man in any way, but only in the sense of that quality which leads man to his ultimate end, namely charity ⁵⁷).

The second and third conclusions are developments of this same idea but between the two there arises an incidental question to which it might be well to allude before further resuming our argument as we shall require it elsewhere.

The second conclusion says that any *habitus operativus bonus* receives its measure and quality of virtue from the habit of charity ⁵⁸). His first application of the principle is to the habit of charity. The third conclusion establishes the proportion between the moral habit and its act ⁵⁹) — the principle is applied to the act of charity. The act is of such a grade of virtue not in view of the grade of the habit from which it proceeds, but in view of the intensity of the act of charity under which it was elicited.

Our incidental question is this: that Favaroni here clearly puts a distinction between the habit of charity and the act of charity. When it is a question of the moral habits it is the habit of charity that is to be considered the criterion of virtue, when it is a question of the moral acts it is the act of charity that forms the criterion.

Therefore among the moral habits the habit of charity is the greatest and the necessary supposition for all other habits which are to have the true character of virtue. Similarly among the acts the act of charity is the greatest, and the necessary supposition for

existit, ut est (225 r1) ymago dei. *Ibid.* V 224 v2. Nec oportebat negare in gentilibus veras virtutes et veram iustitiam propter hoc dictum Apostoli sed negare a lege gentilium istam iustitiam satisfactoriam quam solus Christus sufficit implere ... quod si ex lege, iustitia, supple satisfactoria per quam fit remissio peccatorum, Christus gratis mortuus est. *In ep. ad Gal.* A 641 17 v2.

⁵⁷) Similiter namque in habitibus animi, aliud est enim dicere habitum, aliud dicere virtutem et aliunde sumitur ratio habitus, aliunde sumitur ratio virtutis. Ratio virtutis, ut dictum est, sumitur a caritate cui cum habitus servit est vera virtus. Ratio habitus in virtute est materiale unde non debet a mensura habitus sumi mensura virtutis, sed intuitus caritatis est formale in virtute ideo a mensura caritatis sumenda est mensura et ita quantitas virtutis. *De Merito Christi* V 225 r2.

⁵⁸) Secunda Conclusio: Quilibet habitus virtuose operativus tanto magis sortitur rationem vere virtutis quanto ex officio suo magis servit officio caritatis sive illi bono quod caritas diligit. *Ibid.* V 225 r1.

⁵⁹) Tertia Conclusio: Omnis actus emanans ab habitu virtuoso tantus est in esse actualis virtutis quantus est affectus caritatis cujus gratia a suo habitu emanavit. *Ibid.* V 225 v1.

all the other good acts, for upon it alone depends the true character of virtue. This is the uncontested interpretation of these passages from their obvious wording and is confirmed by his own résumé of them both ⁶⁰).

Appropriately now comes the fourth conclusion:

Quarta Conclusio: sola caritas in homine est per essentiam suam vera iustitia per quam homo iustificatur et iuste vivit coram Deo ⁶¹).

The assertion rests on two grounds, the faith of the Church and the authority of St. Anselm.

Faith teaches that in man's justification charity is infused but not the moral virtues: therefore man must be accounted just without the moral virtues for they are neither infused nor has there been yet time to acquire them. Consequently he is just solely on account of the possession of charity: charity is therefore the essential element of justice ⁶²).

Favaroni nevertheless holds that the moral virtues are not infused in baptism ⁶³). Although this opinion is now obsolete it was held in catholic schools before Favaroni, as for example by Durandus ⁶⁴) and Scotus ⁶⁵). Although the affirmative or the negative of this question is not explicitly defined either by the Council of Vienne or Trent, the more common opinion now is that they are infused ⁶⁶).

Secondly, as we have said, his fourth conclusion rests on the authority of St. Anselm. Charity alone perfectly corresponds to Anselm's definition of justice — « rectitudo voluntatis propter se servata » ⁶⁷). It is rectitude of the will because it holds man in his

⁶⁰) Ex precedenti conclusione sequitur quod nullus alius habitus virtuosus potest esse major virtus in homine quam sit habitus caritatis: et ex ista tertia sequitur quod nullus actus emanans ab alio habitu virtuoso potest esse major in ratione virtutis quam actus caritatis. *Ibid.* 225 v1.

⁶¹) *Ibid.* V 225 v1.

⁶²) Sed secundum assumptum probo: nam quocumque alio habitu circumscripto, posito habitu caritatis in mente qua diligitur deus super (225 v2) omnia, mens ipsa iustificatur coram deo et recte vivit in prima iustificatione impii antequam per bona opera usitata acquirantur alii habitus morales qui non infunduntur. Igitur sola caritas iustificat impium nondum habentem alios habitus ac per hoc caritas per essentiam est vera iustitia. *Ibid.* V 255 v1.

⁶³) Cf. *Augustiniana* viii (1958) pp. 177-178.

⁶⁴) III Sent. D. 33, q. 6 n. 1-13.

⁶⁵) III Sent. D. 36, q. unica n. 28.

⁶⁶) Cf. B. BERAZA, *De Gratia Christi*, Bilbao 1916, n. 766.

⁶⁷) S. ANSELMUS, *Dialogus de Veritate*, c. 12. ML. 158, 480.

proper place subject to God. It preserves this harmony not for any mean motive of self interest but simply out of love of God ⁶⁸).

This serves to confirm our foregoing remarks, namely that charity — the virtue of the will — governs all the actions of the supernatural life just as the will of its very nature is made to govern all the actions of the natural life. It does not supplant, it governs. Charity supposes law although it transforms it. If charity is the criterion of the nature or quantity of virtue, good works are the touchstone of the fervour of charity. For this reason justice is called a legal virtue because it commands the works of all the virtues ⁶⁹).

Not then as A. V. Müller tries to insinuate, is the formula « fides caritate formata » an empty formula for Favaroni, or that its acceptance or rejection is merely a matter of taste ⁷⁰). It is a constantly recurring expression in his works ⁷¹), and the particular application of the wider principle « caritas forma omnium virtutum » ⁷²). Its signification too is quite determined for it expresses

⁶⁸) Praeterea ad conclusionem: sola caritas inter omnes alios habitus per essentiam est rectitudo voluntatis propter se servata, igitur sola ipsa est vera iusticia ... caritas respicit legem non solum politicam sed etiam divinam quia ordinat nos ad deum et facit nos divinos; et sponte quidem voluntas talem rectitudinem servat quia amabiliter; nihil enim spontamus sic quam quod ex caritate fit nec ex aliena mercede servat voluntas hanc rectitudinem cum per caritatem Deum proponat omnibus. *De Merito Christi* V 225 v2.

⁶⁹) Sed cum per hoc iusticia ponatur specialis virtus inter habitus morales distinctos a caritate, cur caritas dicitur iusticia potius quam temperantia vel fortitudo vel prudentia... ? Ad quod dicendum quod ille habitus moralis de quattuor cardinalibus qui dicitur iusticia est iusticia specialis, caritas autem est iusticia communis ... hec siquidem iusticia pretendit totam observantiam legis (226 r1) lex autem precipit opera omnium virtutum, ut ait, ideo est communis virtus. *Ibid.* V 225 v2. Patet ergo quod iustitiam ponit hic Apostolus non ut est specialis virtus sed ut est communis et generalis virtus et legalis, que est omnis virtus et precipit opera omnium virtutum, ut dicit Aristoteles 2^o Ethicorum. *In ep. ad Rom.* A 376 195 r1.

⁷⁰) A. V. MÜLLER, *op. cit.* p. 11.

⁷¹) *De Merito Christi* V 226 r1; *In ep. ad Hebreos* A 376 86 v2; *In ep. ad Gal.* A 641 59 r2; 66 r2; and in a very concrete way: Illa igitur caritas quam diffundit Spiritus Sanctus in cordibus nostris ut faciat nos diligere deum et proximum, deum propter se nos autem et proximum propter deum, ipsa est que per omnes gradus affectiones nostras et amores atque dilectiones, incipiendo a gradibus carnalium affectionum usque ad amorem et dilectionem vite contemplative, reducit in deum tamquam in summum hominis bonum. *In ep. ad Gal.* A 641 34 v.

⁷²) Bene opportune addidit Apostolus 'in caritate'. Est enim caritas forma

for Favaroni the necessary intrinsic connection between justice and good works. Charity constitutes justice because it is the necessary supposition for all the other virtues. And this charity is not some kind of indifferent complacency or vague trust, but it is a loving activity in the service of God. Works are the test of faith — faith without good works is entirely useless ⁷³⁾ nor can it ever procure any hope of salvation.

He furthermore puts this concept of justice as active charity at the basis of his explanation of the perfection of the Apostles. The perfection he attributes to them is perfect firmity in virtue so that they can never fall by mortal sin, although against Origen he holds that they still had concupiscence ⁷⁴⁾. This perfection is explained by the perfection of charity — by being perfect in charity they were perfect in all the other virtues ⁷⁵⁾.

Concluding our examination of the first point on the intimate nature of evangelical justice we feel able to assert without any hesitation that for Favaroni our justice is a justice of charity, or, which is the same thing, a justice of good works. We would like to point out however, that this is the minimum which we must hold from our theologian. A fuller consideration of the question is reserved to the next and last chapter.

omnium aliarum virtutum tam moralium quam intellectualium et vita omnium ipsarum, nam sine caritate omnes certe mortue dicende sunt ideo nec sunt meritorie. Quapropter ne maximum fructum amittant debent radicari in caritate ... Caritas ergo habenda est in qua fundentur ceterae omnes virtutes. *In ep. ad Gal.* A 641 70 v2.

⁷³⁾ ... sed quid dicendum est male viventibus et de hoc solum gloriantibus quod in fide Christi et baptizmate ejus sunt? Si tamen male et detestabiliter vivunt quid gloriare possunt de fide sine operibus quae mortua est? Quam vitam aut gratiae aut glorie parare potest fides mortua? Ideo dicendum est eis « noli altius sapere sed time ». *In ep. ad Rom.* A 376 222 r2.

⁷⁴⁾ Et sic attenta distinctione Origenis de duplici perfectione cum distinctione presenti, possumus colligere perfectionem trimembrem: ut prima perfectio sit tanta virtutum constantia et fortitudo ad earum possessorem tuendum ut iam cadere per mortale non posset ... in qua tamen pugnant virtutes cum viciis licet vincant et non superantur... *De Perfecta Iustitia* V 191 r1. See his explanation of the perfection of the Apostles in *Augustiniana* vii (1957) pp. 109-112.

⁷⁵⁾ Sed hic merito queritur an ipsi Apostoli nedum Paulus habuerint omnes virtutes ... ad hoc dubium libenter audirem peritiores; dicam autem quid mihi occurrit. Puto namque caritatem diffusam in cordibus eorum per spiritum sanctum qui datus est eis fuisse in ipsis omnes virtutes morales ... est ergo caritas omnis virtus moralis exercens omnia opera omnium virtutum si quis eam complete possideat. *In ep. ad Col.* A 641 116 r1.

(ii) *Perfection or Supernaturality.*

The perfection or supernaturality of justice which we vindicate for Favaroni consists in this, that the justice of man or the rectification of man's will is incomplete wherever direct supernatural movement or divine inspiration of the faculty is absent. The moral justice of the philosophers and the legal justice of the jews were true and perfect justices in their own order but they were not true and perfect justice in the supreme and universal order. Why ? Not because they lacked an imputation of the justice of Christ as some extrinsic complement, but because they lacked that inner supernatural elevation which should render them truly worthy of God and meritorious for man.

The pre-eminence of the evangelical justice over the moral and legal justice is to be attributed to the fact that it proceeds from a will endowed with certain gifts intrinsically elevating our justice, which are infused in virtue of the death of Christ ⁷⁶). Even the Platonists who lived a really virtuous life complying with the dictates of all the moral virtues could not hope to come to their reward because their works proceeded from a intellect and will not illumined or moved by this grace ⁷⁷). So also the jews ; they observed the law but the law was not able to confer this necessary inspiration to render their works worthy of God — they honoured God extrinsically only — and so neither could they come to the reward of heaven ⁷⁸). The jew and the gentile each had his own true justice and adoration of God, but not *the* true honour whereby God is honoured in a way worthy of Himself. This true justice is given to us only through the merits of Jesus Christ by the operation of the Holy Ghost inspiring and moving the soul to these acts ⁷⁹).

⁷⁶) *Secunda vero justitia que deficiebat legi et iustitie iudaeorum secundum legem, erat divinus cultus in internis piis affectibus quibus tamen principaliter colitur deus. In ep. ad Gal. A 641 18 r1. Ad hec duo invalida erat lex Moysi ac etiam lex naturalis ... similiter impossibile erat legi dare spiritum sanctum ad hominis justificationem et in hoc etiam infirmabatur per carnem. In ep. ad Rom. A 376 203 vl.*

⁷⁷) ... quoniam illa bona quo agebant intrinsecus et extrinsecus non emanabant a spiritu sancto movente et mentem sanctificante et sic patet quod ultra illam iustitiam legalem indigebant divinis motibus et affectibus sanctioribus sanctificatis per spiritum sanctum. *In ep. ad Gal. A 641 18 r1.*

⁷⁸) Illa namque legalia sacrificia non sanctificabant mentem intrinsecus ut deo inheret per castum amorem a quo ecciderat Adam per peccatum. *Ibid. A 641 18 r1.*

⁷⁹) Sed hanc justitiam que in hoc vero dei cultu consistit, Christus nobis pro-

All these works of charity which constitute our justice must proceed from a *gratia justificans* which is a special grace for the elect ⁸⁰). This grace has the effect of rendering our works just and meritorious. Grace is ever the root of a fruitful observance of the law — even of the old law — because it affected the nature of man and transformed it ⁸¹).

This grace, in the theory of Favaroni, is certainly to be identified with charity ⁸²). In the next chapter the more subtle problem of grace as a created quality in the soul will be treated. At present we can legitimately prescind from this for our main question of the supernaturality of intrinsic justice can remain intact whether the Holy Ghost moves the soul directly by a transient motion to these acts or through the medium of created habits. In the present chapter our considerations centre around the single question: is special assistance of God necessary to the true character of evangelical justice ?

It is precisely the influence of the Holy Ghost that is the foundation of the meritorious character of the trials of life ⁸³). The

meruit et ejus merito nobis inspiratur et donatur per spiritum sanctum qui datus est nobis. *Ibid.* A 641 18 rl.

⁸⁰) On Rom. i, 17 he says: *Justitia hic intelligenda est dei, non qua ipse deus justus est sed qua justificat impium.* *In ep. ad Rom.* A 376 118 vl. Quarta gratia que per Christum accipiunt electi est gratia cordialis justificationis qua Deus justificat impium ... per Christum. Et hec est prima gratia ad vitam spiritualem et dicitur gratia preveniens et justificans impium et inicians bona opera de quibus Apostolus ad Corinthios 'ipsius sumus figmentum creati in operibus bonis'. Ab hac gratia incipiunt merita et vita placens deo. *In ep. ad Rom.* A 376 110 vl. For a more complete idea of grace it would be useful to consult *In ep. ad Gal.* A 641 7 rl sqq. where the theme proposed is « Ex predictis igitur evidenter colligi potest quod nomen gratie genus est habens sub se alia genera iuxta quattuor genera bonorum scil. naturalium, fortuitorum, ... acquisitorum ... et divinitus omnino infusorum. Also cf. *In Apocalypsim* V 40 v2 — undoubtedly anterior to his commentaries — where he distinguishes seven different grades of grace.

⁸¹) *Lex quidem bona est secundum tamen naturam bene dispositis: propter quod Apostolus ad Timotheum scribens dicit 'lex quidem bona est si quis ea legitime utatur'; gratia autem est que reddit hominem secundum naturam bene dispositum et facit legitime uti lege.* *In ep. ad Rom.* A 376 200 r2.

⁸²) *Existimo igitur in omnibus salutationibus apostoli, cum dicit gratia vobis etc. intelligi velle de gratia justificante quam frequenter nominat caritatem que est gratia gratum deo reddens et acceptum: et est hec gratia non communis bonis et malis sicut cetera genera gratiarum superius positarum; illis enim possunt bene et male uti, hec autem nemo male utitur.* *In ep. ad Gal.* A 641 7 v2.

⁸³) *Est ergo sensus Apostoli in hiis verbis quod deus in tribulatione patientiam*

sufferer exhibits patience and trust because of *infused* hope, and this infused hope shall not be deprived of its reward because it rightly hopes by *infused* charity which God has communicated.

All virtues are undoubtedly to be attributed principally to the Holy Ghost who therefore in this way dwells in us. The inhabitation of the Holy Ghost is something we have interiorly — He dwells in us ⁸⁴), which dwelling precisely indicates something stable and permanent ⁸⁵). In this way man is sanctified ⁸⁶).

Furthermore it is through the gift of charity that we are made adoptive sons of God ⁸⁷). That is to say, it was effectually through the communication of the Holy Ghost that we came to be sons of God. The adoption itself, just as predestination, is eternal but it is in view of this eternal adoption that the Holy Ghost is communicated ⁸⁸) so that we receive that adoption in time by the gift

operatur, per patientiam vero probatio fit patientis, quia sicut aurum in fornace probavit electos suos dominus in tribulationibus, in probatione vero deus spem *infundit* ut eterna premia sperentur possidenda per tribulationem et patientiam et probationem. Spes autem non confundit i. e. Deus non frustrat sperantem quoniam recte sperat per *infusam* caritatem que diffunditur in cordibus nostris per spiritum sanctum qui datus est nobis. *In ep. ad Rom.* A 376 177 v1.

⁸⁴) Quos vocavit per fidem, illos et justificavit per caritatem diffusam in cordibus nostris per spiritum adoptionis quem ipse dedit et nos accepimus et habitat in nobis. *Ibid.* A 376 209 v2.

⁸⁵) Prius enim debemus habere inhabitantem Christum per fidem in cordibus nostris, postmodum virtute corroborari per spiritum ejus. Sed quoniam dicit inhabitare Christum per fidem et inhabitatio non dicit momentaneam presentiam, sed diuturnam et mansivam, ideo per roborationem dicit Christum habitare per fidem. *In ep. ad Eph.* A 641 67 r2.

⁸⁶) Intus enim sanctificat infundens seipsum mentibus in quibus lucet et ardet. Ideo dicebat sapiens Solomon de sapientia increata quod « in animas sanctas se transferat, amicosque dei et prophetas constituit ». Hec autem est divinitas ipsa que per actum sanctificationis animabus humanis illabitur et per illapsum sanctificat eas in presenti et in futuro pariformiter. *Ibid.* A 641 46 r2.

⁸⁷) Nec dubium alicui esse debet quod secundum unumquodque horum donorum quicumque aliquod tale habent, secundum ipsum, spiritu dei aguntur; puta quicumque habent donum sapientie ... scientie ... fortitudinis ... sed secundum nullum talium prefatorum donorum sint quicumque ipsum habentes filii dei sed solum secundum donum caritatis, quoniam secundum Augustinum xv de Trinitate, donum caritatis est proprium piorum atque sanctorum, cetera vero dona communia sunt bonis et malis. *In ep. ad Rom.* A 376 206 r2. Cf. *In ep. ad Gal.* A 641 7 v2.

⁸⁸) Ideo cum superius dixit Apostolus 'ut adoptionem filiorum reciperemus' non tantum debet intelligi adoptio temporalis quasi tunc primo adoptaremur, sed a diebus eternitatis sue adoptavit nos in Filio sicut ab eterno predestinavit nos ...

of the Holy Ghost. Although therefore *in ordine intentionis* adoption precedes the conferring of the Holy Ghost, *in ordine executionis* the bestowal of the Holy Ghost is the cause of the adoption.

The minimum therefore which we can deduce from all this exposition must be that evangelical justice is an inherent supernatural justice. It may be only a justice of acts under the supernatural impulse of the Holy Ghost but it is a justice of acts. This impulse is never exhibited as supplanting or excluding the acts, on the contrary, it is given precisely to elevate them and render them just and meritorious. In all, it is a spiritual renovation of man which puts him on a higher plane — an internal rehabilitation which elevates the faculties of mind and will to a supernatural plane. The least therefore which we must say of Favaroni is that he follows that opinion on justice commonly attributed to Peter Lombard⁸⁹).

To appraise this theory, three questions must be distinguished: a. intrinsic supernatural justice, b. by a gift physically permanent, c. which created gift is a habitus.

The first question of intrinsic supernatural justice is unanimously conceded as having been defined of faith in the Council of Trent⁹⁰) — it is the minimum required to condemn the errors of the pseudo-Reformers. Do Peter Lombard and Favaroni save intrinsic justice? All catholic doctors will readily concede that Peter Lombard does: it follows then that no exception can be taken to Favaroni's theory under this heading.

Secondly, this intrinsic justice cannot be adequately explained except by the presence of some created gift physically permanent in the soul. Therefore the second question is at least « *Theologie certa* ». Some doctors contend that from the Acts of the Council it is evident that the Fathers had explicitly in mind the presence

sed fructus eterne adoptionis temporalis est, et fuit missio spiritus sancti in cordibus nostris ut renovaret nos et reduceret nos in novam creaturam iuxta desiderium David petentis in psalmo 'cor mundum crea in me Deus' ... Hoc autem donum spiritus sancti i. e. missio spiritus sancti communis est et fuit in principio fidei omnibus credentibus cujuscumque gentis et cujuscumque populi, quapropter Apostolus hic Galathas appellat filios dei eo quod miserat deus spiritum Filii sui in corda eorum. *In ep. ad Gal.* A 641 28 r2.

⁸⁹) *I Sent.* D. 17. Cf. J. SCHUPP, *Die Gnadenlehre des Petrus Lombardus*, Freiburg 1932. The theory of Peter Lombard will be further discussed in the next chapter.

⁹⁰) DENZ., *Ench. Sym.* nn. 799, 821.

of his created gift physically permanent, so that this question would also be defined of faith. Suffice it to say that we must certainly hold the presence of this created gift — under what grade of certitude we must hold it « videant sapientiores ».

Thirdly, all admit that the third question — whether the donum permanens is a quality — does not come under any censure of the Church, but it is the common explanation accepted by theologians.

Manifestly the acceptation of the third question — the existence of a created quality or habit — necessarily implies the admission of the second — the donum physice permanens. No formal testimony on his position regarding either question can be brought forward from his works, but strange to say, there are quite a few not easily dismissed arguments available that our theologian did admit grace as a created quality in the soul: these we shall bring forward at the close of the next chapter.

We feel authorised therefore to conclude this question by stating that Favaroni undoubtedly held supernatural intrinsic justice, and very probably — if not certainly — its adequate explanation.

(iii) *Double Justice.*

A. V. Müller's third point of accusation against our theologian is that he teaches the doctrine of double justice of Luther ⁹¹).

In his accusation he did not however take the trouble to explain what he understood by this formula which amongst the Protestants has received very different interpretations. Amongst the so-called Reformers of his time Osiander declares that he found no less than fourteen opinions on double justice and when Melancthon wished to refute this work he declared — a declaration more honourable than agreeable — that he discovered twenty two interpretations ! ⁹²). Present day research has brought to light still more acceptations. Our first complaint therefore, is that the expression is most inept and obscure.

We do not consider it our task to institute a critical or historical investigation of Luther's theory but only to examine Favaroni's doctrine in the light of « double justice » as understood and rejected by the Council of Trent.

⁹¹) A. V. MÜLLER, *op. cit.* pp. 15-16.

⁹²) Cf. VASQUEZ, *Comm. in I-II, Disp.* 202, c. 1.

« Si quis dixerit homines iustificari vel sola imputatione iustitiae Christi, vel sola peccatorum remissione, exclusa gratia et caritate quae in cordibus eorum per Spiritum Sanctum diffundatur atque illis inhaereat... A. S. »⁹³).

By contraposition then, the two elements of justification according to the Lutherans consist, from the positive point of view, in the imputation of the merits of Christ, and, from the negative point of view, in the remission of sin which for them is the non imputation of sin⁹⁴). Justification then consists essentially in imputation and non imputation: this is our primary and essential justice. After justification man remains intrinsically the same as he was before it, and consequently works done in a state of justification remain precisely as they were before it — purely natural because of the absence of any supernatural elevation⁹⁵). These good works can be said to constitute a second justice. But this second justice, because of the absence of any internal elevation remains at most, meaningless and useless. This is the « double justice » that we emphatically deny in Favaroni.

We have already considered this second justice, or justice of good works, for, as we have seen in our preceding paragraph on evangelical justice, our justice of charity is supernatural because elicited under the supernatural inspiration of the Holy Ghost. This inspiration is something internally received, which internally rectifies and renders our acts just and meritorious. Evangelical justice is an internal renovation. This is the exact opposite of Luther's second justice. We can therefore proceed to examine the « first » justice.

The sum total of Favaroni's theory is that sin and justice are contradictorily opposed — « immediate opposita » to use his own expression — and are therefore *natura sua* mutually exclusive. It is not merely the imputation of sin which excludes grace so that grace might be compatible with non imputation, but the *sin itself* excludes grace. The guilt of sin is precisely the debt of justice which therefore cannot simultaneously co-exist with justice⁹⁶).

⁹³) DENZ., *Ench. Sym.* n. 821. Cf. nn. 799 and 809.

⁹⁴) *Ibid.* nn. 742, 743.

⁹⁵) J. A. MOEHLER, *Symbolism...* (Engl. Transl.) p. 115 sqq.

⁹⁶) ... nec potest simul stare reatus culpe cum gratia iustificante quoniam ut dictum est reatus culpe est debitum ammissee iusticie quod debitum cedit redimenti iusticie. *De Peccato* V 209 r2.

This point of the incompatibility of sin and justice forms the foundation of his first five conclusions in the tract on original sin to prove that concupiscence of itself is not a sin.

The first conclusion says that no quality in whatever subject it exists is complete original sin ⁹⁷). The reason is that no quality is of itself injustice: original sin however is injustice because every sin in the real sense of the word is injustice ⁹⁸). From this point of sin as an injustice his argument opens. The second conclusion states that the desires of the soul (*fomes peccati*) are not original sin since these desires are a simple consequence of life (*actus secundus vitae*). But no such acts can be called sins that are injustice ⁹⁹). Similarly the fourth conclusion rests on the supposition that sin and justice are mutually exclusive. In order to prove that concupiscence of itself is not a « culpa » he appeals to the fact that concupiscence is not an injustice ¹⁰⁰). In other words, sin and injustice are identical.

Quite logically then Favaroni writes that it is impossible that justice and sin should simultaneously co-exist in any creature ¹⁰¹): they are *primo opposita*, mutually exclusive of each other, and for that reason they cannot mutually co-exist ¹⁰²). Two contradictory states which allow no medium.

⁹⁷) Prima Conclusio: Nulla essentia qualitatis in quocumque subjecto existat est complete peccatum originale. *Ibid.* V 200 r1.

⁹⁸) Nulla essentia qualitatis est formaliter iniustitia, originale peccatum est formaliter iniustitia igitur nulla essentia qualitatis in quocumque subjecto existat est complete peccatum originale ... Omne peccatum est iniustitia, et originale peccatum est absolute dicendum peccatum, unde sequitur quod est iniustitia. *Ibid.* V 200 r2.

⁹⁹) Secunda Conclusio: Ipsa affectio anime que dicitur concupiscentia carnis sive fomes peccati non est formaliter originale peccatum... Quilibet affectus anime est quidam actus vitalis ipsius anime et actus secundus vite: nullus actus secundus vite est aliquod peccatum quod dicit iniustitiam et maliciam atque culpam. *Ibid.* V 200 v2. 201 r2.

¹⁰⁰) Quarta Conclusio: Carnalis affectio anime que dicitur concupiscentia carnis per se considerata non est aliqua culpa ideo non est culpa originalis ... quod nulla affectio in se considerata est iniustitia sed quilibet culpa ut culpa est, est iniustitia. *Ibid.* 202 r1.

¹⁰¹) Si dicat aliquis, non est omne peccatum iniustitia, dicit posse simul in aliquo et esse aliquod peccatum et nullam esse iniustitiam quod videtur incredibile. *Ibid.* V 200 r2.

¹⁰²) Si quis sub uno non fuerit, necessario erit sub altero: iustitia autem et iniustitia, si ad rationalem creaturam comparentur, immediate opposita reperiuntur;

Hence it is that sin is the death of the soul whereas justice is the life of the soul¹⁰³). Justifying grace or charity precisely deletes this death of the soul just as the advent of light dispels the darkness¹⁰⁴). The *macula animae* is incompatible with grace; grace reforms where sin deformed¹⁰⁵). So it is that those who were justified in their mothers' womb by the advent of grace did not undergo the death of the soul¹⁰⁶): why, obviously because grace and sin are wholly incompatible.

His expressions on the effect of baptism are only the confirmation of this. In baptism « peccatum demittitur »¹⁰⁷) « habetur indulgentia peccatorum » « peccatum abluitur »¹⁰⁸), « fit extinctio peccatorum »¹⁰⁹), « remittitur peccatum »¹¹⁰). If these expressions mean anything they cannot but indicate the complete cancellation of sin, and can have no connection whatsoever with non imputation of sin. In only one place in all his works have we come across the expression of not imputing sin — it is his commentary on the

aut enim iusta est aut iniusta ergo qui sub peccato non est sub iustitia est, et qui sub iustitia non est, sub peccato sit necesse est. *In ep. ad Rom.* A 376 195 r2.

¹⁰³) 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. Cf. *In ep. ad Rom.* A 376 159 bis r2 and 217 v1.

¹⁰⁴) De hac igitur gratia (i. e. caritas) intelligo apostolum dicere in omnibus (f. 7 v1) epistolis in quibus salutans dicit gratia vobis et pax. Per hanc enim fit remissio peccatorum quantum ad maculam anime. Hec est que dirigit distortem intentionem et rectificat obliquam voluntatem: hec est que mortem abolet et vitam inducit sic ista gratia mortem fugat ab anima sicut lux tenebras fugat ab aere deinde fit remissio peccatorum. *In ep. ad Gal.* A 641 7 r2.

¹⁰⁵) Notandum autem quod non dicit Apostolus « ut eos qui sub lege erant liberaret » sed dixit « redimeret » quod plus est. Liberatio namque a peccato fieret per solam infusionem gratie sanctificantis: hoc enim reformat ubi peccatum deformaverat et hec est liberatio a peccatis. Redemptio... *Ibid.* A 641 27 v1.

¹⁰⁶) Nam de morte anime non videtur posse dici quod in omnibus regnavit... Nonnulli autem fuerunt ante legem qui mortem anime non gustaverunt que ad illud peccatum velut pena sequitur quod per originem trahitur. Quicumque naturam in utero matris sanctificati sunt et sancti de cetero vixerunt non gustaverunt mortem anime. *In ep. ad Rom.* A 376 183 v2.

¹⁰⁷) *De Peccato* V 203 r2.

¹⁰⁸) *In ep. ad Rom.* A 376 191 r1.

¹⁰⁹) Baptismum quidem Joannis non dabatur in remissionem peccatorum; non enim in eo fiebat ablutio sordium, non auferabatur in eo chyrographum decreti quod erat contrarium nobis ... in baptismo autem Christi plena fit extinctio peccatorum. *Ibid.* A 376 191 r1.

¹¹⁰) *Ibid.* A 376 190 r2.

Apostle's quotation « *Beatus vir cui non imputavit Dominus peccatum* » ¹¹¹).

Considering any further illustration of this point as superfluous we will conclude the first point of our investigation. For Favaroni sin is not remitted by any extrinsic non imputation but is cancelled out by the advent of internal justice, that is, by the internal renovation with which sin is incompatible. He has no leanings whatsoever on the side of Luther on this question, but is absolutely orthodox. We can therefore proceed to an investigation of what is the opinion of « double justice » that Favaroni exhibits.

The most complete exposition of the theory is contained in his Commentary to the Epistle to the Galatians ¹¹²). We shall begin from his own résumé at the conclusion of the whole disputation, and then proceed to a consideration of the context to see how is it contained therein.

« Postquam Apostolus in superioribus debilitavit legem et iustitiam ejus ostendens ipsam impotentem et inefficacem ad salutem promovit autem iustitiam fidei que duplex est:

Prima quidem iustitia satisfactoria quam Christus implevit per mortem suam et hec nobis applicatur per fidem qua credimus in eum et per talem applicationem fit remissio precedentium peccatorum et in hac remissione consistit aliqua iustitia nostra et dicitur iustitia fidei et iustitia per fidem Jesu Christi. Per hanc eciam infantes cum baptizantur iustificantur et iustificati esse dicuntur et Deo reconciliati quia sunt a reatu peccati absoluti.

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 (diligamus) Deum et proximum, qualem iustitiam acceperat Adam postmodum perdiderat per peccatum » ¹¹³).

The first justice is a satisfactory justice to God for our sin. It is imputed but it does not remain totally extrinsic but becomes our own — it is aliqua iustitia nostra. The second justice is an infused justice, the communication of the gift of the Holy Ghost which is none other than the internal renovation of man operated in Evangelical justice.

¹¹¹) Rom. 4, 7. *In ep. ad Rom.* A 376 164 r2.

¹¹²) *In ep. ad Gal.* A 641 11 v1 - 19 v1.

¹¹³) *In ep. ad Gal.* A 641 19 v2.

In the present context Favaroni is not simply discussing evangelical justice but is discussing moral and mosaic justice. He uses the text « si per legem iustitia Christus gratis mortuus est »¹¹⁴) as an occasion for a commentary on the nature of the virtues of infidels and Jews. He asks why it is that in view of evangelical justice we can enter heaven whereas in view of moral and mosaic justice we could not¹¹⁵). We have a comparison between the natural and mosaic law on the one hand and the evangelical law on the other, and he wishes to show how the evangelical law is superior to the others. Briefly he sets the pre-eminence in two points, first that it includes satisfaction for sin (this he calls theological justice¹¹⁶)), and secondly because it includes a higher moral justice¹¹⁷). It is a re-echo of his two points of incrimination against the mosaic and natural law in his Commentary on the epistle to the Romans — they could not take away sin nor bestow the Holy Ghost¹¹⁸).

An indication of the effects of this « imputed » justice will help us to better study its nature.

Its main office was to satisfy for the debt of sin. All peoples both Jews and Gentiles were held bound by sin, at least by original.

¹¹⁴) Gal. 2, 21.

¹¹⁵) Si enim diligenter attendamus in quo consistit hec iustitia (sc. evangelica) clare videbimus quod inter tres prefatas iustitias iuxta prefatas tres leges hec ultima est et cur est illa iustitia cui redditur regnum coelorum in premium. Non quod alie due non sint vere iustitie sed cur ipsis non respondit in premium regnum coelorum. Et sunt due principaliter cause: ... *In ep. ad Gal.* A 641 12 v1.

¹¹⁶) Iusticia illa de qua loquitur Apostolus Paulus cum dicit quod iustificamur per fidem Jesu Christi est iustitia theologica potius quam moralis quoniam est gratia divinitus nobis infusa ... *In ep. ad Eph.* A 641 13 r1. Cf. Hec autem satisfactio est illa justitia que dicitur iustitia per Jesum Christum et dicitur iustitia fidei quoniam per fidem Jesu Christi applicatur et ita per ipsam iustificamur. *Ibid.* A 641 13 v2.

¹¹⁷) Cf. n. 115 ... Et sunt que principaliter cause: prima est quia per mortem Christi solvitur inimicitia inter nos et deum et reconciliamur Deo per mortem Filii sui ... (f. 13 v1) ... Est autem alia causa quare observatores iudei ... et gentiles ... per huiusmodi iustitias non poterant consequi premium regni coelorum. Est autem causa talis quia affectus nostri interni in quibus principaliter consistit iustitia nostra et meritum sive ratio merendi illam celestem beatitudinem non tantum debent proficisci ex mera ratione humana quantum proficisci debent ex interna motione Spiritus Sancti moventis et inspirantis. *Ibid.* A 641 12 v1.

¹¹⁸) Ad hec duo invalida erat lex Moysi ac etiam lex naturalis; non enim poterat per carnalia sacrificia et legales illas observantias auferre peccatum ... similiter inefficax fuit et debilis ad iustificandum quia non poterat dare gratiam iustificantem que necessaria est ad impletionem legis. *In ep. ad Rom.* A 376 203 r2.

And even though they could come, in spite of this to a certain kind of justice, which is a real justice of its own order, they could not merit heaven for their justice could not satisfy for sin ¹¹⁹). They attained that justice by faith just as we do.

The necessity of attaining to this justice by faith in Christ lies in the fact that no one else but Christ could have fulfilled it. No mortal of whatever perfection he were, could ever have possibly fulfilled this justice ¹²⁰). Not Adam, even though he had been restored to a higher grade of justice than that in which he had been created ¹²¹); nor even the Blessed Virgin herself ¹²²) in whom he teaches to have been the perfection of intrinsic justice ¹²³). Christ alone could repay the debt of sin contracted by Adam. These ideas however express no other than the thomistic doctrine of the impossibility of satisfaction for sin by a pure creature ¹²⁴).

To complete this examination we could further ask — did Christ

¹¹⁹) (Iudaei et Gentiles) iusti quidem existentes per iustitiam illius legis que vera et bona lex fuit; non tamen poterant intrare in regnum coelorum quoniam deficiebat eius iustitia satisfactoria pro peccato per originem tracto eciamsi nulla alia per vitam contraxissent actualia. Illud enim peccatum inimicitiam fecerat inter nos et Deum et clauserat coelum ne intraremus ad regnum coelorum nisi prius fieret debita satisfactio ad condignum secundum debitum divine iustitiae. Hec autem satisfactio est illa iustitia que dicitur iustitia per Jesum Christum et dicitur iustitia fidei. *In ep. ad Gal.* A 641 13 v2.

¹²⁰) Adam vero si non peccasset fuisset utique talis cui nulla pars iustitiae defuisset; de ceteris vero hominibus audacter dixerim quod nullus potuit praeter Christum implere iustitiam satisfactivam Deo pro iniuriis sibi allatis, saltem pro peccato quod trahimus per originem. *In ep. ad Gal.* A 641 17 r1.

¹²¹) Si adam post peccatum suum quando resurrexerit a culpa ad statum gratiae et iustificatus est, si fuisset restitutus ad totam iustitiam quam habuerit ante peccatum, quinimo ad maiorem quam consecutus fuisset si stetisset et non cecidisset, tamen si filius Dei aut altera persona divina non satisfacisset pro culpa commissa ex tota illa iustitia, non potuisset in praemium consequi regnum coelorum propter inimicitiam. *Ibid.* A 641 14 v1.

¹²²) Hec est illa iustitia quam Christus exhibuit non quidem pro se sed pro omnibus nobis; nec est ab hac regula excipienda B. Virgo quoniam nec ipsa plene suffecit satisfacere Deo pro peccato quod per originem trahitur. *Ibid.* 17 r1.

¹²³) Prima Conclusio: Mater Domini Salvatoris adeo perfecte in hac vita fuit mundata in carne ab omni languore naturae, quod in ea non fuit aliqua rebellio vel repugnantia contra spiritum ad aliquod opus bonum. ... Secunda Conclusio: Excepta Matre Domini Salvatoris, nullus umquam sanctorum, quantecumque fuit perfectionis et sanctitatis, fuit in hac vita adeo perfecte mundatus ab omni vicio concupiscentiae, ut non haberet in carne quid resisteret spiritui ad complendum in eo iustitiam. *De Perfecta Iustitia* V 188 r2, 189 v1.

¹²⁴) Cf. S. Th. III, q. 1, a. 2.

satisfy for sin as regards the debt of justice or solely as regards the debt of punishment? The decree ¹²⁵⁾ which Christ blotted out is usually the decree of punishment ¹²⁶⁾, and this explains why redemption is a greater gift than liberation from sin with the restoration of grace ¹²⁷⁾. This too is conformable to his sacramental theory viz. that the sacrament of baptism (in adults) and the sacrament of penance remit the debt of punishment.

The second office of this « imputed » justice is to remove the obstacle to the infusion of the Holy Ghost to each one of the elect ¹²⁸⁾. In consequence of the *merit* of Christ the Holy Ghost was bestowed, as we have seen: recompense for sin precedes the bestowal of God's gifts. The death of Christ did both, but first reconciled man with God, then merited the gifts for man.

The problem of « double justice », or the integration of the « first » and « second » justice, viewed from a positive point of view, genuinely appears to be a problem of terminology rather than of doctrine. The effect of the « first » justice is liberation from sin — per talem applicationem fit remissio precedentium delictorum. It is unquestionable that for Favaroni liberation from the *guilt* of sin is absolutely necessarily connected with justice — sin and justice are *primo opposita*. Admittedly, his assertion of the possibility — and the fact — of some having been cleansed at birth, i. e. justice being restored, while nevertheless retaining the obligation of submitting to the sacrament ¹²⁹⁾ may indirectly weaken this position,

¹²⁵⁾ Col. 2, 14.

¹²⁶⁾ Redemit nos a chyrographo decreti quod erat contrarium nobis quoniam decretum illud Dei, scriptum in chyrographo erat contrarium nobis quia obligabat nos eterne perditioni quapropter et ab ista perditione redemit nos Christus. *In ep. ad Gal.* A 641 27 vl. Cf. *De Peccato* V 210 rl. 210 vl.

¹²⁷⁾ Notandum autem quod non dicit Apostolus « ut eos qui sub lege erant liberaret » sed dixit « redimeret » quod plus est. Liberatio namque a peccato fieret per solam infusionem gratie sanctificantis: hoc enim reformat ubi peccatum deformaverat et hec est liberatio a peccato. Redemptio autem ultra hoc dixit solutionem pretii et satisfactionis pro obligatione ad poenam apud divinam iustitiam cui satisfaciendo in ligno crucis redemit nos Christus. *In ep. ad Gal.* A 641 27 vl.

¹²⁸⁾ ... ob hoc Christus, facta reconciliatione et ablata inimicitia per exhibitam satisfactionem per quam apertum est coelum, consequenter dedit Spiritum Sanctum tam iudaeis quam gentilibus ut haberent Spiritum Sanctum intrinsecus moventem ad affectus bonos et bonificatos per ipsum qui digni essent illam beatitudinem possidere. *Ibid.* A 641 15 rl.

¹²⁹⁾ Cf. *Augustiniana* viii (1958) pp. 186-187.

but it does not contradict it since Favaroni understands the efficacy of the sacrament to extend to the punishment for sin not to its guilt. Even texts may be quoted to show that he maintains the possibility of sin being forgiven and original justice not restored ¹³⁰) but nowhere will we find support for the statement that sin is forgiven without any justice being restored.

This « double justice » then in the concrete individual is one reality, and it is false to state that Favaroni holds a twin justice both intrinsic and yet separable. Exactly the same doctrine is proposed here in the Commentary to the Galatians « in hac remissione peccatorum consistit aliqua iustitia nostra ». If it is one reality, then the « double justice » is more correctly two aspects of the one justice, not two justices: justification from a negative and positive point of view, to use our modern terminology. By urging the distinction between the debt of punishment and the debt of guilt Favaroni widens the bridge between these two aspects, but this distinction, by reason of its obscurity before Trent's decree on the efficacy of the sacrament, cannot constrain us to see in Favaroni's « double justice » two distinct and separate entities.

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(To be concluded).

¹³⁰) Cf. *Augustiniana* vii (1957) p. 358 n. 40.