

This translation of Book IV dd.1-7 of the *Ordinatio* (aka *Opus Oxoniense*) of Blessed John Duns Scotus is complete. These distinctions fill volume eleven of the Vatican critical edition of the Latin text edited by the Scotus Commission in Rome and published by Quarrachi.

Scotus' Latin is tight and not seldom elliptical, exploiting to the full the grammatical resources of the language to make his meaning clear (especially the backward references of his pronouns). In English this ellipsis must, for the sake of intelligibility, often be translated with a fuller repetition of words and phrases than Scotus himself gives. The possibility of mistake thus arises if the wrong word or phrase is chosen for repetition. The only check to remove error is to ensure that the resulting English makes the sense intended by Scotus. Whether this sense has always been captured in the translation that follows must be judged by the reader. In addition, there are passages where not only the argumentation but the grammar too is obscure, and I cannot vouch for the success of my attempts to penetrate the obscurity. So, for these and the like reasons, comments and notice of errors from readers are most welcome.

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THE ORDINATIO OF BLESSED JOHN DUNS SCOTUS

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Book Four

Prologue

1. When that most pious Samaritan [*Luke* 10.30-35] saw that a man going down to Jericho from Jerusalem was the victim of a robbery, who had fallen among impious thieves and been atrociously wounded, he felt pity and took compassion on him. He gave him effective medicine whereby, after his wounds had been cured and his health fully restored, the victim might finally reach his chief goal, from which he had gone aside when descending from Jerusalem.

2. This healthy cure of the victim's wounds, and the victim's final return from a deviant path, are dealt with by Master Lombard in this his final work as if he were dealing with 'the feet of one sitting on a high throne' [*Isaiah* 6.1]. For, just as Books 1 and 2 [sc. of the *Ordinatio*] made clear that God is the *alpha*, as being altogether the first being in himself and the original beginning of all other things, so Books 3 and 4 show him to be also the *omega*, as being both the ultimate end in himself and the cause of ultimately bringing the creature to himself through himself. But this bringing of the creature to himself is preceded by a partial curing and is accompanied by a full curing.

3. Accordingly, then, this Book 4 can be divided in two ways. In one way in that the Master deals first with the healthy curing of wounded man and second with the final bringing back of man from his deviant path. For man is given healthy cure in devout reception of true sacraments, and he is brought finally back in the joyful reception of heavenly reward. For the sacraments dispose and prepare him, and the rewards perfect and consummate him.

4. Or in a second way it can be said that the Master deals first with man's partial or dispositive cure, and secondly with his full or perfective cure.

5. And both divisions reduce to the same. For the partial cure is done by the grace of the sacraments, which are healthy medicines. The full or final return is done through the conferring of rewards, which are joyful re-creations.

6. In the first part, then, the Master deals with the sacraments, which cure the sick man of the illness of guilt. In the second part he deals with the rewards, which free man from the sickness of punishment (and the second part begins at the beginning of Distinction 43).

7. The first part is divided into two: for the Master deals with the sacraments first in general and second in particular (the second part begins at the beginning of Distinction 2).

8. The first part is again divided into two: into a preface and into the treatise proper (preface begins at d.1 ch.1, treatise begins at d.1 ch.2).

9. And the treatise is divided into four according to the four things set down in the preface for treatment. The first is 'what is a sacrament' [chs.2-4], the second 'why it was instituted' (which begins, 'for a triple cause' [ch.5 nn.1-5]), the third 'in what it consists' [ch.5 n.6], the fourth about the differences of the sacraments [chs.6-10].

10. And the fourth part is divided into two, a principal part [ch.6] and an incidental part [chs.7-10].

11. The incidental part is divided into three, according as the Master first deals with the chief sacrament of the Old Law [ch.7], second with what corresponds to it in the

law of nature [ch.8], and third returns to explain some doubts about circumcision [chs.9-10].

12. And as to the sacraments in general, the first thing that presents itself as a known fact to those who consider the sacraments is that a sacrament is ordered specifically to grace. And if this true and general fact be more particularly and clearly and openly explained, the truth will be clear about the things that are generally inquired about in the case of the sacraments in general.

13. But there is a difficulty as to whether the order in a sacrament is one of cause to caused or merely of sign to thing signified. The difficulty arises principally from two things: one of these is general, namely about the power of a creature as to the creation of grace; the second is particular, namely the proper nature and excellence of a sacrament for sanctifying the soul.

First Distinction

Overview of the Parts of the Distinction

1. Accordingly [*Prol. nn.12-13*] in the first distinction, therefore, where the sacraments are dealt with in general, the principal object of treatment is consequently also their order to grace. The thing, then, to ask first in general is whether a creature can have any action with respect to the term of creation [Part One of d.1]. The second question is about the proper nature of a sacrament and its institution [Part Two of d.1]. The third question, arising from the first two, is whether a sacrament can have any causality with respect to the creating of grace [Part Three of d.1].

First Part

On the Action of the Creature in Respect of the Term of Creation

Single Question

Whether a Creature can have any Action with respect to the Term of Creation

2. We proceed thus to the first question. The argument is that a creature cannot have any action with respect to the term of creation.

3. The first evidence is from Augustine *On John* tr.80 n.3, and it is in Gratian *Decretum* p.2 cause 1 q.1 ch.54: “What is this virtue of the water? It is so great that it touches the body and washes the heart.” But the heart, that is, the soul, is not washed save by grace; therefore the baptismal water is disposed with effective causality for the grace which washes the heart.

4. Again, Augustine *83 Questions* q.78, “Artisans are not able to fashion anything from nothing for the reason that they work through the body.” Therefore, by opposition,

the spiritual creature is able to produce something from nothing, because it does not work through the body.

5. And there is a confirmation, that just as an outward action requires some passive object on which to act, so it seems that an immanent action does not require a passive object. Therefore the agent can act with an immanent action and not on any passive object. So it can create.

6. Again by reason as follows:

An effect that does not equal the power of a higher agent can be produced by a lower agent. But no effect lower than the highest creature is equal to the power of God (this is plain about equality simply [cf. II d.3 n.333]). Nor is such effect equal in idea of effect, because something still higher than it can be produced and be the effect of God. Therefore anything lower than the highest creature can be produced by some second agent. But there is some such lower thing, which can only be produced by creation. Therefore etc.

7. Proof of the major: if the effect in idea of effect does not equal the power of the agent, then the agent does not produce it according to its whole power, and so a lesser power would suffice for producing it. And there is a confirmation of this, and a proof of the consequence in the proof of the major. For if it were to produce a lower effect with its whole power, then a higher effect would not show a greater power or perfection in the cause than an inferior one would. For the lower effect, by the fact that it cannot be produced by the cause save according to the cause's total power, shows the whole of the cause's power or perfection. The consequent is false, for a more perfect effect shows more the power of the cause.

8. Again, a created agent can annihilate something; so it can also create something. The proof of the consequence is that there is as much distance from nothing to something as from something to nothing, as is plain from the Philosopher *Physics* 3.3.202b10-14, "There is the same distance from Athens etc."; therefore an equal virtue has power for this distance just as for that.

9. Proof of the antecedent [n.8]:

First because a created agent can destroy a natural form totally so that nothing of it remains; but such destruction of a thing is an annihilation of it.

Second because that which can be the effective cause of one opposite (in the way it belongs to the opposite to have an effective cause) can be the destructive cause of the other opposite (a fact plain from the incompossibility of opposites). But the soul can be the cause of infidelity, of despair, and of other mortal sins, which are repugnant to grace and charity. I say 'cause' in the sense in which it belongs to these sins to have an effective cause, namely in failing; for it is plain that they can exist in the soul, and not from God as cause, for God is not the cause of sin. Therefore the soul can be a cause corruptive of faith, hope, and charity or grace. But the destruction of all these things is annihilation, just as their production is creation. For universally, what can only be produced if it is created is only destroyed if it is annihilated, and that faith and infidelity, and hope and despair, are opposed seems manifest. A similar proof is given about grace, or charity, or any mortal sin, for friendship and enmity with God are opposites. A sinner is formally an enemy of God, but he who has grace and charity is formally a friend of God; therefore etc.

10. Again, a second cause can do more by virtue of the first cause than by its own virtue, otherwise it would not essentially depend on the first cause in causing – which is unacceptable. But a second cause has, by its own virtue, power for any being that can be produced without creation. Therefore it has power, by virtue of the first cause, for the term of creation.

11. On the contrary:

Augustine *Literal Commentary on Genesis* 11.21 ch.15, “Angels are altogether incapable of creating any nature.” And *ibid.* ch.27, “No angel can create nature, just as an angel cannot create itself either.”

12. Again Damascene *Orthodox Faith* ch.17, “Those who say that angels are creators of any nature are the mouth of their father, the devil.”

13. Again Augustine *City of God* 12.25 says, speaking of the angels, “We as much say that they are not creators of animals as that they are not farmers of fruits and crops.”

14. Again Augustine *On the Trinity* 3.8 n.14, “We cannot say that angels are creators just as we cannot say that men are creators of crops.” And 9 n.18, “He alone is creator who principally forms things, with whom are from the beginning all things that are in number, weight, and measure.”

I. Opinion of the Theologians, who Hold to the Negative Side of the Question

15. In this question theologians commonly hold to the negative side.

A. The Four Reasons they Bring Forward

16. They set down arguments for this conclusion – for present purposes four.

17. The first reason is taken from the side of the term *per se* of creation, and it is as follows [ST Ia q.45 a.5]: “It is necessary to reduce effects more universal to causes more universal; but the most universal of all effects is being itself; therefore it is the proper effect of the most universal or supreme cause. Hence it is said in *On Causes* [prop.3 nn.27-28] that neither the intelligence nor the rational soul bestows being save as they operate with divine operation.” From this is further deduced, “Since the production of being absolutely (and not this or that being) pertains to the idea of creation, therefore is creation the proper action of God.”

18. The addition is also made that creation cannot belong instrumentally or ministerially to a creature. The reason is that “an instrumental cause does not participate in the action of the superior cause unless its working for the proper effect of the principal agent is through something proper to itself.” The proof is that “if it did nothing according to anything proper to itself it would be applied in vain to the action. Nor would there need to be determinate instruments for determinate actions, just as we see also that an axe in cutting wood gets from the property of its own form that it produce the form of the bench, which is the effect of the principal agent.” But it cannot be like this in creation, because creation does not rest on anything presupposed that could be made ready by the action of an instrumental agent. For “absolute being, which is an effect proper to God, is presupposed to everything else.”

2. Second Reason

19. The second principal reason is taken from the distance between the terms of creation, and it is as follows [e.g. Matthew of Aquasparta, Albert, Richard of Middleton, Henry of Ghent]: only an infinite power can extend over an infinite distance; but between the terms ‘from which’ and ‘to which’ of creation, namely between nothing and being, there is an infinite distance; therefore etc.

20. Proof of the major: the greater the distance the more difficult it is to traverse it and the greater the virtue required in the agent; for we see universally that the more that potentiality is distant from act the greater the power required of the agent to reduce it to act.

21. Proof of the minor: for any finite distance it is possible to take or understand a greater; but no greater distance can be understood than that between nothing and being.

22. The minor is confirmed because the distance between all contradictories is equal; therefore the distance between nothing and something is equal to the distance between God and not-God; but the distance between God and not-God is infinite; therefore it is infinite between other contradictories too.

23. Again, the minor is confirmed in another way, because the distance between two contradictories is equal to the distance between any contradictories. But between the totality of being and pure nothing there is an infinite distance (in the way that it is possible for infinites to be contained under the totality of being), and such that only an infinite power is able to traverse it. So there is an equal distance between soul and not-soul or any creatable thing and its negation.

24. From this middle term [n.19] the argument for the conclusion is formed in another way as follows: there is no proportion between no-power and some power, as neither between not-being and being; therefore there is no proportion between the distance of power from act and the distance of no-power from act; therefore there will be no proportion between the power that can traverse the latter distance and the power that can traverse the former.

3. Third Reason

25. The third reason is taken from the order of agent causes [e.g. William of Ware, Giles of Rome], and it is as follows: An inferior agent presupposes in its acting the effect of a superior agent. This is clear from induction, because art presupposes the effect of nature that it acts on, and nature presupposes something potential, namely matter, which is the effect of the principal agent. If the order of agents requires this universally, and there cannot be any created agent that is not subordinate to God in acting, then a created agent necessarily presupposes in its acting an effect of God, and so it cannot act if nothing is presupposed, and therefore it cannot create.

4. Fourth Reason

26. The fourth reason is taken from the potentiality of a created agent [e.g. William of Ware, Giles of Rome], and it is as follows: no created agent is pure act or pure being; therefore none of its actions is pure act but has something of potentiality in it; but second act, being mixed with potency, is not without motion or change [cf. *Ord. I d.2*]

n.311-312, II d.1 nn.315-316]; therefore no created agent can act without motion and change; therefore it cannot create, for creation is from nothing but motion is in a subject.

B. The Inefficacy of the Aforesaid Reasons

27. But these reasons do not seem to be necessarily conclusive.

1. About the First Reason

28. The first [nn.17-24] does not for it consists principally in these two propositions: ‘being simply is the effect of God’, and ‘being simply is the proper term of creation’.

29. The first proposition seems false, because any efficient cause that generates a composite is also efficient cause of the being of the composite. But some composites are generated by created causes, unless the whole action of created things is to be taken away; therefore etc.

30. Proof of the major:

First because, according to the Philosopher in *Physics* 5.1.225a15-16, generation is generation to being.

31. Second by reason, because it is by the action of whatever generates a composite that the form of the composite exists in matter. But a form’s being in matter is the composite’s possession of being. Otherwise its being will either naturally follow or naturally precede the composite that is the term of the generation. If it precedes then the being of the composite exists before the composite itself does, which is not intelligible. If it follows, then a composite could, without contradiction, be produced by an agent without God giving being to that composite; indeed God could simply not give being, since he acts only contingently outside himself.

32. Nor does it help to imagine that being does not come from what generates the composite but yet necessarily accompanies the composite, for according to you [n.18] it does not accompany it as the term of the action of the generator itself. So, if being accompanies the composite as term of the first agent and does not precede it (as is plain), then it follows the composite, and so it can, without contradiction, not follow it.

33. The proofs too of this now disproved proposition [n.28, ‘being simply is the proper effect of God’] are not valid:

For the reason adduced for the purpose [n.17] fails in that it is equivocal, or that one or other premise is false. For ‘more universal cause’ can be understood in two ways, namely as to virtue or perfection, or as to predication. Likewise too an effect can be said to be ‘more universal’ in two ways, namely in predication or in virtue or perfection. And that is said to be ‘more universal in predication’ whose idea is predicated of more things; and that is said to be ‘more universal in perfection’ whose perfection is greater in itself and contains more perfections.

34. If then in the major premise [‘It is necessary to reduce effects more universal to causes more universal’] ‘more universal’ is taken in the same way for both cause and effect, I concede the major. For a more common effect can be reduced to a more common cause, and a more perfect effect requires a more perfect cause (if there can be a more perfect cause).

35. But if in the major ‘more universal’ is taken as ‘more universal in perfection’ for both cause and effect, there is equivocation, or the minor [‘the most universal of all effects is being itself’] is false. For the minor is only true of universality in predication (as is evident), for being is not the most perfect effect, for what is included in many things cannot be more perfect than any of the things in which it is included.^a So the conclusion that follows is that the effect is reduced to a cause more universal in predication.

a. [Interpolation] but being is included in any effect, however imperfect; therefore etc. But if in the major and minor ‘more universal’ is taken as ‘more universal’ in predication, then both are true and the conclusion is...

36. But then further ‘God is of this sort’ [sc. ‘God is the most universal cause’—added in the argument by Thomas but left implied above by Scotus], the minor is false. Indeed, God is the most universal cause in perfection, but being is the most universal cause in predication. And then the conclusion can only be that being can only be the effect of being, which I concede.^a

a. [Interpolation] But if ‘more universal’ in both premises is taken for ‘more universal in perfection’, then the major is true and the minor is false, as is plain from what has been said; indeed, the effect most universal in perfection is the noblest of creatable things.

37. But if in the major ‘more universal’ is taken in different senses, namely different on the side of the cause and effect (as that on the side of the effect it is taken for ‘more universal in predication’ and on the side of the cause for ‘more universal in perfection’), the major is false. For an effect more universal in predication can be from an imperfect cause, since being is found in several imperfect effects.

38. The other proof [n.17], taken from the author of *On Causes*, establishes the opposite. For it does not absolutely deny that being is given by the intelligence to something; rather it affirms it the more, because it says that to give being only belongs to the intelligence insofar as the intelligence operates through divine operation.

39. Even if addition to the proposition from *On Causes* be made through proposition 4, ‘The first of created things is being’, the conclusion, that being is precisely the term of creation, does not follow. For according to some people, ‘being’ there is taken for the first intelligence next to God, and ‘creation’ is taken there in extended sense for the first production of things in their idea, and firstness of being is taken according to distinction of formal ideas in effect and in origin, and not in perfection, so that the sense is: in the way that ‘being’ in the effect is distinguished from essential perfections, being is the term of the first production of things in their idea.

40. It is said here [n.33], in confirmation of the argument about more universal cause and effect, that it must be understood of an effect more universal in predication, and insofar as it is thus more universal. For (it is said) an effect more universal in predication, insofar as it is such, can only come from a cause more universal in perfection. For although a man can come from a man, yet man insofar as he is ‘man’ cannot come to be save from a cause more perfect than the whole species of man. Therefore, by similarity, ‘being’ insofar as it is such cannot come to be save from a cause more universal in perfection than the whole of creatable being. But being, insofar as it is

such, is the term of creation. Hence too is it then first said that being, not as this or that sort of being but simply, is the term of creation [n.17].

41. This confirmation does not work. For it is a response [n.40] posited by the doctor (whose it is) in his question ‘whether it belongs only to God to create’ [n.17]. I presume that he does not mean to ask ‘whether it belongs only to God to create everything creatable’, because this question would then include ‘whether anything else other than God could create itself’, about which no one could ever have doubted, according to Augustine *On the Trinity* I.1 n.1. Therefore, he means to ask some other doubtful question or conclusion, namely ‘whether anything other than God could create at least something lower than itself’. And about the question or conclusion thus understood he holds, for the reason posited [n.17], the negative side.

42. Let the major then be taken according to this exposition: ‘an effect more universal in predication, insofar as it is such, is from a cause more universal in perfection’; being is of this sort; the conclusion follows: ‘therefore being, insofar as it is such’ or (to give him more for his purpose) ‘therefore creatable being, insofar as it is such, can only be from a cause more universal in perfection than the whole of creatable being.’ From this it does not follow that ‘therefore the being of this creatable thing can only be from such a cause’. For it is plain that in this inference there is a fallacy of the consequent.¹ Therefore, according to this exposition of the first reason, the question is either nothing or, if it raises a doubt and the negative side is held for the reason stated (as thus understood), there is a fallacy of the consequent.

43. But if you say, ‘in any produced thing one is to consider being as it is of this sort and being simply, and in the second way being is the effect of the most universal cause (as the reason proves), but in the first way it is the effect of a particular cause’ – this is not a solution, because the ‘being simply’ in this thing and the ‘being of this sort’ are not so distinguished from each other that the ‘being of this sort’ could be from some cause without the ‘being simply’ in this thing being from the same cause. For whether there is a distinction of reason in the intellect or in any other way, what gives the thing ‘being of this sort’ gives it the ‘being simply’ that is in it.

44. As to what is added also about the instrument [n.18], I say that the major can be understood well or badly.

For when in the major is taken, not that the instrument has its proper action, but that it acts through something proper to itself (and Thomas brings in his proofs for this, which can be conceded), and that yet it does not act through what is proper to it save in virtue of the principal agent (for in any action it may have that is not by virtue of the principal agent, it would not be an instrument in this action but the principal agent) – then it is clear he is taking the instrument to be acting dispositively.

45. But if what is taken in the major is understood universally, it is false, for it is possible (according to him elsewhere [*ST IIIa q.62 a.1 ad 2*]) that the instrument reach up to the effect of the principal agent. And this is plain in many acts of art, where the artisan sometimes induces through the instrument the term principally intended (as a coin maker stamps the form on the coin through an instrument, and as the seal maker stamps the seal on the wax). Nor is an instrument ever necessary to dispose something for the principal effect, unless it is an instrument in the action that does the disposing for the effect –

¹ Sc. The argument proceeds invalidly from a premise about being simply to a conclusion about this or that sort of being in particular.

which is not universally necessary but only when there are several ordered actions, one of which disposes to the other. Absolutely, however, there can be an instrument that is an instrument in the principal action and yet does not concur in any other preceding action.

46. His major then [n.18] cannot be true unless the understanding of it is that an instrument causes, through something proper to itself, a disposition for the principal term – that is, when reaching the principal term is not possible by virtue of the principal agent itself.

47. And then one must suppose in the minor [n.18] that the creature cannot reach the term of creation in virtue of God, and this minor is not proved save by the prior reason about being [n.18], and this reason, as already seen, does not work [nn.38-39, 42-43].

48. Nor does the example about the axe [n.18] or the other proofs (that are brought in to show that an instrument has something proper to it through which it acts [n.45]) prove universally that an instrument acts dispositively. An axe acts dispositively for the bench, because the instrument is used in cutting the wood prior to the introducing of the form of the bench. But if the artisan were to use an axe or some other instrument in performing the principal act, it would not be necessary that the instrument (as an instrument for the form of the bench) have some dispositive action.

49. From these examples, then, where he assumes that the instrument disposes something for the principal term, one cannot make this inference about instruments universally without committing a fallacy of the consequent. But if it is not taken universally the idea of creation cannot be removed from the creature, for ‘from a particular major in the second figure nothing follows’, save by a fallacy of the consequent.²

2. About the Second Reason

50. The second principal reason [nn.19-24] does not seem valid, for when the extreme terms are immediate the distance between them is precisely as great as the one extreme is greater than the other.

51. The point is plain in a similar case, for the distance of God from creatures (even from the highest creature that can come to be) is as great as the greatness of God; and therefore, if the highest possible creature were posited, God would still be infinitely distant from it, because God is infinite.

52. It is plain too from an example to the opposite. Distance in quantities arises because of some intervening medium, and so the amount of the distance arises because of the amount of the intervening space. Therefore, by opposition, where there is no intervening medium, the amount of the distance will accord only with the amount of one extreme.

53. This is also plain by reason, for ‘distance’ here [sc. between God and creatures] is nothing but the excess of one extreme over the other. But when the

² The argument in n.18 is: (major premise) instruments are things that work dispositively for the principal effect; (minor premise) nothing at work in creation is a thing that works dispositively for the principal effect; (conclusion) therefore nothing at work in creation is an instrument. This syllogism is in the second figure and is only valid if the major premise is universal. But the major premise is false as a universal and only true as a particular.

exceeding extreme is immediate to the exceeded extreme, the quantity of the excess is the quantity of the exceeding extreme.

54. On the supposition of this major then [n.50], it is plain that, since some affirmation of creatable being is finite, the distance of this affirmation from the negation will be finite. For it is plain that the distance is immediate, since according to the Philosopher, *Posterior Analytics* I.2.72a12-13, “contradiction is the opposition of what has no per se middle.”

55. But if you imagine infinity on the part of nothing, this is nothing; because ‘nothing’ is not distant from anything save by deficiency, and the difference of ‘nothing’ from being is no greater than the greatness of the being it is different from.

56. This point too is plain, because there is no distance when one compares nothing with nothing.

57. So therefore the minor of the second reason is false [“between the terms ‘from which’ and ‘to which’ of creation, namely between nothing and being, there is an infinite distance,” n.19], if we understand infinite distance positively, that is, as infinitely exceeding every finite distance.

58. And thus must one understand ‘infinite distance’ in the major [i.e. “only an infinite power can extend over an infinite distance”, n.19] in order for the major to be true. For the infinity of the virtue of the agent that has power for that distance cannot otherwise be proved.

59. The minor [n.19] is disproved also in this way:

For in some contradictions there is a greater distance than in others, because God is distant from non-God more than the soul is distant from non-soul. And no virtue at all can make God from non-God or vice versa. But some virtue can make soul from non-soul. Now if all contradictions were infinite, no contradiction could be greater than another, since the infinite cannot be exceeded.

60. Again, the virtue that has power for the whole ‘term to which’ has power for the distance between; for, once the ‘term to which’ is in place, the ‘term from which’ is destroyed by the ‘term to which’ that succeeds. But the term is finite, and so one cannot conclude therefrom other than that a finite virtue has power for it; therefore it also has power for the distance between.

61. Again, some natural generation is between form and privation, from *Physics* 5.1.225a12-16; but privation includes contradiction (though contradiction in a subject), and so when there is passage from privation to form, there is a passage from negation to affirmation. But it is plain that this natural generation is done by created virtue. Therefore the distance is no problem.

62. How then will the common dictum be preserved that says, ‘between contradictories there is an infinite distance’ [nn. 19-24, 50]?

I reply: this dictum is simply false, taking ‘infinite’ for what infinitely exceeds simply any finite distance whatever. But in another way ‘infinite’ can be taken for ‘indeterminate’, and thus the dictum is true. For no distance is so small that it is not sufficient for contradiction. For however little one draws away from one of the contradictories, one is immediately under the other contradictory. Nor is there any distance so great (even were it possible to be infinitely greater than the greatest) that contradiction does not extend itself to it and to its extremes. And when taking ‘infinite’ in this way in the major [n.19], the major is false.

63. To the proofs, then, for the minor:

As to the first [n.21], when it is said that it is not possible to understand a greater distance than the one cited [sc. a greater than that between nothing and being], I say this is false positively and true permissively. That is to say that some distance does separate things more than some other one does, and that some contradiction does separate things more than some other one does. But the distance in question [between nothing and being] does permit any greatest distance, for it remains true in the greatest distance. An example: the term ‘ass’ indicates greater intensive perfection than the term ‘animal’, yet ‘animal’ permits, or can remain true, in something more perfect than ‘ass’, because it does so in ‘man’. And what is greatest in this way, namely permissively, is not the greatest formally.

64. As to the other proof [n.22], about certain kinds of contradictories, I say that although all contradictories whatever are equally incompossible with each other, yet they are not equally distant. For God is more distant from not-God than white from not-white (the way the first proof [n.21] proceeded), because the positive extreme is greater in comparison to the negation [sc. God is greater than white, though not-God and not-white are equally negations].

65. The same point makes plain the answer to the next proof [n.23]. For the totality of created being exceeds ‘nothing’ more than the soul exceeds not-soul, just as the whole of creatable being is more perfect than the soul. Yet ‘soul combined with not-soul’ is as equally incompossible as ‘nothing combined with the totality of being’. This argument, however, does not support the proposed thesis.

66. As to the reason made next [n.24], about the lack of proportion between no-power and some power, I concede that the distance between no-power and act does not have any proportion to the distance between some power and act. But this is because the latter is a positive distance (because it is between positive extremes) and the former is not a positive distance (because its other extreme is nothing), and there is no proportion of positive to not-positive, just as neither of being to nothing. But from this lack of proportion does not follow that a virtue that can cover one is not proportionate to the virtue that can cover the other. For one positive only lacks proportion with another positive because of infinity in one of the positives. But in the case of the distances in question, the lack of proportion was not because of infinity in one extreme, but because the other extreme did not have any quantity whereby to proportion it. An example: a point lacks proportion with a line because a point has no quantity. To say, then, ‘therefore the virtue that can do this lacks proportion with the virtue that can do that’ is a non sequitur. For a virtue and a virtue are of a nature to have some quantity of the virtue, and consequently to have likewise a proportion between them, unless one of them is infinite. But in the case here [n.24] the lack of proportion is because of a lack of quantity in the other extreme.

3. About the Third Reason

67. The third initial reason [n.25] does not conclude. For either it assumes in the major that the secondary agent presupposes the effect of the first agent as the matter on which it acts, and then it begs the question, namely that every agent other than God acts on some presupposed passive thing. Or it understands the major absolutely, namely that a secondary agent does absolutely presuppose an effect of the first agent, which I concede,

because of course it presupposes itself, just as acting presupposes being, and being is the effect of the first agent.

68. As to the induction [n.25], which seems to prove the minor according to the first way of taking the major [n.67], I say that if art has power for some form yet it only has power for some merely accidental form. But an accident necessarily requires a substance for its actual subject. So what follows is not that an artisan (by the fact he is an agent subordinate to nature) requires or presupposes an effect of nature as his own passive subject, but rather that he acts for the sort of term that requires a substance, and art has no power to produce a substance. But it is very plain that this is not because of an order of agents, for nature presupposes in its action an effect of nature as its passive subject, just as in the case of alteration it presupposes a substance. Therefore, there is a common cause on the part of nature and on the part of art in presupposing a substance, namely when they act to produce an accident that can only be produced in a substance.

69. But if some corporeal substance were immediately produced by God without any action of nature, art could nevertheless act on the passivity of it, provided the corporeal substance were capable of the term of the art and provided the effect of nature had preceded in it.

70. It is likewise plain that the argument from the order of agents [n.25], by distinguishing several orders of agents, is not valid. For in the order of natural agent one can find a material agent that is lower and an immaterial agent that is higher. But it does not follow that the material agent presupposes the effect of a created immaterial agent; nor does it follow that, if the material agent presupposes an effect of God immediately on which it acts, therefore the immaterial agent, which is higher, presupposes nothing.

4. About the Fourth Reason

71. The fourth reason [n.26] does not conclude, because the potentiality that is common to creatures (whether it is understood as the creature's objective potentiality for existence, or whether it is understood as its potentiality as a subject for potentially receiving something or for potentially inhering in a subject, like form or act) is not sufficient for inferring that its action is with motion or change. Rather what follows is that its action, if it is immanent, has the aforesaid potentiality, or that if its action also transitions to another, in the way it does in that which does transition or is in the term of the action, then it has either or both potentialities. But not for this reason does it follow that its act is one that flows or transitions quickly like motion or change.

II. Opinion of Avicenna for the Opposite Side of the Question

A. Exposition of the Opinion

72. The opinion of Avicenna seems to be for the opposite side of the question. He allows that a creature can create in his *Metaphysics* 9 ch.4, where he posits that the second intelligence is a productive cause of the third, and the third of the fourth, and so on and so on. But the second intelligence is a creature, and the production of the third intelligence is creation, in the way he speaks of creation and creature in *Metaphysics* 6 ch.2, namely in that creation is production from nothing. And creation comes after nothing, not in order of duration but of nature, as Avicenna expounds in the same place,

or it comes from nothing, that is, not from supposing anything first of the produced thing. He posits that in this way the second intelligence is produced by God, and the third by the second – with nothing presupposed and after non-being in order of nature, though not in order of duration, because he does not posit any newness.

73. The following sort of reason can be put together for this opinion: from a cause altogether one there is only one immediate effect (for otherwise there would be no reason for a distinction in the effect; for why is this effect different from that if the cause of this and of that is altogether one?); but the first thing is altogether one in itself; therefore since the intelligences are several, they will not come immediately from one thing; therefore one intelligence comes from another intelligence.

74. If Aristotle agreed with Avicenna here in these two propositions – namely ‘intelligence is produced, that is, it is a being from another, though without novelty’ and ‘from something altogether simple only one thing can immediately come to be’ – then he would have to agree with him in the conclusion.

75. One can also argue for this opinion in the following way, that the Philosopher says in *Meteorologica* 4.3.380a12-15, “Each thing is perfect when it can produce another like itself.” But the intelligences are more perfect than corruptible bodily substances. Therefore, since body can produce body, much more can intelligence produce intelligence. But an intelligence can only be produced by creation, since it does not have matter as part of itself. Therefore etc.

B. Refutation of the Opinion

1. The Reason Proposed by Thomas Aquinas.

76. An argument against this opinion is as follows [Aquinas *ST* Ia q.45 a.5 ad 1]: “What participates in some nature does not produce another like itself in that nature save by applying the nature to something else (for man cannot be the cause of human nature absolutely because thus he would be cause of himself; but man is cause that human nature is in ‘this generated man’, and so he presupposes the matter whereby ‘this man’ is). But any created thing participates in the nature of being, because only God is his own being. Therefore no created thing can produce any being unless something is presupposed to its action whereby the product may be a ‘this’. But this sort of supposition cannot hold in the case of an immaterial substance, because an immaterial substance is a ‘this’ through its own form, by which it has being. Therefore, an immaterial substance cannot produce another immaterial substance as to that substance’s ‘being simply’.”

77. This reasoning, which has in some way been rejected elsewhere [*Ord. II* d.3 nn.229-233, 241-246], supposes first that ‘this man’ is a ‘this’ only through matter, and second that an angel is a ‘this’ through its form.

78. Likewise, when in the major is taken “What participates in some nature does not produce another like itself in that nature save by applying the nature to something else,” then: – Either this is for the reason that the nature must be participated by the product, and then, from the fact that the nature is participated by it, something must be presupposed to which the nature is applied. And then it would follow that God could not create an angel: First because an angel would participate ‘being’ and so something must be presupposed to which ‘being’ might be applied, which is against the idea of creation. Second because, as the proof of the major shows [n.76], the product would have to be a

'this' through what was presupposed; but, according to them [Aquinas and his followers] an angel cannot be a 'this' through anything that is presupposed, because it is a 'this' through its form. Therefore, the reason the major is true cannot be because the nature to be communicated is participated by the product.

79. Or if, alternatively, it be said that the major is true is because the nature communicating the nature participates in the nature [n.76], this cannot be the reason, because nothing is presupposed to the being itself in that very agent (for otherwise the producer itself could not be created). Therefore, neither is it necessary that anything such be presupposed in what is made like the producer in being.

80. Again, being is participated either as some act different from essence, or as the same as essence or as the first act of the thing.

If in the first way, no proof is given that the product cannot create, for although being presupposes something in which it is received, yet essence presupposes nothing; and so, although what participates being is not created as to being, there is no proof that it could not be created as to the substance or essence that is presupposed.

If in the second way, even less is the proposed conclusion got that being cannot be created and cannot be so by what participates being just as by something else. For in things here below each individual participates the nature of the species, and yet this nature can be the first term of production in one individual and the principle of producing in another individual. And that matter is presupposed in this case is not on account of the nature to be participated, but because the form, which is part of the participated nature, is a material form.

2. Scotus' own Argument, Drawn from Three Propositions

81. Setting this response aside then [n.76], I argue against Avicenna on the basis of three propositions. The first of these is that 'no accidental act is necessarily required in that which creates a substance as something that necessarily precedes the term of creation'. The second is that 'the intellection of an angel is accidental to an angel'. From these two follows that intellection is not necessarily required in an angel previous to the creation of substance. The third proposition is that 'for producing anything outside an angel, the intellection of the angel as something preceding is necessarily required'. And there follows the initial point intended, namely that 'no substance can be created by an angel'.

a. The First Proposition

82. The proof of the first proposition is that the act (necessarily preceding the term of creation) is required either as an act productive of the term or as the formal initial productive of the term (an example of the first: heating in respect of heat generated in wood; an example of the second: heat in the fire in respect of the heating of the wood).

83. But the act is not required in the first way, because an act productive of something and a formal productive act are in the same thing; so an act immanent to the agent as a productive act is not required to produce anything outside.

84. Nor is the act required in the second way [n.82], because an accidental act cannot be the formal initial of producing a substance.

First because an accident necessarily requires, in its existing, a receptive potency [*sc. a substance able to receive it*]; but every form requiring a receptive potency necessarily requires, if it is active, a passive potency in its acting, otherwise the form terminating the action would be more removed from matter than the form is that is the principle of the action – and this is unacceptable because removal from matter argues perfection; but the formal term of action cannot be more perfect than the formal principle of acting.

Second because accident is more imperfect than substance, from *Metaphysics* 7.1.1028a29-36; but nothing is a formal principle of producing a thing more perfect than itself. For if it is a univocal producer it is equally perfect, and if it is an equivocal one it must be more perfect. But never can something more imperfect than the product produce something more perfect than itself.

85. [Objections and their solution] – A response is made here that an accident can be the principle of producing a substance by virtue of a substance, because it is an instrument of a substance – though it cannot do so by its own virtue (an example from heat, which is an instrument of the soul in generating flesh, *On the Soul* 2.4.416b27-29).

86. Against this: every instrument, or anything acting in virtue of another, either attains the initial effect or disposes for the initial term of the act. But neither of these is given in the matter at issue. For an accident cannot attain the effect of the initial agent, namely an agent creating a substance, because if the initial agent were a univocal agent it would not necessarily require any agent intermediary between its form and its effect. But an equivocal agent is more perfect than a univocal one. Therefore, it does not necessarily require such an intermediary, and consequently does not have an instrument through which to attain the term. Nor can an accident serve as preceding disposition, because creation presupposes nothing that is disposed to it.

87. A confirmation of this [n.86] is that where accidents are instruments for generating a substance, they do not reach the initial term but only a certain disposition on the way to it, as is plain of the alterative qualities of the elements, which do not attain the substantial form. Otherwise quality would be a principle that acts immediately on the matter [*sc. prime matter*] that is receptive of substantial form, which is unacceptable because quality can only be received in a substance composite in its existence [*sc. composite of matter and act*]. Neither then can an accident act save on a composite substance and so not on pure matter.

88. Hereby is plain the answer to the point about heat in *On the Soul* [n.85]: for heat is called an instrument of the soul in the generation of animated flesh in so far as it is a principle for alteration in an alteration that is previous to generation – and not because, in the instant of generation, it reaches the form of flesh as its term, just as neither does it reach the substantial matter of flesh as its passive object.

89. Against this response [nn.86-88] an objection is raised based on *Metaphysics* 7.7.1032a13-14, b1,11-12, that “The house outside is made by the house in the mind.” And yet ‘the house outside’ has the being of a house more truly than ‘the house in the mind’, for the ‘house in the mind’ has diminished being in respect of ‘the house outside’, just as a known being is diminished in respect of real being. Therefore, a more imperfect thing (namely something having being in knowledge) can be the principle for producing something more perfect.

90. And this example is applied to the issue at hand as follows: as the house in the mind is related to the house outside, so is an angel (in the actual knowledge of an angel) related to an angel outside. But, according to the Philosopher [n.89], the house outside is made by the house in the mind. Therefore, from an angel that is in another angel's intellect as known, that same angel can come to be outside.

91. It is not then the accidentality of angelic knowledge that prevents the creation of an understood substance.

92. To the first objection [n.89], then, I say that it is one thing to speak of a truer or more perfect 'being simply' and another thing to speak of a truer or more perfect 'being of this sort'. For a stone in the divine mind has 'being simply' more truly and more perfectly than the stone outside, because a known object is said to have the being that knowledge itself has. Hence Augustine on *John* 1.3-4, tr.1 n.16, "What was made in him was life," says 'the thing known is creative life in the Word', and this because the Word's knowledge is really creative life. For what is said objectively of the thing known must be really found in the knowledge itself. But a stone in the divine intellect does not have a truer being of stone than the stone outside does, otherwise something intrinsic really to God would be formally and properly a stone.

93. To the issue at hand: the house in the intellect of the artisan is said to have the being that the knowledge itself of the house formally has; but, as it is, knowledge is simply more perfect than the form of the house outside, because the knowledge is a certain natural perfection of the soul; and the form of the house outside is either not real or, if it is, is much more imperfect than the knowledge is.

94. So, therefore, the answer to the first argument [n.89] is plain, that the house outside is said to come to be from the house in the mind, for it comes to be from the knowledge of the house in the mind as from the formal principle; and this knowledge of the house is simply more perfect than the house outside. Also the house inside, to the extent it participates in the being of cognition, is more perfect than itself outside.

95. And when it is said that the house inside is a diminished being and the house outside is a real being [n.89], I say that the knowledge of it is a real being and a more perfect being than the house outside. The house in the mind also participates objectively a more noble real being than is the being outside.

96. And in this way is to be understood the remark of Augustine *On the Trinity* 11 ch.11 n.6, that "a superior thing has a nobler being in itself than in the intellect, and conversely an inferior thing has a nobler being in the intellect than in itself." This is to be understood of the being that belongs formally to knowledge itself, and by participation to the known thing. It is, however, true that the house outside has a truer being of house than the house in anyone's intellect, but this is 'being in a certain respect', that is, a limited such being; but it has a simply nobler being in the intellect, above all in the divine intellect.

97. From this is plain the answer to the argument by similarity [n.90]; for I deny the similarity, because although the knowledge of a house is nobler than the house outside, yet the knowledge of an angel is not nobler than the angel is in himself, because an accident is not nobler than a substance.

98. And if you argue that it is similar, because the object on both sides is disposed in a similar way to the knowledge of it: 'for it is of a nature to be the cause of its knowledge (namely the house cause of knowledge of itself as an angel cause of

knowledge of himself), but a cause (if it is an equivocal one) is more perfect than its effect'. And likewise: 'a house is the measure of the understanding of itself as an angel is the measure of an understanding of himself, but a measure is more perfect than the thing measured, for the measured depends on the measure and not conversely, *Metaphysics* 5.15.1021a29-30' – I reply that a house is not of a nature to have, as to the above conditions (namely 'to be cause' or 'to be measure' of knowledge), the idea of an object in respect of knowledge of it, because an intellect that is moved by a being or quiddity in some sensible thing is not moved by an artefact as it is an artefact, because it is not thus an entity or has a whatness. But a house is only an object as to the third condition of knowledge,³ namely that it terminates the act of knowing, and this condition of an object does not indicate a greater perfection in the object than in the act of knowing it.

99. And if you ask 'what then is the object that is causative and measure of the knowledge of a house or of some other artefact?', I reply that it is some natural entity or entities, whereby the intellect is moved to knowing the order or figure that the artefact adds to the natural entity. But an angel is in every way the object of knowledge of itself in the intellect of another angel; and for this reason a house can come to be from the knowledge of itself but not an angel from a knowledge of itself.

100. And hence is evident the invalidity of the argument, 'a known object has diminished being, but the object outside has being simply and real being, so the object inside cannot be the principle of producing the object outside' (or: 'therefore the known thing inside cannot be the principle of knowing the known thing outside'). Yet this argument does really prove, 'if knowledge is less noble than the form outside, then the knower cannot, by this knowledge, know the known thing outside'.

101. If the essence of a higher angel is the reason for knowing an inferior angel, then it contains the inferior angel in its knowability and therefore also in its entity. Therefore it can produce it whole – just as if an object is natural in two ways and artificial in a third, the natural contains the artificial eminently, because it contains what contains the artificial, namely the knowledge productive of it [nn.124-125].

b. The Second Proposition

102. The second initial proposition posited above^a [n.81] is shown in this way, because in *Ord. I d.2 nn.101, 106, 126* it is proved as follows: it is not repugnant to the intellect of an angel to understand distinctly anything intelligible, even if there could be infinite intelligibles and of different idea and so disparate that none of them was the principle of knowing another. For, on the basis of these posits on the part of the intelligible object, there is not found on the part of the intellect any repugnance to prevent it perfectly and distinctly understanding all of them or any one of them. But the repugnance is that the intellect of an angel should distinctly understand them through a single act of understanding if they were infinite and disparate in the way stated [here n.102]. Therefore, it is not repugnant to an angel's intellect to have different intellections really, though it is repugnant to an angel's substance to be different substances really. Therefore not every understanding that is possible for an angel's intellect can be the same as its substance; therefore it is an accident.

³ The three conditions for being an object of understanding are: cause, measure, term of intellection; cf. *Ord. I d.3 nn.477-479*.

a. [Interpolation] But some books have it differently: if the essence of a higher angel is the reason for knowing a lower one, then it contains it in its knowability and so in its entity; therefore it can produce the whole of it – just as, if the object were natural to it in two ways and artificial in the third way, the natural contains the artificial, because it contains what contains it, namely intellection productive of it [n.101].

103. These assumptions [sc. about what is repugnant, n.102] seem plain, besides this one, that ‘it is repugnant to a single finite intellect that it could be distinctly of infinite disparate objects’.

104. But this one I prove in three ways: first from the finitude of the intellection in itself, second from the finitude of the angelic intellect, third from the finitude of the angel’s essence.

105. [From the finitude of the intellection in itself] – From the first in two ways:

First as follows: a single act of understanding, if it were of infinite disparate objects, would include eminently in itself the perfections of the infinite intellections that would naturally be had with respect to those objects. But it could not contain them eminently in itself unless it were intensively infinite (as is plain, because if the intellections were infinite in their proper ideas, there would be there an infinity of perfection of different ideas, because of the objects that are posited to be infinite and disparate). So, where they exist in a more eminent manner, there would have to be some infinity there – but not an extensive infinity, because the unity of what it is contained in would take such infinity away; therefore an intensive infinity.

106. Secondly as follows: every finite act of understanding is determined to a definite intelligible or to some definite intelligibles, such that it would be repugnant to it in itself that it be of things other than them or than it. But if the act of understanding in an angel is posited with respect to disparate intelligibles (were they to exist), it would not be thus determined; therefore it would not be finite.

107. [From the finitude of the angelic intellect] – I prove it, second, on the part of the angel’s intellect as follows: Things of which there is a single act of understanding can be understood together. But a finite intellect cannot at the same time distinctly understand infinite disparate objects, because it is a mark of greater power to understand distinctly many disparate objects at the same time than to understand few. Therefore to have distinct understanding of infinite disparate objects is a mark of a power intensively infinite.

108. To this proof [n.107] the response is made that intellection is not more perfect because it is of more objects, for the understanding that compares stone to wood is not more perfect than the pure understanding of stone, and yet the comparative intellection includes the intellection of more things, because it is of compared things.

109. This response supposes something false, and from the refutation of it the truth of our proposed position becomes clear. For the intellect cannot have an understanding comparing stone to wood unless it have the reasons for knowing each object. But the pure understanding of one of the objects can be had through the reason proper to only one object. Therefore the comparative understanding necessarily requires a greater perfection in the formal principle of understanding than pure understanding does. But the effect does not necessarily require a greater perfection in the cause unless there is a greater perfection in the effect (at least in effects of the same idea); therefore etc.

110. [From the finitude of the angel's essence] – The third [n.103] is proved on the part of the object, or of the reason for understanding, in two ways:

The first as follows: one understanding requires one formal objective idea of understanding and one primary object, because if there are many primary objects the understandings will be numbered according to the number of their objects, just as things measured are numbered by their numbered measures, because of their actual dependence. Therefore, there must be one object of a single intellection and one formal idea of understanding. But it cannot be other than the essence of the angelic intellect, for, as is plain, this is the primary object in the angel's intellection and the primary idea of understanding.

111. And if this is not similar in the intellection of anything else, you will be granting several primary objects. So there must be several intellections, or one must posit that the angel's essence is the primary object and the formal idea of understanding whatever can be understood by it. But the consequent here is false for two reasons: first because some infinite being is intelligible to this intellect, but nothing finite can be the reason for understanding perfectly an infinite object; second because nothing can be the reason for knowing several things of different idea unless it contain eminently in itself all of them according to its knowability and so according to its entity. Therefore nothing can be the principle for knowing infinite disparate things, if they exist, unless it contain those infinite things eminently in itself. Therefore the essence of an angel, since it is finite, cannot be the reason for knowing such infinite objects.

112. Thus, therefore, on the supposition of the finitude of angelic intellection and of angelic intellect and essence (from *Ord. I d.2, n.102*), it follows that there can be in an angel different acts really of understanding and only one substance. Therefore an angel's understanding is not the same as his substance; therefore it is an accident [n. 102].

c. The Third Proposition

113. The third proposition is conceded by Avicenna [n.81], as is plain according to his way of positing it in his *Metaphysics* 9 ch.4 [n.72].

114. However this can also be made clear because a nature merely intellectual cannot produce save by understanding and willing, or by act of understanding or will (either one of them or both, I care not). Hence too a divine Person produces nothing internally or externally without an act of these same powers; for if the divine nature, as it is prior to the intellect, were a principle of producing a Person, there could be some Person in divine reality prior to the Word, and so four Persons.

115. Also if some third executive power is posited in an angel, different from intellect and will, this does not impede the intended conclusion, because nothing can be produced by this third power save in virtue of the intellect and will, for the reason that every *per se* agent acts for an end that it knows or to which it is directed by what knows. And thus every *per se* active principle which is not cognitive seems to be directed in its action by a cognitive principle. At least this fact is plain, that the third power, if it existed, would be subordinate in acting to the intellect and will, and thus nothing could be produced by it without an act of intellect or will, and the argument stands.

C. To the Arguments for the Opinion

116. To the arguments for Avicenna's opinion:

As to the first [n.73]: the proposition 'from a principle altogether one there cannot immediately come several things' is false if it is understood of something altogether one in reality. For, in the case of an agent acting through intellect and will, a distinction of known things, or a distinct knowledge of several things, is sufficient for several things to be produced from it. And thus is it sufficient here, if the knowledge is the substance of the knower and is consequently not numbered – it is otherwise if the knowledge is not the substance of the operating agent, but is an accident and numbered.

17. As to the second argument [n.75], one must say that the proposition of the Philosopher is true in the case of things where it is not repugnant for the nature to be communicated by something alike in species. But not everything perfect in a species can communicate the nature, because neither is the nature itself communicable to something like itself.

118. And if you argue 'at least those things will be more perfect that can communicate their species than those that cannot' – I say rather that in the matter at issue they are more imperfect. For, in the matter at issue, it is because of the perfection of the nature that the nature cannot be communicated save by the most perfect agent and in a way of communicating that agrees alone with the first agent. And it is more perfect to have such a perfect nature, which because of its perfection cannot be produced save immediately by God himself, than to have a nature able, because of its imperfection, to be caused by a created nature.

III. Response to the Question

A. On the Sense of the Expressions 'To Act Initially' and 'To Act Instrumentally'

119. As to the question, then, since there is a difficulty about 'to create initially or instrumentally' [nn.17-18], one needs for this reason to know that 'to do something initially' can be understood in two ways: in one way by excluding every acting superior cause, so that 'to act initially' in this way is to act independently of an acting superior cause; in another way 'to act initially' can be understood to be that an inferior cause acts through its proper and intrinsic form, although it is, in acting through its form, subordinate to an acting superior cause.

120. If an instrument is distinguished from a initial cause said in the first way, then every second cause can be said to be instrumental. But if an instrument is distinguished from a initial cause in the second way then that can be said to be an instrument which does not have in itself a form active in its own order even when depending in its action on something superior, but which only acts through the motion of some other mover, as is plain of the instruments of artisans (as axe, saw, and the like). But if an instrument is posited as a principle properly active for some term, it must have some active intrinsic form: either in its 'settled being' before all motion of another agent, or in its 'becoming' when it is wholly moved by a superior agent. For if it has an active form in neither way then in no way will it properly act [cf. *Ord. II d.3 n.268*].

121. For since first act is the principle of second act, what has no first act in itself active in its own order has no power for a second act in that order, otherwise anything could be posited as an instrument for anything, and one could say that God created an

angel through a fly as through an instrument, which is nothing. For just as it is repugnant to some nature that it be the active principle of some actions, so it is impossible for it to be, through any power at all, a principle of those actions. For although God could absolutely create cold, yet he could not create it through heat such that heat would be, in its own order, the active principle of cold (or with any other example where there would be this sort of repugnance to acting).

122. From this is plain that if an instrument is posited as effecting some effect, it must, like a second cause, have in itself before motion an active form in its settled being – or at least it receives in the actual motion an active form by which to act in its own order of acting. And this acting must be either for the initial term or for some disposition on the way to the term, so that the following proposition is in this way universally true: ‘every instrument that is properly active either acts for some disposition on the way to the initial term or it reaches the initial term through some intrinsic form, though it does so in virtue of the initial agent’ – and this whether the intrinsic form precedes the motion of the initial agent or is only present in the instrument while it is being actually moved.

B. What One Must Think when ‘To Act Initially’ is taken

1. Nothing Other than God can, Independently of a Superior Cause, Act or Create Initially

123. As to the matter at issue it is clear that nothing other than God can act initially in every action when one takes ‘to act initially’ in the first way [n.119]. And this is plain according to the theologians, who say that God acts initially in every action [Alexander of Hales, Thomas Aquinas, Giles of Rome].

2. Whether any Creature can Act or Create when Depending on a Superior Cause

124. But when ‘to act principally’ is taken in the second way [n.119], there is a threefold way of speaking about it.

a. The First Way of Speaking

125. One way is that the negative conclusion is held only by faith [William of Ware], because of the authorities of the saints [nn.11-14], and cannot be proved by reason. For it is not evidently clear why it should be repugnant to a creature to produce some effect whole and wholly with nothing of it presupposed, since anything in the effect is more imperfect than such an agent cause is, and so could be contained in the cause eminently, and thereby virtually and actively. – This is plain by explaining causes and effects. For that which is more perfect in form is also more perfect in matter, because form is more perfect than matter, *Metaphysics* 7.3.1029a20-32. Therefore, if the cause can have the form in its active virtue, it does not seem repugnant to its perfection that it should have the matter in its virtue and thus the total effect. Therefore, if the creature can have the form in its active virtue, it does not appear why it will not similarly be able to have the matter, and so the whole effect wholly. Also, if several angels could belong to the same species, as was said in *Ord. II d.3 nn.227-237*, it does not appear why an angel

cannot produce an angel as fire produces fire, for in both cases the product has the same proportion to the producer's perfection.

b. The Second Way of Speaking

126. In another way it is posited that the negative conclusion can be shown by reason [Thomas Aquinas, William of Ware], and this universally about any creature. For just as material and formal cause in their whole genus necessarily require each other in causing a thing in its being (for never is the form the formal cause of anything unless the matter is at the same time the material cause of the same thing), so the whole genus of efficient cause, which includes every limited efficient cause, necessarily accompanies the matter as to the 'coming to be' of the thing. For just as matter and form are causes in a thing's being, so are the efficient cause and the matter causes in a thing's coming to be. It is therefore impossible for any limited efficient cause to act to produce the effect, unless, at the same time, the matter is concurrent as a principle equally requisite for the coming to be, and in this coming to be is received the form, which is the formal term of the action and from which, as from a part, the composite is constituted that is the primary product. But God does not require concomitant matter in his action, because he is, as an unlimited agent, above the whole genus of efficient cause.

127. This response, although perhaps it states the 'reason why' of the conclusion (namely the limitation of the efficient cause, which determines it to require matter in its acting), yet the 'reason why' is not much more evident than the conclusion, as is evident from looking at it.

d. The Third Way of Speaking

128. Therefore one can say in a third way that a creature cannot create principally in the aforesaid way [n.119], namely through an intrinsic form active with respect to the term in its own order of acting.

129. [First conclusion] – And the proof of this is by reason but not one that is common to all creatures, rather by several that are specific to diverse creatures, so that the conclusion is: 'No created merely intellectual nature can create substance'. This was proved above when refuting the opinion of Avicenna [nn.82-84], because the intellection of any such nature is an accident and it can produce nothing save by an act of understanding and willing, which would not be a necessary preceding act if it could create substance; for between a perfect active principle in a perfect supposit and a substance terminating an action, no accident is a necessary intermediary. But it is otherwise with God, whose intellection and volition are his essence, and therefore he can produce substance through his intellection and will, but a creature not so.

130. Someone will say that the points that follow are disposed in order of difficulty and probability: first that an accident in virtue of a substance, which it is not, may produce a substance (but there will be discussion of this below in d.12 nn.120-121); second that an accident inhering in a substance may produce a similar substance by virtue of the first substance as a 'by which' not subordinated to the first substance as superior agent, but the accident is all the active 'by which' of the substance; the third is that an accident is an instrumental or secondary 'by which' of acting, subordinate to the

substance and to its ‘by which’ in order of acting, but it does not reach the term of the action of the substance.^a

a. [Interpolation] All these are denied by Scotus, who concedes only that the accident is a form ‘by which’ in a dispositive action that precedes the action of the substance (as alteration precedes generation).

131. The first of these points [n.130] is sufficiently refuted in d.12 part 2 q.3 n.13, because it is against two propositions, of which one is that ‘the formal term of passive production cannot be simply more perfect than the formal principle of acting’, and of which the other is that ‘a form which is not cannot give to anything in any way the virtue of acting in any action, just as neither can that which is not be the principle of any action’ [*ibid.* n.9].

132. The second of these points [n.130] is against the first proposition above [n.131], because every superior agent has its own ‘by which’ of acting in its own order; but the essential order of agents is *per se* found only according to the active principles in them; so if the substantial form is not any principle of acting mediately, as not immediately either, then both the first and the proximate agent in generation is the quality, and the substantial form is the formal term of passive generation; therefore etc.

133. It will be said that the first proposition [n.131] is only true when joining perfection to the principle of acting, and therefore to that in virtue of which it acts. But, as it is now, it acts in virtue of the substance, though the substance is not a superior agent by its own form.

134. On the contrary: where the ‘by which’ is not subordinate to another ‘by which’, nor agent subordinate to agent, then what is altogether first as also proximate in the genus of efficient cause is what it is insofar as it has the ‘by which’; and for this reason the formal term of passive production is more perfect.

135. There is a proof of the first proposition absolutely [n.131], without the gloss [n.133 ‘when joining perfection to the principle of acting...’], because an active thing is active insofar as it has the formal principle of acting, but the product is *per se* produced according to the formal term of the production, so that other things in both producer and produced are not that according to which the former *per se* produces and the latter is *per se* produced. Therefore the thing produced, as produced, is more perfect than the producer insofar as it is producer, and so the thing produced will, according to something of itself (namely that wherein it exceeds the producer), be effectively from nothing.

136. But the third point [n.130] is against the proposition ‘an accident does not reach the matter in acting just as neither can it perfect it in being’, which proposition is against the first and second points [n.130], because they are not valid.

137. [Second conclusion] – The second conclusion is: ‘No material form can be created by a creature’. The proof is as follows: a form that is created comes naturally from the efficient cause before it informs the matter; a material form cannot come naturally from any creature before it informs its matter or potential; therefore etc.

138. Proof of the major, that if the form is not naturally first, then it does not receive being from the cause save by the action whereby the subject is informed with it; but this in-forming is a change properly speaking, and so is not creation [cf. *Ord.* I d.5 nn.94-96, II d.4-5 nn.290-295].

139. Proof of the minor, that no creature can give to a material form absolute being in itself, that is, without the material form in-forming its potential matter; for if it could thus give being, it could also conserve being, so that such a form would, by virtue of the creature, really remain for some time without matter. Now I call a material form every form that by its nature is naturally inclined to be the act of matter, and this whether the material form is substantial or accidental.

140. [Third conclusion] – The third conclusion is, ‘No material form can be the principle for creating something’. The proof is that, just as in its being a material form presupposes the matter in which it is, so in its acting it presupposes the matter on which it acts; otherwise the term of its action would be more absolute from matter than the form itself is.

d. Final Opinion

141. From these conclusions [nn.129, 137, 140] the intended proposition follows thus:

No angel can create a substance (from the first conclusion, nn.128-129), nor any accident (from the second, nn.136-137), because an accident cannot be created by a creature. Therefore, an angel can create nothing.

142. Nor can a material substance create anything, because it cannot act save through its form (whether accidental or substantial, I care not), for although matter is some being, yet it is so low that it is not the principle of any productive action. And a material form cannot be the principle of creating anything, nor can any accident be the principle of creating (from the third conclusion, n.140); therefore a material substance cannot create.

143. Therefore neither a material nor an immaterial substance can create, nor can any accident be the principle of creating (from the third conclusion, as stated, n.140).

144. There is also a special proof to show that a material substance cannot produce matter and so, if nothing is presupposed, not the whole effect either. For when certain things in their whole genus have some order, any one of them has a like order to any other of them (an example: if whiteness in its whole species is prior to blackness, then any whiteness is prior to any blackness). A material form in its whole genus is posterior in origin to the whole of the receptive matter; so any such form is posterior to any matter. But what is posterior in origin or generation is not the principle of producing what is prior in that way; therefore a substantial material form cannot create matter.

145. A confirmation of this is that a material form depends in its being on matter; therefore it cannot in its acting be the principle of producing anything of the same idea as matter. For it seems repugnant that it should in its acting depend on anything of the same idea as the term that it produces.

e. An Objection and its Solution

146. If you object [Aquinas on *Metaphysics* 7 lectio 1, 2] about substantial form and the quality consequent to it that the quality follows the substantial form of the generator, and yet it is in some way cause of the substantial form of the generated thing, so that, although the substantial form and its proper quality in their whole genus have an

order (for the substantial form is prior), yet not any substantial form is prior to any quality but rather the substantial form is only prior to the quality in any same substance (though quality could precede substantial form in some different substance, which same point is confirmed by *Metaphysics* 9.8.1049b3-50a6, about potency and act, that act simply precedes potency in time and yet potency in the same thing precedes act in time) – If you so object, I reply that any substance of the same species precedes any quality in the way that substance in its whole genus precedes quality in its whole genus, namely ‘in definition, in knowledge, and in time’ [*Metaphysics* 7.1.1028a31-34], that is (as far as concerns itself) in separability. And thus does substance precede the quality of the generator in three ways, though not in time in the sense of temporal and actual duration outside the cause – and the Philosopher’s understanding here is not what you suppose [n.148].

147. And when you say that the quality of the generator precedes the substance of the generated as cause precedes effect [n.146], this is false, but this sort of quality is only the cause of the quality that disposes for the substantial form of the generated thing. And to this extent is it said to be in some way cause of the thing generated, although this is meant in a very extended way.

148. The cited authority of the Philosopher [n.146] is not to the purpose, because the act that is prior in time to every potency is not some material act but a simply immaterial one, as is plain in the same place at the end of the chapter [9.8.1050b16-18]. And the argument of the Philosopher [n.146] proceeded about the act that is posterior in its whole genus to the receptive potency.

149. Similarly, the points about matter [nn.144-145] and the second conclusion [n.142] are manifest among philosophers, who have posited that a secondary order of causes is simply necessary, so that a material form cannot be produced by any agent unless the matter concurs with the agent as a necessary cause that is presupposed to the term of the production.

f. A Doubt and its Solution

150. If you ask whether one can, from the above statements [nn.141-149], get the intended conclusion about the intellective soul, I reply that whatever the philosophers thought about it, whether it is created or not, will be touched on in IV d.43 q.2 nn.20-21, about resurrection. But the intended conclusion can be shown about it from the aforesaid conclusions [nn.141-142]. For the intellective soul cannot be created by an angel (as is plain from the first conclusion, n.141), nor by any created merely intellectual nature (plain from the same conclusion); nor by any bodily substance, whether through a substantial or accidental form, because the soul is nobler than any bodily substantial or accidental form; but a more ignoble form is not an active principle for producing a more noble form [n.142].

151. Thus the intended conclusion is plain, that no creature can principally create [nn.123, 128].

C. What one Must Think about ‘To Act Instrumentally’

152. I say too that neither can a creature create instrumentally, so that it be a properly active instrument [nn.120-122]. I say so to this extent, because perhaps not every instrument is properly active (as will be stated below, n.167). For an instrument can only be active either as to a preceding disposition or as to the term itself. But in the case of creation nothing can precede that might be disposed to creation, and nothing can act for the term unless it have a form active in its own order. And although it would be able in virtue of another to attain the total effect and attain it wholly, yet such would not be any active virtue of some creature, as was shown above [nn.44-49].

D. About the Opinion of Peter Lombard

153. One must understand, however, on behalf of the opinion of the Master, *Sent.* IV d.5 ch.3 n.3, that if an accidental form were created (as is posited about grace and charity), some subject could well precede it that disposes for the term (as the soul precedes in this case). And although there could not be any disposition necessitating the term simply in such a subject, there can yet be a disposition necessitating the term in a certain respect, that is, by divine disposition.

154. And thus can the Master be expounded, that God could give such disposition to a minister so that he might cause some disposition in the soul that would be necessary for grace – in the way that God had universally disposed to give grace to anyone so disposed (as the organization of the body is a disposition that necessitates for the intellectual soul). And this potentiality would be superior to any that is given to a minister of the Church. For no minister operates on the soul mediately or immediately, so as to make grace to be simply necessarily conferred, as was said of animation in another part [sc. of the *Ordinatio*, I d.17 n.146].

155. Nor should one impose on the Master that he thought God could give a minister the ability to act for grace by attaining the effect itself, because a minister has no capacity for this active virtue, for the soul is by grace or charity formally accepted by God – with a specific acceptance – as worthy of eternal life [*Ord.* I d.17 nn.148-153]. But a creature cannot have an active virtue for making anything of this sort worthy or accepted by God.

156. This is also plain in another way, because the end and the efficient cause have a mutual reference to each other, so that the superior agent causes an effect for the sake of a superior end. Therefore, that which immediately disposes for the ultimate end is immediately from the first efficient cause, and of this sort is grace. There is a confirmation, that if grace could be from an inferior agent, it would seem that it could be for some inferior end.

157. But these reasons are not very cogent.

The first is not [nn.153-155], because a creature can be the formal reason for such acceptance, as is admitted about charity [*Ord.* I d.17 nn.165-168, II d.27 nn.8-9]. There seems no reason, then, as to why it is not an effective cause.

158. The second is not [n.156], because although the first agent only acts for the ultimate end, there is no need that an inferior agent in any action act ultimately for an inferior end. For an angel, if he elicits a beatific act, does not elicit it for an inferior end ultimately. So grace, therefore, could be immediately created for the ultimate end and yet be created by an inferior agent.

IV. To the Initial Arguments

159. To the first argument [n.3] response will be given below, in q.5 of this distinction 1, n.326.

160. To the second [n.4] I say that what Augustine posits is a cause, and a more manifest one, but it is not precise.

To the confirmation [n.5] I say that even immanent actions have some passive substrate, because the power in which they are immanent is a power receptive of them.

161. To the argument about adequacy or equality [n.6] I say that there is no argument from equality of effect to cause, because it is impossible for any effect to be equal to God. But adequacy can be understood there in the sense of precise proportion, that is, ‘an effect having such proportion to the cause as no other effect can have’ (namely because it is as close as possible to the cause). If ‘non-adequacy’ is understood thus in the major, I deny it. For it is as valid as if one said ‘an effect inferior to the first possible can be produced by the supreme possible’ – which is to be denied for this reason, that an inferior cannot be whole and wholly produced save by the supreme thing.

162. To the proof of the major [n.7] I say that the agent does not produce according to the whole of its power. For there is no necessity that an agent, when it acts freely and not by necessity of nature, should produce according to the whole of its virtue as much as it could produce according to that virtue. And when it is further said that ‘then the more perfect effect would show greater perfection of the cause’ [n.7], I concede that any effect – whole and wholly produced – shows equal power in the cause, but a more perfect effect shows it more eminently (an example: if many ordered conclusions follow from the same principle, the whole truth of the principle is the cause of the truth of each of the conclusions, and yet one of the conclusions is truer than another and more eminently shows the truth of the principle).

163. To the other argument about ‘annihilate’ [n.8] I say that annihilation belongs only to God, because ‘to annihilate’ is not to act positively but is not to act, that is, not to conserve. But it belongs only to God to conserve the whole creature and conserve it wholly. And in brief: just as any creature requires in its becoming a cause co-causing with it, namely the potential principle, so it has no power over it to destroy it as neither to produce it, and consequently it necessarily leaves something behind just as it necessarily presupposes something. But just as creation properly speaking is production from nothing, that is, not from anything that is part of the first thing produced or that is receptive of the induced form, so annihilation is destruction to nothing in both ways.

164. To the first proof, about natural form [n.9], the answer is plain in *Ord. II d.8* n.9, because although no part of the form remain, yet something receptive of form, which was something of the composite, does remain.

165. To the other proof, about the virtues [n.9], I reply that no infused virtue can be corrupted in us by any act of ours as by nature of repugnance, but only by demeriting cause. For a soul that sins deserves that grace not be conserved in it, and so, in the second instant of nature (because of such demerit as something preceding), God does not conserve grace and so grace is annihilated.

166. To the proofs about friendship and enmity [n.9] I say that by sin one is an enemy not formally but by demerit. Similarly I say to the proofs about faith and hope

[n.9] that infused faith and hope are only by way of demerit corrupted by act of infidelity or despair. And if you want to have something that is corrupted by those acts as formally repugnant, I say that it is only acquired faith and hope that are so – and it is very possible for something formally repugnant to those acquired habits to be induced by our acts.

167. As to the final argument [n.10], when it is said ‘by virtue etc.’ – to understand this phrase (and those said about instruments [n.18]) one must understand that nothing can act, in any order of acting, save by its proper virtue. For as was said above [n.152], that if a thing does not have virtue as active and intrinsic form it can altogether not act, so too if it not have its own intrinsic virtue, because the form is virtue. But if it did not have form or virtue before and it is now acting in some order, it must be that now it have de novo an active form and virtue in that order. For the same nature, remaining without any change, can in no way now be active and now non-active.

168. But nevertheless ‘an agent dependent on another’ is said to act in virtue of that other, because the virtue of a dependent agent does not suffice without the virtue on which it depends. However, an instrument is more said to act in virtue of another than a second cause is, for that thing depends more on a superior agent which does not have an active form in its being, but receives in actually being moved as much of it as that has which has the active form in its settled being.

169. Also, for a second cause – that is a cause that has an active form in its settled being – to act in virtue of another is not for it then to receive something from that other, but only for it to have an order inferior to that other agent in its own order at the same time. But for an instrument – that is something that receives an active form in being moved – to act in virtue of another is for it then actually to receive a form from that by which it acts.

170. And from this is plain that when a first cause and a second cause properly speaking act together, there is from the first cause to the second cause no new influence that is the creation of anything inhering in the second cause; rather the influence there is a determinate order of those causes in bringing about the common effect. But an instrument, when it acts, properly receives an influence from that of which it is the instrument, because it receives actual motion and, in the motion, a form by which it acts in its own order.

171. From these is plain how to understand the major [n.10]. For it is very true that a second cause and an instrument can do more in virtue of another than in their own (supply: sole) virtue when one prescinds from the virtue of the other. For their virtue is properly diminished and subordinate to the other virtue, so that without that other virtue acting, their virtue has no power for the effect. Yet they cannot do more in virtue of another than in their own virtue, that is, do something to which their virtue in no way extends itself in their own order of causing.

172. But now the minor [n.10], if it assume their own virtue prescinding from the virtue of the superior cause, is false. For a creature can do nothing without the virtue of God acting more principally.

173. For this reason the argument is not valid.

Second Part

On the Proper Idea of a Sacrament and on its Institution

Question One

Whether the Idea Definitive of a Sacrament is what the Master Posits: ‘A Sacrament is the Visible Form of an Invisible Grace’

174. Whether the definitive idea of a sacrament is what the Master posits: “A sacrament is the visible form of an invisible grace.”

175. It seems that it is not:

For a definition is only of that which is per se one, *Metaphysics* 7.12.1037b25-26.

A sacrament is not per se one, because according to Augustine *On John* homily 80 n.3 (and it is in Gratian *Decretum* p.2 cause 1 q.1 ch.54), “A word is applied to the element and it becomes a sacrament” [n.3]; but word and element do not make something per se one, for the second is permanent and the first successive. Likewise, a definition is made of genus and differences [*Metaphysics* 7.12.1037b29-30].

176. Again, second, if a sacrament is a form, then it is either a form that is the other part of a composite or it is an exemplar form, for thus is ‘form’ divided. But it is not a form in the first way, because a sacrament is not a part of grace, nor in the second way because the example imitates the exemplar and participates it, but not so grace and sacrament.

177. Again, third as follows: that in certain sacraments there is only the words, which are not a visible but only an audible sign, as is shown below in the sacraments of penance and marriage [IV d.14 q.4 nn.2-3, d.27 q.2 n.2]; therefore a sacrament is wrongly called ‘visible’.

178. Again, I ask as follows: of one thing there is only one proper definition; but of sacrament other definitions are assigned, as is plain from the Master in the text and Hugo of St. Victor, *On the Sacraments of the Christian Faith* I p.9 ch.2. “A sacrament is a bodily or material element, proposed outwardly in perceptible way, representing by likeness and signifying by institution and containing by sanctification some invisible and spiritual grace;” and Augustine, *City of God* 10.5, “A sacrament is a sign of a sacred thing.”

179. To the contrary:

The Master in the text, “A sacrament is the visible form of an invisible grace.”

I. To the Question

180. Here one must consider, first, what there can and what there cannot be a definition of; second, from the first, whether there can be a definition of a sacrament; third, if this definition is the one that is here in question.

A. What there Can and Cannot be a Definition of

181. As to the first, one must note that anything at all (whether being or non-being) that can be conceived and signified can have some account given of its name, which name would make explicitly and distinctly explicit what the name implicitly and confusedly means, and any such account can be called a definition. So *Metaphysics*

4.7.1012a23-24, “The account that a name signifies is a definition,” by extension of the name ‘definition’. But a definition strictly speaking is only a statement signifying the true ‘what it is to be’ of a thing (*Topics* 1.4.101b39, “Now a term, that is, a definition, is a statement signifying the ‘what it is to be,’” that is, of the thing defined). And so not any account of a name is a definition, but an account by which is distinctly indicated the true ‘what it is to be’ of a thing.

182. There is no definition properly of non-being, and that whether ‘non-being’ is taken properly for what is impossible (which includes contradiction) or for what is pure negation or privation, because non-being does not have a ‘what it is’.

183. Nor is there an account either of that which is not per se one, as is plain in *Metaphysics* 7, as was argued for the opposite [n.175]. But by ‘per se one’ I mean either what is simple or what is composed of what is per se actual and per se potential. Nor does this unity prevent the defined thing from including in it something as the term per se of its dependence (as accident includes substance, or as something that is naturally simultaneous with it the way relative includes correlative). But what is prevented is that nothing is included in it as a per se part that is not disposed to something else in the same thing (as per se act is disposed to per se potency, or as a part of the same act, or of the same potency, to another part).

184. Nor, third, is there a definition of a being of reason, which is only a diminished being, because a ‘what’, just as also being, only properly belongs to real being, as is plain in *Metaphysics* 5.7-8.1017a22-7b26, 6.2.1026a33-35. And I do not mean here by ‘being of reason’ what is in the intellect as object (for thus every universal is in the soul), nor what is only in the intellect as in a subject (for thus intellection and knowledge are in the soul, which knowledge, however, and consideration are real forms and in the genus of quality). But I mean by being of reason a being in the soul as considered secondarily, and not as considered primarily (and to this consideration the soul is first moved by something outside); rather I mean a being in that which is primarily a considered thing qua considered. And such, to speak summarily, is only a relation of reason, because nothing has being precisely in being considered qua being considered, save the comparison by which the considered thing is compared to something else by the act of the considerer. So diminished being, as it is taken here, is universally a being of reason.

185. Fourth, there is no ‘what’, expressible in a definition, in the case of something that one can only have a simply simple concept of, for according to the Philosopher, *Metaphysics* 8.3.1043b25-26, “a definition is a long statement” and “the term must be a long statement” expressing the ‘what’ and the ‘what sort of’; for a definition distinctly explains what the defined thing implicitly imports. Therefore it must be the case that more than one concept can be formed of the defined thing, namely a quidditative and a qualitative concept, by which the defined thing is explained.

186. Fifth, definition is not of a singular, because there cannot be a statement expressing the quiddity of a singular without that statement explaining something that does not belong to the ‘what it was to be’, as is plain in *Ord. II d.3 nn.192-193, 204-206*.

187. From these points follows that a definition properly speaking is of a positive being [n.182], that is per se one [n.183], real [n.184], really composite [n.185], at least as to the universal concept and as to such alone [n.186].

B. Whether there Can be a Definition of a Sacrament

188. About the second main point [n.180] one must consider in order whether any of the five conditions [n.187] prevents a sacrament from having a definition properly speaking. And in this regard, this second article has five conditions [n.187].

1. About a Definition's First Condition

189. The first condition does not get in the way [sc. of a sacrament's having a definition], which I show by conclusions arranged in order.

190. The first is this: it is possible for God to cause some invisible effect pertaining to the salvation of man as wayfarer. There is no need to prove this, because it is manifest to a theologian from divine omnipotence.

191. Secondly I say that it is possible for God to impose some sign to signify the invisible effect. This is plain because we can impose signs to signify whatever is intelligible by us. But since a sign is divided into memorial sign (which is of the past) and prognostic sign (which is of the future) and demonstrative sign (which is of the present), it is possible for God to institute any of these signs to signify his effects. There is also the proof that we can institute any of these signs to signify our effects; for thus are oaths instituted by us, and promises and signs of this sort that impose obligations, to signify a future effect of ours – and assertoric signs to signify a past or present effect of ours.

192. I further posit that it is possible for God to determine and dispose himself to cooperate with any sign (instituted by himself) so as to cause the effect signified, unless it is impeded by the indisposition of him to whom it is applied. – This is plain because it would be thus possible among us that someone, by instituting a sign of his effect, would dispose himself always to cooperate with this sort of sign unless impeded by him to whom it was applied (as that if someone were to institute as a sign of peace or kindness the touch of the hand or the raising of the finger or something of the sort, he would be able, by instituting such a sign, to determine himself always to cooperate for the signified effect, unless the indisposition of him to whom it was applied got in the way). But such a sign, with which the institutor disposes himself always to cooperate, can be called a ‘true’ or ‘certain’ sign, to distinguish it from an uncertain or equivocal sign which as equally brings with it cooperation with the thing signified or the opposite. But a sign is properly called efficacious if, when the sign is used, the thing signified follows in order of nature and not conversely, for if a sign followed the thing it signified in order of nature, although it could be a certain sign if it never lacked the preceding signified thing, yet it would not be efficacious, because in no way would its being posited have efficacy with respect to the thing signified, but conversely.

193. Lastly I say that it is possible for God to institute some sensible sign to signify the aforesaid effect and in the aforesaid way, namely with certainty and efficacy. – This is clear because we too can institute some sensible sign for signifying our effect with the other aforesaid conditions. And not only can some single sensible sign be instituted but also one including in itself several sensible elements, and sensible either to the same sense or to different senses. For just as we, in order to signify the divine perfection which is the simplest essence, can institute this statement ‘God is perfectly infinite’, which statement is constituted of many audible syllables, so we could institute

some audible things and some visible things to be together a sign of our concept (as that some definite words, along with some movement of the hand and a kiss, would signify an act of benevolence).

194. From these points follows this conclusion, that the following whole statement is not in itself false (in the way that the Philosopher talks of a statement false in itself in *Metaphysics* 5.29.1024b26-25a2, 6.1015b16-34): ‘A sensible sign efficaciously signifying, by divine institution, the grace of God or his gratuitous effect – an effect, I say, ordered to the salvation of man the wayfarer’. For it is plain from what has been said that no particle of this statement is repugnant to another; and a statement is not false in itself (according to the Philosopher *ibid.*) unless the parts are contradictory with each other. This statement, then, is not about pure non-being, that is, about a pure impossible, because nothing is a pure impossible unless its account is false in itself, as is plain in *Ord. I d.2 nn.70, 133*. It is also plain that this account is not about a pure negation or privation, because it per se includes certain positive things. But if it is posited that this account is an account of this word ‘sacrament’, it follows that a sacrament is not a pure non-being, neither as impossible nor as negation.

195. But that this account is the account of this word ‘sacrament’ cannot be proved but must be assumed from the use of those who speak about sacrament, in the way that the signification of words must be assumed from use.

2. About a Definition’s Second Condition

196. One must consider then the second condition [n.187], namely per se unity, whether it prevents there being a definition properly speaking of a sacrament, or of what has the account of this sort of name. – But that a being that is not per se one is not definable can be understood in two ways, namely that it consists of beings either of the same genus or of different genus that however are not of a nature to constitute something per se one. The first has the name of an aggregated being (as a mound or heap), and the second is properly called a being per accidens, as is plain from *Metaphysics* 5.6.1015b16-34. But neither of these is properly definable: not the first, from *Metaphysics* 8.6.1045a7-25, and not the second, from *Metaphysics* 7.4.1029b22-30a7.

197. It is in fact said [Richard of Middleton] that a sacrament does not properly have unity, so it is not properly definable. For it includes many things (as is touched on in the first argument to the opposite [n.175]), from which something per se one cannot come to be, namely an element (as water in the case of baptism) and spoken words (and these two are material parts) and the idea of signifying (as something formal): the first of these is a real being, the second a being of reason. From such things it is impossible for something per se one to come to be.

198. But against this: for although one accident may be in many subjects, yet it would be definable properly just like other accidents, because the manyness does not pertain per se to the idea of the accident but is as it were something added. Now in the aforesaid idea of the name [n.194] it is plain that what is called ‘sensible’ is posited as an addition to the sign. So however much there is no unity in it, yet while the other things that pertain to the formal idea of the name do not prevent per se unity, a sacrament will not for this reason be non-definable. I mean that the plurality under discussion here

[n.197] is a plurality of things that come together in the sensible thing as the sensible thing signifies the foundation of the formal idea that a sacrament involves.

199. I say therefore that in the aforesaid definition [n.194] the formal element is understood to be the sign and also to be the things that per se determine the idea of a sign. Of such sort are ‘by divine institution’ and ‘efficaciously’ (the other two there, namely ‘sensible’ and ‘gratuitous effect of God’, are there as additions: the first as subject or foundation, the second as correlative of the sign). But a plurality of accident with subject, or of the subject in itself, or of correlative with correlative does not prevent the relation from being definable simply. Therefore a sacrament is not excluded by non-unity from having a definition. For this concept ‘per se one in the intellect’ is as conventional and efficacious a sign as is the concept of paternity. And just as paternity could be properly defined (notwithstanding per se unity) if paternity were in two subjects and these two were posited as additions and the correlative of father were posited as an addition, so too in the issue at hand.

3. About a Definition’s Third Condition

200. Third I say that in the aforesaid idea of the name [n.194] is included something that states a being of reason, namely that the sign is ‘by institution’. For this relation does not follow a foundation from the nature of the thing, because although there is an aptitude in the thing for signifying the effect signified, yet the actual signification only belongs to it by act of the one who imposed it. So, by restricting the definition to a ‘what’ properly speaking outside the mind, this definition does not express a ‘what’ of a sacrament, and therefore cannot be a definition in the way that a definition is the idea of a complete being outside the soul. But in the way that a definition expresses ‘one concept per se in the intellect’, whether the concept is of a thing outside the soul or of a thing of reason, a sacrament can very well be defined.

201. And in this way only, and not otherwise, are all logical intentions defined. For these intentions do not signify quiddities outside the soul, but only concepts per se one in the soul; and having a definition in this way is sufficient for science properly speaking, otherwise logic would not be a science. Also, in these definitions are found genus and difference and property, in the way that a logician speaks of genus, difference, and property; for found there is a classification in the ‘what’, in the essential ‘what sort’, and in the accidental ‘what sort’ convertible with it.

202. And so in the aforesaid idea [n.194] ‘sign’ is posited as genus, ‘by institution’ and ‘efficacious’ as difference, ‘sensible’ as the foundation of the relation, and ‘grace’ or ‘gratuitous effect of God’ as correlative.

4. About a Definition’s Fourth and Fifth Condition

203. As to the fourth and fifth conditions [n.187] there is no need to dwell on them, for it is plain that a sacrament according to the idea of the name posited above [nn.185-186] does not have a simply simple concept nor a singular concept but a universal one.

5. Conclusion

204. From what has been said [nn.189-203], the second article [nn.180, 188] is plain, that a sacrament (supposing that the idea of the name posited above [n.187] is of that sort) can be simply and per se defined in the way that second intentions are per se definable; and that absolutely nothing opposes its being most truly and absolutely defined or rather properly stated, save because in its proper formal element it is a being of reason and save because it includes something that is a being of reason.

205. From this article is plain as a corollary how knowledge ‘what it is’ and knowledge ‘whether it is’ are disposed to each other in order. For in the knowledge ‘whether it is’, according as it precedes the knowledge ‘what it is’, the understanding is not about actual existence, otherwise ‘a demonstration of which the middle is a definition’ could not be had of what does not exist (the opposite of which is maintained by the Philosopher *Posterior Analytics* I.8.75b21-36 and *Metaphysics* 7). But the ‘whether it is’ is understood of a being to which existence in fact is not repugnant. In the first of the five conditions, applying it to the issue at hand, the ‘whether it is’ was shown about a sacrament in this way, because it was shown that a sacrament is the sort of thing to which existence in fact is not repugnant [nn.191-192]. And on this supposition inquiry was further made in particular about what it is [nn.193-194].

206. Plain too is the order that knowing the sort of ‘what’ stated by the name has to knowing the ‘whether it is’, because in the first of the five conditions what was meant by the name was presupposed, and from this presupposed idea the conclusion as to ‘whether it is’ was drawn. And although the ‘what of a name’ and the ‘what of a thing’ are the same in things that have a ‘what of a thing’, yet it is first known that something is the ‘what of a name’ before it is known that it is the ‘what of a thing’. For the first is known in knowing that the name is intelligible and signifiable, and the second is known in knowing that it is of something able to be in fact. And from the idea of a concept able to be conceived and signified can be concluded that something is able to fall under the concept, and consequently that the idea expresses a true ‘what it is’.

C. What the Fitting Definition of a Sacrament is

207. About the third main point [n.180] I say that, in the way there can be a definition of a sacrament (as is plain from the second article, n.204), the definition is as follows: ‘A sensible sign efficaciously signifying, by divine institution, the grace of God or a gratuitous effect of God, that is ordered to the salvation of man as wayfarer’. And in the term ‘efficaciously’ is included both ‘with certitude’ and ‘with prediction’, where ‘with prediction’ is meant not only what is prior to the thing signified in duration but also prior to it in nature.

208. The proof is a universal one for things that are able to have a definition. For an account that expresses what is meant by a name is the same as a true definition, because, according to the Philosopher in *Metaphysics* 4.7.1012a23-24, ‘the account that a name signifies is a definition’. And this is plain through reason, because a name is imposed to signify the essence of a thing; so a statement that expresses distinctly and in its parts what is meant by a name also expresses distinctly the concept of the essence of the thing. Now the definition that has been set down, ‘A sensible sign etc.,’ [n.207], is an account of the name ‘sacrament’ as assumed above from the use of those who speak of

sacraments [n.195]; and a sacrament can have a definition in the way that beings of reason are defined. Therefore this account is the definition of it; and that it is so is therefore proved.

209. But how it could be the definition is easily made plain, because in that account is posited something pertaining to the genus of relation, which is the genus in the sense of genus in which, in a relation of reason, genus and species are posited (namely the term ‘sign’), and the account is determined by differences in this genus (namely the genus ‘sign’), which are ‘by institution’ and ‘efficaciously’. Two things are also added there, as is universally the case in definitions of relations and relatives: one as subject or foundation, which is understood by the term ‘sensible’, and the other too, namely the correlative, which is noted by the terms ‘grace’ and ‘gratuitous’.

D. Solution of the Question

210. From the above three articles [nn.181-209] the solution of the question is plain.

For if the account [from Master Lombard] that is here being asked about [n.174] is rightly understood, and is completed through certain explicit words, one must say that it is the account properly definitive of a sacrament, in the way in which a sacrament is definable.

211. For that account [from the Master], thus understood and completed, is the same as the one before stated [n.207].

For what is posited there as ‘form’ must be understood as put for ‘sensible sign’, in the way that an image of Hercules is called the ‘form’ of Hercules.

Also what is added there as ‘visible’ must be understood as put for ‘sensible in general’, and to this extent ‘visible’ must be understood as put for the sensible object of any sense. For sight is more excellent than any other sense and has knowledge of more differences, as the Philosopher says, *Metaphysics* 1.1.980a25-28.

‘Visible’ there is put for ‘sensible in one or more ways’ and that whether in several ways pertaining to the same sense or to different senses.

‘Invisible grace’ there is puts for ‘gratuitous effect of God, interior, ordered to the salvation of man the wayfarer’.

But whether ‘grace’ is there taken universally for grace inhering in the soul as subject, or whether it signifies more generally (as I expressed it above) the gratuitous effect of God etc. [n.194], will be clear in the treatment of the Eucharist (d.8 q.1 nn.4-5, d.10 q.4 n.6), because in the Eucharist the ‘thing’ of the sacrament is not any grace inhering as an accident in the soul.

Now the differences specifying the sign need to be supplied, namely ‘by institution’ in distinction from a naturally signifying sign, and ‘efficaciously’ in distinction from an equivocal sign and a sign that naturally follows the thing signified.

II. To the Initial Arguments

212. To the first argument [n.175] I say that although this sort of foundation of relations includes several things that do not become something *per se* one (as is proved

there about successive and permanent), yet it does not follow that a sacrament (as to its formal idea) is not per se one.

213. And if argument is made against this that a relation is not per se one unless it has one foundation, I reply that if perhaps this be true of real relations (about which there is a doubt, because perhaps in the case of many men pulling a boat there is a single relation of the pullers to the one thing pulled), yet in relations of reason the proposition is manifestly false, because however diverse the things are that can come together in the foundation of one relation of reason, there is only need that the many things be conceived there in the intellect as one thing with an order to some signified thing.

214. This is plain, since of this single relation which is ‘to signify good vintage’ the whole of the following can well be the foundation ‘a circle covered in leaves of ivy placed on a cross’ etc. Thus also, many statements woven together or one statement from many syllables (which make nothing per se one) are the foundation of one relation, which is ‘to signify that in God there are things that are in him intrinsically’, although however the thing signified is one and the same simplest thing.

215. To the second and third arguments [nn.176-177] the answer is plain in the explanation of the Master’s definition [nn.210-211].

216. To the fourth [n.178] the answer is plain from the definitions, because what one definition does not express another does express, so that thus, by a collection from all of them of what is found scattered about in them singly, one complete definition can be got, and of this sort is the one posited above [n.207].

Question Two

Whether for the Period of any Law Given by God Some Sacrament Needed to Have Been Instituted

217. Now that the quiddity of a sacrament has been got I ask, as to a sacrament’s institution, whether some sacrament needed to have been instituted for the period of any law given by God.

218. That no:

Because we do not read [in Sacred Scripture] about any sacrament instituted by God for the period of the law of nature; but a sacrament, according to its definition [n.207], can only be instituted by God; therefore etc. There is a confirmation from Gregory *Moralia* 4, preface n.3: “What the water of baptism among us is able to do was done among the ancients by faith alone for children, and by the virtue of sacrifice for adults;” therefore there was no sacrament among the ancients. But the idea of a sacrament against disease seems in any law to be more necessary than anything else.

219. Again, God is not the cause of sin for man nor does he directly give man occasion for sin; but that ‘there is salvation in sensible realities’ is directly an occasion for sin, namely because it is an occasion for believing that there is something divine in such sensible things, and so it is an occasion for idolatry; therefore God did not institute anything sensible so that in it or through it salvation needed to be sought.

220. Again, God did not give any law immediately but through a minister. This is plain of the Law of Moses through the whole of it; therefore similarly in the Law of the

Gospel it seems that the sacrament could have been instituted or ordained by a minister, and not necessarily immediately by God.

221. Again, since many laws were given by God, then if in the time of any law a sacrament was instituted by God, different sacraments would have been instituted at different times; for if the sacrament of a prior law had remained at the time of a later law, no other sacrament would have been instituted for the later law. But the consequent is unacceptable, because once a spoken word has been imposed by us for signifying something, it remains significative of that same thing. Therefore, much more does a sign once imposed by God remain always significative of the same thing.

222. On the contrary: Augustine *Against Faustus* 19 ch.11, “men cannot be conjoined under any title of religion unless they are brought together by some agreement of visible signs or sacraments.”

I. To the Question

223. Here four things must be considered: first that some sacrament did need to be instituted; second by whom, because it is immediately from God; third when, because it is for the time of any state of a wayfarer after the Fall; fourth, whether there were different sacraments for the state of different laws.

A. Some Sacrament Did Need to be Instituted

224. About the first I say that ‘some sacrament needs to be instituted’ cannot be proved with necessity: not *a priori* because God does nothing necessarily outside himself; nor *a posteriori*, or from the end, because an invisible effect could be had without a sacramental sign.

225. But that it was fitting for a sacrament to be instituted is proved by a reason similar to the one set down in the preceding question [nn.190-193], where the possibility of a sacrament was proved.

226. For it is fitting that an invisible effect, ordaining man to salvation and in need of being caused by God, be signified by some sensible thing, so that the wayfarer, acquiring knowledge of it from sensible things, might come to know the invisible effect more certainly.

227. Nor is a fitting sign of this sort of effect only a quasi theoretical one, namely one by which a concept of the thing signified (as ‘man’ signifies human nature) could be got, but a fitting sign is also a quasi practical one, namely one that signifies that the thing signified is or is coming to be.

228. Nor further is a doubtful or equivocal or uncertain practical sign a fitting sign; for although a man might be led by such a sign to knowledge of the coming to be of this sort of effect, yet he would not desire the sign to be applied to himself because of the uncertainty of the sign in respect of the coming to be of the thing signified. Therefore it was fitting for such an effect to be signified by a certain and efficacious practical sign, so that man too might know the effect from such a sign and might more ardently seek after the effect in that sign.

229. But it is not fitting that the sign be certain with the certitude of demonstration, but that it be so as it were for the most part. For just as in theoretical

matters there is a sign that is necessary and a sign holding for the most part (from *Posterior Analytics* 1.30.87b19-25), so could a practical sign have as it were necessary certitude, if it universally and as it were necessarily accompanies the coming to be of the effect, or a certitude for the most part, if it accompanies the effect for the most part.

It is not fitting that a sensible sign be certain in the first way, because since a sensible sign needs to be applied by man, it would follow that there would be in man's power some sign upon which God would universally cause the invisible effect; and this would take away due preparation from the receiver, since it would be sufficient for him to receive the sign however indisposed he was.

But it is fitting for such invisible effect to be signified by a sensible sign that is certain with certitude for the most part, that is to say always, unless the indisposition of the received prevent it – and this is fittingly signified by a sign naturally preceding the coming to be of the thing signified, so that thus the receiving of the sign would be as it were a disposition for the thing signified.

230. All these conditions of a sign, namely that it be practical, certain for the most part, and naturally preceding the coming to be of the thing signified, I understand to be meant by the term 'efficacious'. But such a sign cannot be any sensible thing that signifies naturally, because nothing sensible has a natural efficacy for an invisible effect. Therefore it is fitting for the sign to be instituted or imposed.

231. In this way, therefore, one gets (according to the whole idea of a sacrament) that it was fitting for a sacrament to be instituted to cause knowledge and desire in the wayfarer in respect of the invisible effect.

232. And this is one of the ideas of a sacrament that the Master touches on in the text, namely 'for teaching'. He touches on the other two ideas in the text, namely for 'exercise and humility', whose explication he touches on in the text. And these three ideas of a sacrament establish the nature of a sacrament's institution, on the part of any private person.

233. But there is another idea that touches on fittingness on the part of the whole community. For it is fitting for men of one sect to come together under some exterior signs, by which too they may be distinguished from those of another sect; for by such signs a man knows who is of his sect and who of a different sect. And this is expedient, because those who know themselves to be of the same sect aid each other mutually in the observance of it, and those who know themselves to be of a dissimilar sect mutually avoid each other as mutually impeding each other. Now it is expedient that such a sign, uniting those who are of the same sect and distinguishing them from others, be practical with respect to some visible effect pertaining to observance of the sect.

234. It is plain, therefore, that not necessity [n.224] but fittingness can be proved by reason [nn.225-233].

235. The fact, however, is proved by authority, as will be touched on in the fourth article [n.343], because authorities do not speak of a sacrament taken universally (as it is still being treated here), but speak specifically of such and such a sacrament of such and such a law.

B. By Whom a Sacrament Needs to be Instituted

236. On the second point [n.223] I say that from one source a practical sign gets its signifying practically the thing signified, and from another source its being a certain sign.

237. The thing is clear because it is possible sometimes for someone who is not truthful to use the sign, for a sign gets its signification from previous institution; but that the sign is certain only comes from the determination of someone who cooperates with the sign to signify the thing caused. For example, if the touching of the hand is instituted as a sign of peace by some legislator in his polity, then, although the sign gets from this imposition that it does signify peace practically, yet if someone not truthful can use the sign, imposition of it by the legislator does not make the sign certain but it remains equivocal, being sometimes true (when it has the thing signified concomitant with it) and sometimes false. For someone false uses the sign without what it signifies (as one might use a theoretical sign of kindness without the thing signified, by saying 'I give you my affection' when one sometimes has the opposite in mind).

238. As to the issue in hand: a sacrament also signifies practically that a practical effect is caused in him to whom it is applied; and thus it signifies that it is a sign certain for the most part or by general rule, as far as concerns the sign.

239. But as to the signification, it is possible that it might be instituted by a creature, because just as a man could impose a theoretical sign of an effect of God (as is plain in the prayer 'May God give grace to your soul'), so he could impose a sign that would signify practically that God is working invisibly. But a man could not make that sign certain as a matter of rule; for no one can give certitude to any practical sign save he in whose power it is to be able to cause the thing signified by the sign. But only God can determine himself to cause an effect proper to himself; therefore only God can give certitude to a sign, a practical sign, of his own effect.

240. Thus, therefore, it is plain that a sacrament can, as to its being a sign that is certain, only be instituted by God.

241. But insofar as it is a practical sign absolutely it could be instituted by someone else. But it is not fitting so, because the institution of such a sign would be altogether vain: never could the sign get truth from the imposition without someone else from the outside, for the sign is not in the power of the one who imposed or uses it. Nor is it fitting that God should hand over to an inferior the institution of a sacrament insofar as it is a sign that is certain, lest God be an approver of a false or equivocal sign.

242. However, a sign, as it is a sign and as it is a certain sign, can be promulgated by someone other than God, as by a herald. This promulgation, however, is not institution but presupposes institution.

243. Hence it is plain whether a sacrament has its efficacy from institution. For if institution be understood precisely as imposition of a practical sign, then I say it does not get efficacy from its institution, as is plain from what has been said [nn.239-240]. But if institution be understood as a determination of the will of the institutor to cooperate with the thing signified, which institution is not simply imposition of a practical sign but is, along with this, an establishing of the sign as true and certain, then in this way a sacrament does get efficacy from its institution, namely because the thing signified does accompany the sign.

244. And just as in man's case there would be really one act whereby he determined a kiss to be a sign of reconciliation and another act whereby he determined

his will, when the sign was given, to cause what was signified, so in God's case too there is one act of reason instituting a sensible sign for signifying practically God's effect, and another act whereby he determines himself really to cooperate with such sign as a matter of rule or always, namely when lack of disposition in the receiver does not get in the way. However these two acts, when concurring together, can be called one complete institution of the sacrament, insofar as a sacrament is a sign that is certain and that is distinct from an equivocal sign.

245. But if this does belong to the idea of a sacrament, as seems to be so from the term 'efficacious' [nn.192, 230], then it follows that there belongs to the idea of a sacrament properly speaking that it can only be instituted by God. But if this does not belong to the idea of a sacrament, because whether the thing signified accompanies the sign or not is accidental to the sign, then at least this perfection (the perfection that is its truth or conformity in signifying the thing signified [nn.192, 241]) requires, when added to the idea of a sacrament, that a sacrament be instituted by God, or that God determine himself to cooperate with the sign as a matter of rule.

C. When or for What Period there was Need for a Sacrament to be Instituted

246. The answer to the third article is plain from the first [nn.225-226, 237-238]. For medicine is necessary for any state where there is sickness; and for any state of life (especially after the fall) it is fitting for man to be led to invisible things through some sensible sign. But in every state of life after the fall there is sickness in nature; so for the whole of that state it was fitting for some sacrament to be instituted.

247. But as to particulars, about whether several sacraments are fitting for the time of the same law, and which and how many, will be touched on below [nn.254-257]. Here a general question alone is asked about the time when, as about other conditions pertaining to the institution.

248. Hence it is plain that for the state of the fatherland no sacrament is fitting, because then man does not need sensible things to know intelligible things belonging to his salvation, nor does he then need to be exercised in seeking what belongs to salvation, because he has perfectly obtained salvation.

249. Also for the state of innocence it was not fitting for a sacrament to be instituted as it was after the fall, because although then man was not able to learn from sensible things [*Ord. I d.3 nn.186-187*], yet no sensible thing was then necessary for leading him to salvation so that it could, by removal of some impediment to salvation, be properly called a cure.

250. But whether marriage, which certainly existed in the state of innocence, was then a sacrament will be discussed later [d.26 n.11-12].

D. Whether Different Sacraments Needed to be Instituted

251. About the fourth point [n.223] one must first see how sacraments can be distinguished, and secondly turn to the point at issue.

1. How Sacraments can be Distinguished

252. On the first point, note that a sacrament is distinguished in one way as a term is into its significations, namely into sacrament properly said and sacrament improperly said. It is distinguished in another way as a higher class is into its lower kinds, and this in three ways. For since it is a sensible thing signifying something, it can be different sacraments because it can be different sensible things. Or it can be a different sacrament having a different signification, and that in two ways – either a simply different signification with respect to different signified things, or a signification different in a certain respect as regard a thing that varies as to more and less.

2. Response to the Issue at Hand

253. As to the issue at hand, I say that one can find in each Law a sacrament that is distinguished in the first way. For just as in each Law there was a sacrament properly speaking (from the third article [n.246]), so there was a sacrament improperly speaking – indeed many such sacraments improperly speaking, as genuflections, bowings, or prostrations on the ground and the like, which can be called ‘sacred signs’ generally and so ‘sacraments’ improperly. These and many others too could have been the same in the Mosaic Law and the Evangelical law.

254. But when talking of a sacrament properly speaking, I say that there ought to have been different ones in each Law; and this (setting aside the other sacraments) was fitting in respect of the sacrament instituted as medicine against the sickness of original sin.

255. For this sacrament had to be different by reason of the signification and by reason of the sensible thing instituted to do the signifying.

256. The proof of the first point is not indeed that it ought to be simply different with respect simply to the other Law. For, from the fact that there was medicine in each Law against the same disease, what was signified by such sacraments was not simply different in the different Laws, but the signification of the one had to be different with respect to the other as to variation of more and less. The proof is that ‘in the development of the human race the knowledge of truth increased’, as is plain from Gregory on *Ezekiel* 2.4 n.12 [cf. *John* 16.13, ‘When the Spirit of truth comes he will teach you all truth’]. Therefore, it was fitting that in the later Law the instituted sign signified more evidently the thing signified. Now the later Law was always more perfect, because God, who acts in orderly fashion, proceeds from the imperfect to the perfect. But a more perfect Law requires more perfect aids for its observance; therefore, the later Law had to have a sacrament signifying a more perfect grace. Therefore was it thus fitting that in the different laws there was a different signification, and a more manifest one in the later Law and in respect of the signified later thing.

257. From this follows that it was fitting for there to be sacraments different as to the sensible thing that did the signifying [n.255]. For it was more fitting (as to signifying a more perfect grace and for signifying it more manifestly) that a new sign was imposed than that the old one remained. For the old one was, from its imposition, in no way able to signify anything other than what it signified at first. But to impose the original sign or original sensible thing in the second Law for signifying something other than it signified before, or for signifying in another way, was not as fitting as to impose another sign, as is plain even in the case of practical signs imposed by us. For a new sign was more

reasonable for signifying the more perfect effect among us, and because to impose a new sign was more manifest than again to impose the old one (which was first imposed for something else).

II. To the Initial Arguments

258. To the first argument [n.218] I say that God was not directly the cause or the occasion of idolatry. For he did not institute those sensible signs as if they were to be believed in or were something of the divine; but he instituted them as signs of the effects of his causing, from which signs the wayfarer could get knowledge and direction for seeking salvation.

259. To the second [n.219] the answer will appear below [n.395].

260. To the third [n.220] I say that no one other than God was the legislator, save as herald announcing the law, and he could thus have been an announcer of the sacraments of this Law but not an institutor.

261. To the fourth [n.221] the answer is plain from the fourth article [nn.256-257], that there were different sacraments instituted for the time of each Law. At least this is plain about the sacrament whereby the main distinction between Law and Law was made. For men of the same Law had to agree among themselves in that sacrament and be distinguished by it from those of the other Law [n.233].

Third Part

On the Causality of a Sacrament as regard Conferring Grace

Question One

Whether it is Possible for a Sacrament, Perfect to any Extent whatever, to have an Active Causality with respect to Conferring Grace

262. Whether it is possible for some sacrament, perfect to any extent whatever, to have an active causality with respect to conferring grace.

263. That it is:

Augustine *Homily on John* 80 n.3 (and Gratian *Decretum* p.2 cause 2 q.1 ch.54), “What is this virtue of water, that it touch the body and cleanse the heart?” He is speaking of the water of baptism; therefore this water cleanses the heart. But the heart, that is the soul, is not cleansed save by grace or by the cause of grace; therefore etc.

264. Again, the Master [Lombard] in the text sets down the nature of a sacrament, and it is “a sign of grace, such that it bears its likeness and exists as its cause.” And hereby he assigns the difference between the sacraments of the New Law and the Old Law, because those of the Old Law were only signs of grace while those of the New Law are not only signs but also causes. Therefore ‘to be the cause of grace’ is the completing condition in the definition of a perfect sacrament.

265. Again in one of its prayers the Church asks, “May your sacraments, Lord, perfect in us what they contain” [Gratian, *Decretum* p.3 d.2 ch.34]. From this a twofold argument is made: first, that grace is asked for, and the impossible is not asked for, so it is possible for the sacraments to cause grace; second, that the sacraments are implied to contain what is asked for, that is, grace; but they do not contain grace formally (as is plain); therefore virtually or causally.

266. To the contrary:

Bernard in his sermon *The Wedding Feast of the Lord* n.2, “As the investiture of a canon is by a book, of an abbot by a staff, of a bishop by a ring, so are diverse divisions of graces dispensed by the sacraments.” But it is plain that the examples he gives are only signs and not causes.

267. Again, Augustine 83 *Questions* q.53 n.2, “Some things are what God causes by himself, as for example, the enlightening of souls.” Therefore in this way too does he cause grace.

268. Again, if a sacrament were a cause of grace it would be either a univocal or an equivocal cause. Plainly not a univocal cause, because grace cannot exist formally in a sacrament; nor an equivocal cause because an equivocal cause is simply more perfect than what it causes, and something more noble or more eminent than grace cannot exist in a sensible thing as in a subject.

Question Two

Whether it is Possible for some Supernatural Virtue to Exist in a Sacrament

269. A next question is whether it is possible for any supernatural virtue to exist in a sacrament.

270. It seems from the authority of Augustine cited above [n.263], “What is this virtue of water...?”, that it is possible.

271. Again, medicine contains formally some active virtue with respect to health; a sacrament is medicine for the soul, and a perfect one; therefore etc.

272. Again, nothing has a new relation without a new foundation; the thing is plain because, as is said in *Physics* 5.2.225b10-13 and 7.3.246a29-b21, “there is neither motion nor change to a relation save because there is motion or change to something absolute;” but what is set down as ‘sensible sign’ in the definition of a sacrament [n.194] has a new relation to grace; therefore some new absolute form exists in a sacrament; I call this absolute form ‘a new supernatural virtue’.

273. On the contrary:

If such a virtue is posited, it cannot belong to any category of being; but every real form belongs to some category of being. Proof of the first premise: by running through all the categories it is plain that it could only belong to the category of quality; but it cannot belong to that either, which I prove by running through all the species [*Categories* 8b26-20a16] of quality: it is not a habit or disposition, or a natural power or lack of power, or a passion or possible quality, or a form or figure; therefore etc.

274. Again, diverse sensible things sometimes combine in one and the same sacrament, as will be plain below in the case of several sacraments of the New Law [sc. in the discussions of each sacrament]; but the same absolute real accident cannot exist in

diverse subjects; so there cannot be any one virtue that would be the real absolute form in such sacraments. But of one sacrament there is one virtue; therefore etc.

275. Again, every supernatural real accident is simply more perfect than any natural accident (the proof is that a natural cause has no power for the first but does have power for the second; and this lack of power seems to be only because of the eminence of the effect; so, if there were some supernatural virtue in a sacrament, it would be simply nobler than any natural quality). Therefore in the sacramental words of a sacrament there would be some absolute accident simply more perfect than every perfection of an intellectual creature, which is unacceptable.

I. Opinion of Thomas Aquinas about Each Question

A. Exposition of the Opinion

1. As to the First Question

276. One opinion [of Thomas Aquinas, *Sentences* IV d.1 q.1 a.4] on these questions maintains the affirmative side of the first question. For it speaks as follows: All are compelled to posit that the sacraments of the New Law are in some way causes of grace, both because of the authority of the saints (namely of Augustine, adduced for the main question [n.267], and of others), and because of the common saying that ‘the sacraments of the New Law effect what they signify’.

277. According to those who hold this opinion, the sacraments cannot be posited as causes of grace only ‘sine qua non’, because a cause ‘sine qua non’, which has no power for the effect either by effecting it or disposing for it, has no causality over the thing save as a cause per accidens. But a sacrament is not cause of grace per accidens, both because it would not then be put in the definition of a sacrament, and because that which is per accidens does not belong to art (in Porphyry). But the saints, when treating of the sacraments, deal precisely with their causality in respect of grace [n.276] – the thing is plain, because the sacraments of the New Law and of the Old are distinguished by this fact (and it is in Lombard’s text). But if the former and latter sacraments were to signify grace only, then although the former could signify more perfectly than the latter, there would be no distinction in them as to idea of cause and non-cause. For there would only be a distinction in different ideas of signifying, which in no way bestows the idea of causing or not causing.

278. How a sacrament, then, is a cause of grace is posited as follows. An efficient cause is distinguished in two ways. In one way, on the part of the effect, into the dispositive (which induces a preceding effect) and the perfective (which induces the principal effect). In another way, on the part of the efficient cause, into the principal and the instrumental cause. Now an instrument has a double action: one by its own nature, and another as it is moved by the principal agent. And when it has the second action it also has the first at the same time. Also, by the second action it always attains something beyond what it attains by the first action, otherwise it would not be an instrument. And that which it attains by the second action (which belongs to it as it is moved or is an instrument) is sometimes the principal term of the agent, and sometimes only a disposition for the term.

279. Applied to the issue at hand, water by its natural form has its own operation, namely to cleanse or moisten the body. But beyond this, as it is an instrument of divine

mercy, it has a further effect, not indeed for grace (as if it also attained it in virtue of the principal agent), but for preceding disposition, and this in some sacraments is the character, but in others it is some ornament of the soul proportionate to the character. So a sacrament does not, therefore, act instrumentally for grace but dispositively, for by its action (which belongs to it as instrument) it does not attain grace but a disposition preceding grace.

280. And this view, according to those who hold it [Thomas Aquinas, *Sent.* d.1 q.1 a.4], is consonant with the statement of the Master in the text, who says that “man does not seek salvation from the sacraments as if coming from them, but as coming from God through them.” For the preposition ‘from’ denotes the principal agent cause, and the preposition ‘through’ indicates an instrumental cause.

2. As to the Second Question

281. To the second question it is said [Thomas Aquinas, *Sent.* d.1 q.1 a.4], in accord with this opinion, that there is in sacraments a supernatural virtue that is not just an ordering to an effect, because ‘virtue’ always indicates the principle of acting. But the principle of an action, as proved in *Physics* 5.2.225b10-13, is some absolute form.

282. Of what sort is this virtue is shown by a distinction:

For a virtue that is the principle of acting is always proportioned to the agent, and a principal agent acts according to the exigency of its form; and so the active virtue in the agent is a form possessing complete being.

An instrument, however, acts as moved by another, and so virtue belongs to it as proportioned to the motion; but motion is an incomplete being, as a being that is in between potency and act, *Physics* 3.1.201a9-11. And so the virtue of an instrument as instrument has a being that is incomplete, not fixed in nature (just as the virtue of affecting sight is in the air as it is an instrument moved by a body). But these sort of imperfect beings, which are in a state of becoming, are customarily wont to be called intentions (in the way that the virtue in air for affecting sight is called the ‘intention of the color’ [cf. *Ord.* II d.13 n.15, d.38 nn.8-10]).⁴ The spiritual virtue, therefore, which is in a sacrament as it is an instrument, is in it as in a state of becoming, like an incomplete or intentional being.

283. And if it be argued that there cannot be any spiritual virtue in a body, the response, according to what has been said [n.282], is that although there cannot be a spiritual virtue there according to complete being, yet there can be a spiritual virtue there incompletely, by way of intention, as is illustrated in many examples:

First, surely, because ‘audible speech’ is in this way ‘an existent cause of learning’, as the Philosopher says in *De Sensu et Sensato* 1.437a12-13, and it in some way contains the intentions of the soul, whose concepts are somehow expressed in speech.

Second, because thus is the virtue of art present somehow in the instrument moved by the artisan.

⁴ Scotus *Rep.* A d.13 q. un.: “By this word ‘intention’ is meant in one way an act of will; in a second way the formal idea in a thing (as the intention of a thing from which the genus is taken differs from the intention from which the difference is taken); in a third way a concept; in the fourth way the idea of tending to an object (as a likeness is said to be the idea of tending to that of which it is the likeness).”

Third, because thus is there somehow in the motion of a celestial body the virtue of the separate substance that moves it, according to the philosophers.

Fourth, because semen acts thus in virtue of the soul, as is said in *On the Generation of Animals* 2.1.735a4-26, and this is touched on by the Commentator in *Metaphysics* 7 com.31.

B. Rejection of the Opinion

1. As to the First Question

284. Against this opinion as to its position on the first question I argue as follows:

a. First Argument

285. First as follows: a creature cannot act instrumentally for a term of creation, according to him [nn.276-280], and this, as he says elsewhere [*ST* Ia q.45 a.5], is above all manifest about corporeal substance (of which sort a sacrament is). But the disposition previous to grace, of the sort he posits [n.279], is a term of creation; therefore etc.

286. Proof of the minor:

The previous disposition is a supernatural form, and anything such is as equally incapable of being drawn from the natural potency of the receiving subject, as the subject too is equally in obediential potency to any such form.

Again, since the disposition, according to him, is a disposition that necessitates for grace when there is no impediment in the receiver, it follows that in a non-indisposed soul the disposition and the grace come to be at the same time. Therefore this disposition comes to be in an instant, just as grace does. And the fact is plain, because in the introduction of a form there is succession only as to parts of the movable subject or as to parts of the form itself. But neither is present here. The first is not because the subject is indivisible. The second is not because then there could only be degrees of grace if the disposition were to be continuously larger and smaller. But it is possible for a smallest disposition to be introduced in someone who receives a sacrament, just as it is possible for a smallest grace to be infused into him. But the smallest grace only requires the smallest disposition, so there is no succession there as to different degrees in accord with which the disposition is successively introduced.

The minor is also plain in a third way, that an instrument only acts in virtue of the principal agent. Therefore, if the instrument can act over a period of time for the disposition, then it follows that God would be acting over time or successively for the same disposition. The consequent seems unacceptable, both because of the infinite power of the agent, and because of the supreme capacity of a receiving subject that does not have a contrary.

287. So therefore we may suppose from these three proofs that this disposition preceding grace that they set down could be introduced in an instant.^a

a. [Note added by Scotus] But the minor is denied [sc. by Aquinas], because what does not per se come to be is not created; a form does not per se come to be while the composite does, just as the form is not per se existent. Therefore the form is not created, because the form would not come to be by the creation.

Again, a form that lacks an operation that the subject has no share in along with the form is not created (the proof is from *On the Soul* 1.1.403a10-12, “If the soul has nothing proper to itself, it is not separable from the body,” and from *Generation of Animals* 2.3.736b27-29, “It remains then that the intellect alone comes from outside and alone is divine; because the operation of the body has no share in its operation”). Therefore only the intellect that comes from outside, because it has an action that the body does not share any supernatural accident with, lacks an action that the subject does not share in with it. The same point is admitted about grace.

In response to the proof of the minor it is said that the disposition is drawn from the obediential potency of the subject, therefore it is not created.

On the contrary: every obediential potency has regard to a natural form in the subject; therefore it also has regard to some agent, because to every natural passive power there corresponds an active natural power, according to the Commentator [*Authorities from Aristotle* 1.137].⁵

288. But sacraments commonly cannot have their action in an instant, the proof of which is that words and many other things are commonly required for sacraments (as will be plain below [about each sacrament individually]), and these cannot have their being in an instant; and so they have it in time. Therefore they cannot do their natural action in an instant, and so not their supernatural action either. For, according to them [n.278], an instrument has its own action when it has the action that surpasses its own virtue.

289. Also, if any single syllable of the whole wording that is instrumental to the sacrament is imagined to have its being in an instant (which is a fiction, because the formation of this syllable involves local motion of air and motion is not in an instant), the claim is not saved. For this syllable will be either the first syllable or the last or in between, and, whichever one it is posited to be, from the fact that it and no other syllable acts for the disposition caused in an instant, it follows that it alone would suffice, and that it alone among all the others would possess the nature of the sacrament. For all the others beside it do nothing either instrumentally or in any other way for the preceding disposition. And this is unacceptable, because in such sacramental wording no single syllable is posited as the sacrament but the whole of it is.

290. But if you further imagine that the last syllable is the sacrament by way of completion, and that it performs the action attributed to the sacrament not by its own virtue but by virtue of all the preceding ones (just as “the last drop wears away the stone in virtue of all the preceding ones,” *Physics* 8.3.253b14-21), this is nothing. For in such cases the last stage only ever finally causes the effect in virtue of the preceding stages because the preceding stages have left behind some disposition preparing the way for the term. But these preceding syllables do not leave any such disposition behind before the last syllable; therefore etc.

b. Second Argument

⁵ This reply seems to be against all three of the arguments given here against the truth of the minor premise [sc. the minor that the disposition previous to grace, if it is posited, will be something that has to be created directly by God, and so not an instrument God uses for creation, n.285]. For if, as the reply says, the obediential potency in a creature is relative to the active power that realizes it, and if this active power is God acting alone without a created instrument, and if the disposition previous to grace is drawn from the obediential power, then it will be something created, regardless of whether it is a form, and regardless of whether it is unlike the intellect and grace (which are confessedly created).

291. Again, in the case of one of the sacraments, namely the Eucharist, the causality does not seem to be possible, whether we are speaking of the full sacrament, namely the now consecrated Eucharist, or of the sacramental consecration itself, which is the way to the sacrament.

For, if one speaks of the first way, the species of bread does not seem to be an instrumental cause that reaches the effect, that is, the real existence here of Christ's body, or that reaches any disposition for the effect.

The same is also plain about the consecration, because the spoken words do not reach transubstantiation (which is the term of the consecration), for transubstantiation only happens by the infinite virtue of God, and this infinite virtue is equally or more manifest here than it is in creation. Nor does it reach any disposition preceding transubstantiation, because the disposition would be either in the bread or in Christ's body. But it cannot be so in either way. For it cannot be in Christ's body since then it would not be a disposition; nor can it be in the bread, because since the disposition would be a necessitating factor for transubstantiation it would exist in the same instant as transubstantiation does, and so in that instant there would be bread. For when the disposition exists, then the subject of it exists also at the same time. Therefore the bread where the disposition is would exist in the same instant as the transubstantiation does, which is contradictory. Likewise, it seems a pure fiction that the bread would be really altered by the words 'for this is my body' more than it would be altered by other spoken words, as 'this bread is white' and the like, since sound does not have an active virtue for causing a real alteration in bread.

c. Third Argument

292. The argument can also be made here that was made before [n.288], that sacramental words have their being in time and so they precisely have their action in time. But the disposition for the Eucharist [nn.285, 279], if it is imagined to exist, cannot be posited as caused in time, because of proofs like those mentioned above in the second argument [n.291].

293. In the matter at issue, then, there is a special reason that the words of consecration of the Eucharist cannot do anything with respect to transubstantiation, or the disposition necessary for transubstantiation, because they do not act on the passive subject until they mention it, according to them and to Aristotle (*Physics* 7.2.244a17-18 about the simultaneity of agent and patient). But as it is, at the instant when the speaking is complete, the species of the words are not mentioning the species of bread, because the multiplying of words only takes place in time, according to the Philosopher (*On Sense and Sensible* 6.446b5-9, the penultimate objection). Therefore during the time after the last instant of the complete speaking of the words, transubstantiation and the disposition preceding it have not yet happened. Therefore the bread remains throughout the whole time – which is contrary to the common opinion about the Eucharist.

4. Fourth Argument

294. The fourth argument is that this opinion posits plurality without necessity, which is against the teaching of the philosophers, as is plain from *Physics* 1.2.184b15-16,

about the opinion of Melissus against Anaxagoras, and also from *On the Soul* 3.4.429a18-20 and *Physics* 8.3.354a24-27, that “nature does nothing in vain.” For fewness, when it suffices for saving the appearances, is always more rationally to be posited [*Metaphysics* 4.6.1011a17-21, *Ord.* I d.3 n.315]. But that such a disposition should be brought about in the case of the sacraments seems altogether superfluous. There does not seem to be any necessity for this plurality in the Eucharist, as is plain, because it seems the purest fiction to posit there some preceding disposition, or to posit some intermediate disposition in the species of bread (which are the sacrament [*Ord.* IV d.8 q.1 n.15]) or in the existence of the body of Christ (which is the thing signified).

295. There is proof of this in the other sacraments too, for in those that do not impress a character there seems no necessity to posit the disposition that they call an ‘ornament’ [n.279]. Indeed, this seems to be against the common opinion of the theologians. For they posit a disposition for the principal effect in some sacraments if, because of some obstacle in the receiver, the final effect is not then caused; but when the obstacle ceases the disposition suffices for the principal effect (this appears in sacraments that cause a character, which sacraments for this reason cannot be repeated). But in the case of a pretended penitent, there is nothing, when his pretense ceases, that suffices for the effect of true penitence; otherwise it would not be necessary for such a pretended penitent to be confessed another time. Therefore, no disposition is impressed in such a sacrament as if to necessitate the effect of the sacrament.

2. As to the Second Question

296. Against this opinion as to the second question I argue as follows:

If there is a supernatural virtue in the sacrament, it is there either indivisibly or divisibly, that is, either as whole in the whole and in each part, or as whole in the whole and as part in a part. Not in the first way because among all forms that perfect matter only the intellect is posited to be such. Not in the second way because the supernatural virtue would be per accidens extended in the subject, which is against the idea of a spiritual virtue.

297. Again, many words are commonly required in sacraments (as will be clear below [in the discussion of each sacrament]). Either then the same virtue would exist altogether in each syllable, or there would be different virtues in different syllables. If in the first way one would have to say that the same accident moved from subject to subject and would remain after the subject ceased to be. If in the second way the result would be that the sacrament (which consists in the whole utterance) would not have a single virtue.

298. And if you say that the sacrament has a single virtue combined from the many virtues of the many parts, this is refuted by the second argument against what the opinion says about the preceding question [n.291]. For it would not be possible to say which of these virtues was the principle of causing the spiritual effect in the soul. Nor does it seem probable that a sacrament formally one (since the formal idea of it comes from the idea of supernatural virtue) would have so many combined spiritual virtues.

299. Again, I ask when this supernatural virtue is caused in the sensible reality that pertains to the sacrament – is it before the application of it to act and use or in that very application?

If before, then the sacrament's causation is purely miraculous, because it is by divine act and not by any disposition that abides or is stabilized in the Church; for it does not follow on anything that would enable one to say it followed naturally, as it were, without a miracle (like animation [*Ord. IV d.43 q.2 n.20*, on the natural animation of the body]).

But if the supernatural virtue is caused in the very application to use, this seems unacceptable. For an instrument is not formally adapted for use because someone uses it as an instrument. The point is plain by induction; and by reason, for the suitability of an instrument naturally precedes the use of the instrument as instrument (for it is not because I immerse a child in water, or use some sensible sign for the act of the sacrament, that the child receives the spiritual virtue; therefore, it is not possible to say when the child receives it).

300. A final argument is, as before [n.294], that here plurality is posited without necessity. For that there is any necessity for such a virtue as is imagined to exist in the sacrament is not plain either by natural reason (as is manifest) or by faith. For just as he who follows natural reason should not posit more beyond what is concluded by natural reason [*Physics 1.4.188a17-18, 8.6.259a8-9*], so he who follows faith should not posit more than what is required by the truth of faith. But the truth of faith does not require the positing of such supernatural virtue in water or in words (as will be plain below [in the discussion of the individual sacraments]), nor does reason compel this plurality.

Therefore etc.

301. The examples that are adduced for virtue received by the instrument do not prove it.

302. The first about sensible speech [n.283] assumes something manifestly false, for audible speech does not formally have any intention of the soul in it.

As proof is that speech that does not have the signifying of anything imposed on it has no such form (as is plain to everyone); and speech does not receive any absolute form from the imposition, nor any relation save perhaps a relation of reason.

There is also proof in another way, that when there is the same principal agent and an instrument sufficient for it the same action follows. But if a Latin speaker speaks Latin words to a Greek, there is the same principal agent and the same instrument that there would be if he spoke to another in Latin, but no effect follows because no concept is caused in the Greek hearer. Therefore, the speaking was not of itself an instrument for causing a concept of the soul in the hearer.

303. The example fails, then, to this extent, that audible speech is a sign that brings a concept to memory, so that when the sense of hearing is affected by the speaking, and when further the nature of the concept as it is such a nature is understood, the intellect that knows the speech is imposed to signify such nature refers the speech to something else and understands that something else. Not, however, in such a way that the speech causes a concept of something by some form. Rather the concept is previous to what is conceived of the thing [spoken about] as caused in the soul by the proper species or phantasm of the thing.⁶ The point is plain because however much a speech is spoken, if

⁶ The sense of the Latin here is obscure. The point seems to be that the spoken word only informs us about the thing spoken of because, first, we already have the concept of that thing, and because, second, we are moved by the words to turn to the relevant species or phantasm of the thing so as thereby to bring actually to mind the concept we

the hearer does not have in himself the species of the thing spoken of, then no concept of the thing would be caused in him. Hence, we understand by spoken words only things of which we have the species. But that we actually consider these things is because we refer the sign to the thing signified.

304. The second example about the instrument of an artisan [n.283] fails, for it seems highly improbable that a spiritual form would be caused in the saw as many times as it was moved by the artisan, and that a spiritual form would cease to be as many times as the saw ceases to be actually moved.

305. The third example about motion [n.283] is not compelling because, in whatever way substances are caused by the heavens, at least the local motion of the heavens cannot be the formal principle of producing them.

306. But as to what the formal principle is, and likewise about the fourth example [n.283] from the *Generation of Animals*, see *Lectura II d.18 nn.70, 72.*

II. Opinion of Henry of Ghent about the First Question

A. Statement of the Opinion

307. For the first question, then, there is another opinion, see Henry *Quodlibet IV q.37.^a*

a. [Interpolated Note] Note that Henry sets down a threefold opinion about the sacraments in relation to grace.

The first is that no supernatural virtue is to be posited in the sacraments of the New Law for creating grace, but God assists in his sacraments by a pact or agreement; and in the conferring of the sacraments he causes grace through his assistance.

The second opinion is that the sacraments of the New Law cooperate with grace, not as acting per se and by a form existing in them, but as an instrument moved per se by the agent.

And after setting aside these opinions he posits a third, which is his own opinion, and it is as follows: The sacraments of the New Law are said to be cause of grace,* not because they in any way cause it more than the sacraments of the Old Law did, but because they contain that which is cause of grace – either really, as does the sacrament of the Eucharist, in which is really contained the humanity of Christ conjoined to his divinity (therefore is the Eucharist said most of all to contain and effect grace), or virtually, as does the sacrament of Baptism, which namely causes grace in virtue of the blood of Christ, as the Apostle says in *Romans 6*, “As many of us as are baptized are baptized in his blood.” And he gives an example from the divinity of Christ conjoined to his humanity, which was what worked the marvels he did; hence also from this fact are the sacraments of the New Law called ‘vessels of grace’.

And this opinion differs, it seems, from the first at least in words, because the first speaks of *assistance* of grace and this one of *insistence* of grace etc.

[*...in no way do the sacraments do anything to create grace, nor do they attain grace in creating it more than the sacraments of the Old Law did. But they are only said to be cause of grace present of which they are the signs, in that they contain that which is per se creative cause of grace, insofar as it creates grace. For although God, who is the creator of grace, is in everything by essence and substance, yet he is, as to some effects, in one thing such that he is not in another...and thereby, because the deity existing in Christ’s hand cured the leper as principal agent, Christ’s hand is said to have cured the leper as instrumental agent. So that, accordingly, we may say that the sacraments of the New Law are causes of grace instrumentally...because God, as he is existent in them, confers grace by creating grace in them when they touch those to whom they are administered. And in this way are they said to be creative ‘instruments of grace’...and

already have of it. The words, then, do nothing over and above stimulating us to turn to some species or phantasm in which to remember or rethink the concept (as the previous example of a Latin speaking to a Greek illustrates).

similarly ‘vessels of grace’, insofar as they contain him who is the fount and origin from whom the grace, as it is in them, emanates.]

B. Rejection of the Opinion

308. I argue against this opinion as follows: God is in the sacrament as to his presence, essence, and power not otherwise than in another body. Therefore, if he is posited as being there in some other way, this is only as to his causing some effect. But that he is there in this other way cannot be through any causality of the sacrament, for a sacrament is in no way a cause that determines God to cause an effect proper to himself. Therefore he is there in this way, that is, a way other than he is in another body, only by a determination of his own will, whereby he makes disposition to cooperate thus with such a body. But this disposition, when it has been made manifest to the Church, is called a promise or pact. This opinion of Henry’s, therefore, says nothing different from what was said of the other opinion, namely about pact or agreement.

III. Scotus’ own Opinion as to the First Question

309. To the first question, then [n.262] I lay down the following statements: the necessity of things for the end is taken from the end; the end of a sacrament, according to all who speak about sacraments, is grace or some invisible effect of God disposing man for salvation; this end, in the way it is reached through the sacraments, could be reached sufficiently without saying that a sacrament has some proper action either in respect of grace (which it cannot attain since a sacrament is created), or in respect of a preceding supernatural disposition (because it would be created). From these statements it follows that such action is not to be posited, since these several things are not necessary, nor is it manifestly possible to posit them.

310. But how, along with this conclusion, may one save the fact that the sacraments are not just per accidens cause of grace and that grace is got through the sacraments in the way the saints speak of them [n.276]?

311. I say, in brief, that every disposition that necessitates a form (and is not the idea of being receptive of the form) can in some way be called an active or an instrumental cause with respect to that form.^a But a sacrament itself, or the receiving of a sacrament, is such an immediate disposition, which does not cause any other intermediary between itself and grace. Therefore it can be said to be in some way an active or instrumental cause with respect to grace.

a. [Note added by Scotus] Proof of the major: this proposition, that is, ‘every disposition that necessitates a form...’, is admitted when the disposition necessitates the form – whether by its own nature or by something intrinsic or by the natural order of some superior agent. It does not necessitate in these ways here, but only by the ordering of the acting will of God.

On the contrary: how else is a character a necessitating disposition for a form?

Again, in any order of causes a second thing acts in virtue of a first. So, therefore, when the first is clearly known to be acting as if acting naturally, and yet it is only by the will of a superior that the second is necessitated to causing (because the second is determined by the first that, as it acts, thus determines it) – then a disposition that necessitates by a superior will has a nature like that of an instrument, just as in other cases where its necessitation is by a superior natural agent. For never does it necessitate so as to determine the superior, because then the superior would not be superior. But it is said to be necessitating because the effect is necessarily

produced by the superior through the medium of an instrument. Thus does the will, with clearly known necessity, produce the effect through the intermediary of an instrument.

Again, whatever thing is posited as thus being between God and grace is an agent or disposer for grace, either through its proper form (and then it acts by natural necessity, because neither the water [sc. of baptism], nor the virtue in it, nor the character is a free form) – or not through its proper form but only by divine ordination.

If in the first way, my will then will not be able to prevent the grace from being caused, because my will cannot prevent the acting of a natural agent on the subject it acts on, nor indispose that subject to being acted on.

If in the second way, then the reply is no reply.

I respond: it acts by its proper form, but in this sort of order, namely as the second thing and so only along with the first. The first does not act when my will is indisposed; therefore neither does the second – not that it would not act of itself if the action of the first were lacking.

312. The major [n.311] is proved by examples and by reason:

The first example is that there is absolute agreement that merits are an instrumental cause with respect to reward, and that a reward is acquired through merits. And yet merit does not in itself actively cause the reward, nor does it cause an intermediate disposition; it is only a disposition preceding reward, as the idea of being receptive of reward.

313. Another example: motion is in some way posited as a cause with respect to the term of the motion, and the fact that the term is attained through the motion is agreed to truly and properly. Yet the motion does not possess any action for causing the term, nor even for causing an intermediate disposition; but it is a disposition proximate to the term and not the idea of being receptive of it.

314. Again, the same major [n.311] is proved by reason as follows: what is cause of something prior is not, for this reason, a cause of something posterior unless the thing in between [sc. the prior, between the cause and the posterior] is cause of the third [sc. the posterior], and is so in some way in the same order of cause. An agent that causes a disposition proximate to a form (according to them [nn.278-280]) is admitted to be in some way a cause as regard the form. So the disposition proximate to the form must be reduced to the genus of efficient cause as regard the form.

315. The manner of it, then, is as follows: the receiving of a sacrament is a disposition necessitating the effect signified by the sacrament – not indeed by any intrinsic form through which it may necessarily cause the form, or cause some disposition previous to it, but only through God's assistance causing the effect. God does not necessarily cause the effect absolutely but with a necessity relative to his ordained power. For God has universally disposed, and has so assured the Church, that he will confer the signified effect on someone who receives the sacrament.

316. Nor does it matter that the receiving of the sacrament is something to do with the body of the receiver but the grace is something caused in the soul. For the fact that the disposition and the form are in the same subject is enough and, above all, when the disposition is not a disposition on the part of the thing, but is a disposition in an ordering to a voluntary extrinsic agent that does cause the term.

317. To understand this, one needs to note that an instrument, in the most commonly accepted use of the term, is sometimes extended to include a second cause, as was touched on in the first question [n.120], though it is properly distinguished from a second cause, and sometimes it is taken for a part through which the whole acts – and in this way does the Philosopher speak, *On the Soul* 2.1-2.412a27-13a10, when he calls the

organs of the senses and of other powers instruments, or parts, through which the whole performs such operations. In a second way an instrument is said to be an active cause for a preceding disposition. In a third way it is spoken of as an instrument of art, and from this is the word first derived.

318. But there is a doubt whether an instrument of art is properly active.

And it seems more probable that it is not. For a saw has in itself only quantity, figure, and local motion, about all which it is plain that they are not active forms. And the proof is that otherwise the mathematician, when he considers the ‘how much’ of figures, would not abstract from motion.

319. But if it is supposed that hardness is an active quality, this is nothing, because if God, by his absolute power, preserved something soft in the same quantity and figure, he would, by moving it locally, divide a body just as the hard instrument now divides it. So hardness, which is a quality, is not the formal principle of acting. But it does appear to be so, to the extent that it is a certain resistance to being affected by a corrupting force; and if it is moved locally while the quantity and figure of the body remain and nothing else is changed or corrupted, it must remove some matter proportioned to its quantity and figure, which would not be the case if its quantity did not remain but gave way, as is the case with something soft.

320. A proof of the claim is also that wherever there is a formal incompossibility in a creature, one of the incompossible things does not actively expel the other but only formally; but an agent that introduces one of them does effectively expel the other. Now bodies seem to have incompossibility with respect to the same ‘where’, just as contrary qualities do in respect of the same subject. So just as the same agent introduces heat effectively, so does it also expel cold. The heat, however, does not expel the cold effectively but only formally; so too in the claim about the expulsion of a body from where it is by another body. But the dividing of wood by a saw or an axe is only the expulsion of parts from where they are to where the axe moves them by the artisan’s cutting it.

321. In maintaining, then, that artificial instruments are not formally active but only receptive of some prior effect ordered to the ultimate effect, the claim is made clearer about how a sacrament can be called an instrument, although it does not have an active power properly with respect to the term, but is a certain prior effect ordered toward grace.

322. And if it be said that the cases are not alike, because the sacrament does not receive the superior effect the way an axe receives motion – this is not a problem, because just as the whole (which receives the prior effect) can be called an instrument, so too can the effect received be in some way said to be an instrument; for it can truly be said that the wood is divided by the motion of the saw; but a sacrament, or the receiving of the sacrament, is the prior effect in the matter at issue; therefore etc.

IV. Scotus’ Opinion as to the Second Question

323. To the second question [n.269] the answer is plain from the same point [nn.321-322], that it is not manifestly possible, nor in any way necessary, to posit the virtue that is a real form in the sacrament. For to what purpose would this form be so many times generated and so many times corrupted? Nor, if it were posited, would

anything be caused by it in the soul; nor would it even be caused regularly save by divine pact or agreement with the Church. And thus, without so many superfluous intermediaries in the water and the soul, the claim can be saved that the divine pact is immediate in regard to conferring the effect on the recipient of the sacrament.

324. But if, because of the authorities [nn.270, 276], a dispute is raised about the word ‘virtue’, one can say that a virtue is in one way ‘the ultimate in power’, from *On the Heavens* 1.11.281a10-12. But the ultimate in power of a practical sign is that it be effective in signifying, that is, signify beforehand and with certitude; for no greater power could belong to a sign insofar as it is a practical sign.

325. However, such virtue can be admitted to exist in the sacrament. But this virtue is not some absolute form but only a relation of conformity with the thing signified. And whether it belongs to the essence of the sacrament – (and then the sacrament would have to include, not only the idea of a sign along with its differences, but also some idea of conformity with the thing signified, which is called the truth in the sign [n.192]; and it is plain that one of these relations is an accident of the other, and the posterior is as it were founded on the other prior one; for the conformity is founded on the sign and there could be a sign without it) – or whether it does not belong to the idea of the sacrament but is an accident concomitant with it for the most part, yet at any rate this idea is the ultimate in power of a practical sign, and thus is it a virtue.

V. To the Initial Arguments of the First Question

326. To the first argument [n.263] I say that the water cleanses the heart, that is, the soul, not indeed by causing a disposition between it and the cleansing grace, but that it cleanses as a disposition proximate and immediate to grace (in the way in which merit is said to induce blessedness, or that cutting or some other preparation is said to induce health). For if it caused a disposition for grace and was thus said to cleanse, it would still be necessary to say that the disposition cleansed more immediately, as was argued above about the order of causes with respect to a third thing [n.314].

327. To the second [n.264] I say that in his definition of a sacrament the Master understands by his addition ‘and exists as its cause’ nothing other than that it is an efficacious sign. And by this he means that it is practical and certain and true, and naturally precedes what it signifies. I use the same to reply to the point about the distinction between the sacraments of the New Law and the Old Law [n.264]. For these are not distinguished by the fact that ‘actively acting for something spiritual in the soul’ could belong to neither of them, but those of the New Law cause grace as an efficacious sign, while those of the Old Law did not, if one is speaking of the sacraments, that is, the ceremonies, of the Old Law. The matter will be made plain in the next question [nn.372-381].

328. To the other one [n.265] I say that if the motion of a saw were the proximate disposition for inducing some form, and if it [the form] were not from the nature of some motion but from the disposition of some natural agent cooperating at the same time, one could reasonably ask of the agent that the motion would perfect [the form] that [the agent] contains, that is, that just as [the motion] contains [the form] as a preceding disposition contains [the form], so [the motion] would perfect [the form], that is, that [the

form] would follow on [the motion] immediately. This is how it is in the proposal maintained here.⁷

VI. The Argument of the Opinion of Thomas

329. As to the arguments brought forward in the first opinion [nn.276-280], the answer is plain from what has been said [nn.326-328]. For a sacrament is not just a cause per accidens (as neither would Thomas posit that the ornament or character was a per accidens cause with respect to grace); rather, just as he would posit that what was caused by the sacrament was a per se disposition for grace [n.279], so I say that the sacrament, or the receiving of it, is a disposition proximate to grace.

330. And hereby is plain how a disposition is put in the definition of a sacrament, and how it pertains to the art of those who treat of sacraments. For if someone were to view an incision or something of the kind insofar it is ordered to health, he would define it well and would assign the difference through this order, although this order was an accident of the nature of the thing in itself. In this way also do the holy doctors not concern themselves about the cleansing of baptism as to its nature in itself, any more than they concern themselves with the nature of any sort of bathing per se; but they view baptism insofar as it has, from divine institution, an order for grace; and therefore do they define it so and assign its differences.

VII. To the Initial Arguments of the Second Question

331. As to the first argument of the second question [n.270], it is plain that the virtue is the efficacy of the sign with respect to the thing signified, which efficacy is not a real form, above all not an absolute one, but is the truth of a practical sign virtually preceding the thing signified.

332. As to the second argument [n.271], if health could only be induced by a voluntary agent, and if this agent instituted some sign that would be an efficacious or necessitating sign with respect to himself for inducing health, the sign would be a medicine possessing virtue – not however through some absolute form that would be the principle of curing, but only through the ordaining of the efficient cause for health.

333. As to the third argument [n.272] one can say that the foundation is new as often as the sacrament is new, and then no new relation is there without a change in the foundation. But the change is not to anything absolute in the foundation, but to the being of the foundation.

334. It can be said in another way that a relation of reason can be new in something without newness of what is absolute in it, for a new comparison of the absolute to another thing by act of intellect is sufficient. In this way can God be said to be newly ‘Lord’ without any new absolute in him. Or more to the point, money can be said to be newly the price, for to be a ‘price’ only states a relation of reason, just as to be ‘exchanged’ for something else states only a relation of reason. For to be ‘exchanged’

⁷ The square brackets replace what in Scotus’ Latin is simply ‘it’ with no clearly grammatical indication of what the ‘it’ refers back to. My insertions in the brackets indicate what I think should be understood by each ‘it’ to make consistent sense of what Scotus is saying.

does not state a real relation any more than to be ‘given’ does; but since to be given, as is manifest, states the relation of an object to the will, it states only a relation of reason in the thing given. Likewise, to be ‘understood’ in the understood object states only a relation of reason. 233].

Incidental Fourth Part: On Circumcision

Question One

Whether Grace was Conferred in Circumcision by Force of the Circumcision

335. This part of this distinction, where the Master determines about circumcision (“It was, however...”), is an incidental one.

336. I ask one thing about it: whether grace was conferred in circumcision by force of the circumcision.

337. That it was not:

Romans 4.11, “He received the sign of circumcision”, on which the Gloss says, “Sins there were only forgiven, but grace as an aid for acting well was not made available.”

338. Again Augustine *Narrations On Psalms* 73 n.2, on the title of the Psalm, “Why have you repulsed God to the limit?”, says about the sacraments of the Old Law, “They only promised and prefigured salvation; but these (namely the sacraments of the New Law) give salvation.”

339. Again, circumcision did not open the gate of Heaven, as Bede holds in his *Homilies on Luke* on *Luke* 2.21, “After the completion of eight days.” He says that the gates of the Kingdom are open to him who has grace, because he is an heir. For, according to Augustine *On the Trinity* 18.32, “Grace separates the children of the Kingdom from those of perdition.”

340. Again, by reason as follows: a sacrament only causes what it signifies; circumcision only signifies a taking away and not anything positive, because only the taking away of part from whole is there; therefore etc.

341. On the contrary:

Augustine in his book *On Marriage and Concupiscence* 2.11 n.24 (and it is in Gratian *Decretum* p.3 d.4 ch.6), “From when circumcision was instituted among the people of God for the purgation of this old sin, it was valid for old and young, just as baptism began to be so from when it was instituted.” This would not be the case unless grace was there conferred; therefore etc.

342. Again, Bede *Homilies on the Gospels* 1.11, on *Luke* 2.21, “Circumcision in the Law gave the same help for salvific cure as baptism is wont to give in the time of grace.”

I. To the Question

A. Circumcision Removed Original Sin

343. It must be supposed here as certain that circumcision removed original sin; it is plain from the authority of the saints [nn.341-342].

344. And for this there is a fitting reason, because God at no time left the human race without a remedy necessary for salvation, especially those to whom he gave the Law so that, by observing it, they might attain to salvation. For such a Law would have been given in vain without such a remedy. Therefore, in the time of the Mosaic Law he gave some such remedy to those who observed that sort of Law. But they could not attain to salvation without deletion of original guilt (which is a supposition from *Ord. II d.29 n.24*); therefore God instituted some remedy against that guilt. This remedy, and nothing else, seems to be instituted there as such a remedy for guilt, according to *Genesis 17.9-14*, where circumcision was given to Abraham, and this many hundreds of years before the Mosaic Law was given on Mt. Sinai. But this does not prevent circumcision being a remedy for original sin. But that God wanted to institute it before the Mosaic Law argues that it was not a remedy belonging precisely to that law. But neither did the Law abolish it; rather it confirmed it.

B. Whether Grace was Conferred in Circumcision

345. But something else must be inquired into, whether on the basis of this supposition it necessarily follows that grace is conferred in circumcision. And because the deletion of guilt is the conferring of grace, whether conjointly or separately, and because these regard only divine power while something is said to be possible for God in two ways, namely as to absolute power or ordained power – then one must consider, first, whether God can by his absolute power delete original guilt without infusion of grace and, second, whether he can do so by his ordained power.

1. Whether God Can by his Absolute Power Delete Original Guilt without Infusion of Grace
 - a. The Opinion of Richard of Middleton
 - α. Exposition of the Opinion

346. As to the first point there are some who seem to say no.

347. But we must consider if their reasons prove it. The first reason is as follows: Sin cannot be deleted from the soul unless the soul be made pure from being impure. But this cannot be done save by some change introduced into the soul. This change will necessarily be to some positive form that is repugnant to guilt, and this an absolute form, for there is no motion or change to relation, *Physics 5.2.225b11-13*. An absolute form of this sort repugnant to guilt I call ‘grace’; therefore etc.

348. The second reason: there is in sin a deformity opposed to grace as privation is opposed to habit; but a privation cannot be taken away save by the conferring of the opposite habit; therefore etc. And this is what Augustine argues, that guilt and grace are opposed as light and darkness in the air [Augustine, *Enchiridion 3 n.11, 4 n.14*].

349. The third reason: guilt can only be deleted if it is not imputed for punishment. But if its disordering remains, it is necessarily imputed for punishment, because while it remains it cannot be otherwise ordered than through infliction of

punishment. Therefore guilt cannot be dismissed unless its disordering is taken away. But it is only taken away by grace; therefore etc.

350. The fourth reason is as follows: if guilt is dismissed, the divine offense is removed; therefore the sinner is reconciled to God, and is consequently accepted by God; but he is not accepted without grace; therefore etc. And there is a confirmation, because if he is not an enemy, then he is a friend.

β. Rejection of the Opinion

351. I argue against this opinion [n.346].

First as follows: all things that are repugnant to each other as to the same thing, exclude each other as to that thing. Therefore, that to which many things are repugnant as to some subject can be excluded from that subject by any one of them. But rectitude in pure natural state is repugnant to original guilt even without grace. The thing is plain as to the fact according to the Master, who posits that man was made thus by God. It is plain too by reason as to possibility, because if nature could not be made right by natural rectitude and without grace, then grace would be natural, though not to fallen nature but to nature instituted in its proper rectitude; for that is natural which is consequent to nature in itself. Therefore it follows that guilt can be removed by natural rectitude alone and without grace.

352. If it be said that rectitude could exist absolutely in nature without grace, yet after guilt it could not be restored save by the conferring of grace – against this, and at the same time in answer to the principal conclusion [n.346], I argue thus: a form that does not include in itself the being of some other nature is not otherwise inseparable from anything. For it is because a form is the sort it is and is possessed of the sort of being it has that it is therefore separable or inseparable from anything. But a form in a subject does not include in itself the being of another nature from the fact that its opposite has preceded it in that subject (as is plain of cold and heat in water). Therefore, a form is not otherwise inseparable from anything by the fact that its opposite has preceded it in that subject. But natural rectitude, though it had not preceded its opposite, could be separated from grace according to you; therefore etc. [n.352].⁸

353. Again, whatever man God can create according to his absolute form, him can God also precisely repair after guilt according to his absolute form; but God can precisely create man in pure natural rectitude; therefore etc. The proof of the major is that guilt does not make nature to be different in itself; therefore neither does it make it not to be capable of the same things as it was capable of before. But a divine agent can impress on nature whatever it is capable of, and that without anything that is not included in the idea of what is impressed upon, and especially if this was not included in it before the form was impressed; but grace is of this sort with respect to justice or natural rectitude; therefore etc.

354. If objection is raised against the major that, according to Jerome, God cannot make a virgin from a non-virgin, and yet he could from the beginning have formed or

⁸ That is: because natural rectitude can exist without grace (as you admit it did before the fall), it does not include the idea of grace in itself. So it is separable from grace, and it does not cease to be so separable just because its opposite (guilt) existed in its subject, namely the soul, through the fall. So natural rectitude can exist in the soul again after the fall with the same separability from grace, that is, it can exist there again without grace.

created a man a virgin – my reply is: I have taken in the major [n.353] ‘any man in his absolute form’, and the objection is not relevant here, because if one takes anything absolute that is introduced by virginity, whether it be perfection in the mind or disposition in the flesh, God can repair the whole of it. But virginity states, over and above this, a certain negation of a preceding act, namely that of never having fallen in flesh or mind into a sin of the flesh; and from the fact the act happened in the past God cannot make it that it did not happen in the past. Hence the Philosopher in *Ethics* 6.2.1139b8-11 commends the saying of Agathon who rightly says, “From God is taken even this alone, to now undo what is already done.” And the reason is that there can be no making of a not-being from a not-being, because (extending ‘making’ to its greatest extent), any making is of being from not-being, or of not-being from being (as in annihilation), or of being from being; but the past is a not-being and ‘it did not happen’ is another not-being; therefore from something past cannot be made that it was not past.

355. But if the objection is raised, ‘if God can restore the whole absolute that was in virginity, therefore he can give the golden crown, for the golden crown seems to correspond with some absolute perfection in virginity’ – one can say that the golden crown of virginity is an accidental joy in one’s innocence, namely of never having fallen into that sin to which nature is commonly prone, above all in adolescence.

356. And if it be objected that this negation is not of a very excellent or special joy – I reply: as the affirmation is something to flee from or hate, so is the negation something to love. Therefore, as ‘to have fallen into such sin’ is something excellent to hate so ‘never to have fallen’ is something to love from charity and to delight in. Therefore, although essential joy is about some positive good, indeed about the greatest good, it is however not unacceptable for some accidental joy to be added to it negatively afterwards. For never to have fallen into guilt adds an amount of joy beyond what one has in having risen to grace after guilt.

γ. Scotus' own Conclusion

357. I concede, therefore, the conclusions of these last reasons [nn.351-353], that God could of his absolute power dismiss original guilt without conferring grace, and this above all because grace is not formally opposed to original sin, and because that sin is not now dismissed by conferring of grace save because grace includes, equivalently or prevalently, in divine acceptation the original innocence that is formally opposed to original sin.

δ. To the Arguments for the Opinion

358. As to the first argument for the preceding opinion [n.347], I concede that cleanliness could be made from uncleanness with an opposed cleanliness if the original justice that original sin takes away is restored (whether the justice is a gift superadded to nature or is the whole of natural rectitude), that is, if it cuts off the whole deformity of sin.

359. As to the second [n.348], it is plain that the proposition about the opposition of guilt to grace is false; rather the guilt is opposed thus to original justice, and only to

grace because grace is equivalent in divine acceptance to original justice. But in no way is the guilt opposed to grace as being properly and precisely the privation of grace.

360. As to the third [n.349], there is a doubt whether guilt is able not to be imputed for punishment if guilt's disorder is not taken away. But, if it is conceded not thus to be able to, the disorder can be taken away without the conferring of grace.

361. As to the fourth [n.350], I concede that divine offense is placated, and that he whose sin is remitted is reconciled. But it does not follow that 'therefore he is accepted by God with that special acceptance with which he is accepted through grace'. For man in his pure natural state was in peace with God, but not specially accepted, that is, not worthy of eternal life; for peace and reconciliation only state that God does not wish to avenge the original guilt; but 'to accept' states something more, namely 'to ordain man as worthy of eternal life' [*Ord. I d.17 n.129*]. The fact is plain even in our case; for I can be placated by someone who has offended me, so as not to be enemy to him or to wish to avenge what he has done, without receiving him into a special friendship by which he would be ordered to some special good.

b. A Doubt

362. But there remains still a doubt whether God could, of his absolute power, dismiss original sin without conferring anything repugnant to that sin, namely original justice or something of the sort.

363. And it seems that he could not, for the three reasons given before about privation and change and disorder [nn.347-349], and especially by the one about man not having original justice necessarily having a lack of that justice and having too a debt to have it, if he is propagated from Adam.

364. My proof of the last point:

For a man is for this reason a debtor for that justice, because he who is naturally propagated from Adam receives the debt in Adam. But lack of this justice together with the debt to have it completes the idea of original sin [*Ord. II dd.30-32 n.53*]; therefore, it is simply necessary that he who is propagated from Adam has original sin, if original justice is not given to him in itself or in something equivalent.

365. Again, it was proved in *Ord. 1 d.17* (nn.114-118, 129, 133-135) that charity is in the soul through the change that is brought about in justification of the sinner; but if a sinner could be justified or reconciled to God without that change, the middle terms in those arguments [*ibid. nn.129, 131*] would not prove the conclusion. Therefore, if one speaks consistently with what was said there, one must posit that a sinner could not be reconciled to God without change to an absolute form, and that form will be repugnant to the term 'from which', and consequently it will be grace, as was argued before [*Ord. ibid.*].

366. The first argument [n.364] raises a difficulty that must be touched on below in d.14 [q.2 nn.14-16], namely whether sin could be destroyed without inducing a new form in the soul, because if this possibility is posited about original sin, as perhaps will be said there [*ibid.*] about actual sin, one could say to the argument that not everyone propagated from Adam is, because so propagated, a debtor for original justice, but that he is a debtor because, together with being propagated from Adam, God wishes him to be

held to that justice. But God could wish him to be held to that justice without any positive and absolute form in him, as will be touched on there [d.14 q.1 n.4].

367. As to the second [n.365], one can consistently say next that in the justification of a sinner there is a privative change whereby from an enemy he becomes a non-enemy. There is also another change, a positive one, whereby from unworthy of eternal life he becomes worthy of eternal life, and from not being able to act meritoriously he becomes able to act meritoriously. Although one cannot conclude from the first change that there is some new form involved in justification, yet one can from the second (and thus was it argued in *Ord.* I d.17 nn.121-124, 146-153, 163-164). For a sinner is not now worthy of eternal life again, nor now able to act meritoriously again, unless he has some new form whereby he is worthy and can act.

2. Whether God could do the Same by his Ordained Power

a. Opinions of Others

368. Now as to ordained power [n.345] the position is held, because of the authorities of the saints, which seem to deny grace to the sacraments of the Old Law (as was said in the opposing arguments [nn.337-339]), that God does even in fact destroy original guilt without infusion of grace.

369. Others say that circumcision was instituted for removing original sin principally, but for conferring grace as a consequence; and to this extent is circumcision said not to confer grace, because it did not do so by its principal intention but only concomitantly.

b. Scotus' own Opinion

370. On this point I hold that it is not possible, by ordained power, for original sin or any other sin to be removed without infusion of grace, because although it is possible absolutely, without contradiction, for there to be a mean in species between a son of the Kingdom and a son of perdition (namely a man in pure natural state), yet according to the law of divine wisdom there was, after the fall, no mean between someone with grace, who is a son of the Kingdom, and a sinner, who is a son of incarceration. Nor can there be such a mean when speaking of ordained power, that is, of power conformed to the laws determined by divine wisdom and will. And therefore God frees no one from guilt, nor can he so free anyone, unless he gives him grace.

371. I add too, against the second opinion [n.369], that grace is principally intended in circumcision. My proof is that someone acting according to right reason more principally intends perfection than he intends lack of defect or lack of imperfection, since he only intends the lack because of the imperfection. When instituting circumcision, therefore, God, since he acts according to right reason, more principally intends its positive perfection (that is grace) than its lack of imperfection (that is, lack of original sin).

372. Third, because of the confirmation of the first opinion and the authorities of the saints [nn.368, 337-339], I state how the saints understand that the sacraments of the Old Law did not confer grace, for a sacrament (as said before [nn.252]) can be taken properly or improperly.

373. And indeed in that Law there were many things improperly called sacraments, as cleansings from uncleannesses contracted according to law (as is plain in *Leviticus* [11-17, 24-28] about purgation from contact with dead things by water of expiation, and cleansing from leprosy and other things of the kind). There were also sacraments there improperly so called that were different from others, yet approached more to perfection [*Leviticus* 1-7]. Of this sort were the offerings of sacrificial victims, for these pertained to the cult of worship during the time in which God wished to be so worshipped. Both these groups, namely cleansings and sacrifices or offerings, were called ceremonies properly and sacraments improperly.

374. And about these I concede that they caused grace as efficacious signs in respect to grace, in the way that was explained in the definition of a sacrament [nn.309-322].

375. But whether grace was conferred through them by way of merit is matter for doubt, and some seem to deny that grace was conferred in such deeds done out of love. For this does seem too harsh: for who would deny that he who observes a divine precept out of love and obedience did not merit in so observing? It also seems an irreverent statement, to say that God gave someone a precept and did not want his observance of it to have merit, however much love and obedience he observed it with.

376. Now precepts were given in that law about the ceremonies, both the cleansings and the offerings, as is plain in many places [*Leviticus*, 3-15, 17, 24-28], and sometimes it seems from the text that they are precepts necessary for salvation, as, “Whoever omits to be washed by this water, that soul will perish from the people” [*Numbers* 19.20]. And this threat is never given save to designate a transgression of mortal sin. Therefore the Jews, by observing from charity these sacraments improperly so called, merited grace, or an increase in it if they already had it.

377. But not on this account were they properly sacraments. For a sacrament confers grace by virtue of the work worked, so that there is not required in it a good interior movement that would merit grace, but its only requirement is that the receiver not interpose an obstacle. But in these acts of the Old Law grace was not conferred from the fact alone that the receiver interposed no obstacle, but was conferred only by virtue of the good interior movement as by way of merit.

378. But besides these, there was in the law also circumcision, which was properly a sacrament. Hence the Master too [*Sentences* IV d.1 ch.6-7] excepts circumcision from Augustine’s universal remark on *Psalm 73* [*Narrations on Psalms*, *Psalm 73* n.2, “The sacraments of the New Testament give salvation; the sacraments of the Old Testament promised the Savior”]. For circumcision conferred grace by virtue of the work worked after the manner of a sacrament, and not by virtue of the work of the worker and by interior movement.

379. And yet if there be sayings of the saints who deny grace to those sacraments and that refer not only to the ceremonies but also to circumcision [nn.337-339], I reply:

These sayings can be understood in two ways: either because circumcision conferred little grace in comparison with baptism (the reason for this will be given in d.2 n.36), or because it did not confer grace as an immediate disposition for glory, because it did not open the gate [of heaven] (but this was not from a defect in it but because it proceeded at a time when the price was not paid).

Or in a third way it did not confer grace, because it did not do so universally to everyone who received it. But it was perhaps determined by divine institution for a certain degree of grace, so that it could not go beyond that degree either by intending or inducing it, and thus, if it found so much grace in the receiver, it conferred nothing on him.

380. And this last way seems to be the Master's intention, for he says [*Sentences* IV d.1 ch.9 n.5] that "sins alone were dismissed there, and grace was not given by it;" and he adds at once, "as in baptism." And the mode he expresses at once, "because, however just a man comes to baptism, he receives there a richer grace;" hence baptism generally intensifies the grace found to be already possessed. "But it is not so in circumcision; hence Abraham, already justified, received it as a sign only, for it conferred nothing on him interiorly," because the grace of Abraham had already attained or surpassed the degree to which circumcision was determined. And I understand "it conferred nothing on him" to mean by way of sacrament or by virtue of the work worked, because I believe that his obedience in circumcising himself that proceeded from charity was very meritorious for him, as was also his sacrifice of Isaac [*Genesis* 17.9-27].

381. And if it is then objected that circumcision was not properly a sacrament, for it was not a sign that was certain since it did not always have, by force of the work worked, a concomitant conferring of grace – I reply that a sacrament signifies with certitude that grace is then either in a state of becoming (unless an obstacle is interposed) or in a state of being. Just as, if the Blessed Virgin, in the conception of her Son, had been in the supreme fullness of grace that God had disposed her to reach, then, if she had been baptized afterwards, she would have received in it no grace anew; and yet her baptism would not have been there a false or uncertain sign, because it would signify that grace was then either in a state of becoming or that a previously caused grace was in a state of being.

II. To the Initial Arguments

382. From these remarks the answer is plain to all the authorities adduced in argument on the principal point [nn.337-388]. For either they are speaking of the sacraments improperly so called of the Old Law or, if they are speaking of circumcision, which was properly a sacrament, they deny that it confers grace according to some aforesaid understanding [nn.372-381].

383. To the third argument [n.339], on the opening of the door [of heaven], I say that it was not a defect of circumcision that it did not open the door, but it was current at a time when the price was not paid. For, after the price was paid, the door could have been opened to anyone, not because he had been baptized, but only circumcised and in a state of grace. But for someone baptized but dead before the Passion the door would not have been opened at that time.

384. To the last argument [n.340] I say that even baptism, as to the exterior act, signifies only the removal of bodily uncleanness, and yet no one denies that something positive is its effect. I say then to the major of the argument that a sacrament signifies more properly the effect in the soul on which grace in the sacrament follows than that it signifies the grace itself. Hence, while grace is single in a single soul, yet the sacraments are distinguished according to the proper things they signify, which are diverse effects of

the same grace, as will be said later [when speaking of each sacrament]. However the effect of grace, the one proper both to circumcision and to baptism, is the washing of the soul from sin, although there is another concomitant effect, namely ordination or acceptance to eternal life.

Question Two

Whether during the Time of the Law of Nature there was any Sacrament Corresponding to Circumcision

385. Following on from the above I ask whether during the time of the law of nature there was any sacrament corresponding to circumcision.

386. It appears there was not:

Gratian *Decretum* p.3 d.3 ch.3, and it is from Gregory *Moralia* IV, preface n.3, “What the water of baptism does among us, was done among the ancients by faith alone for children or by virtue of sacrifice for adults;” therefore no sacrament.

387. Again, a sacrament can only be instituted immediately by God (it is plain in the question on the institution of a sacrament, nn.239-240). But it is not read that in the time of the law of nature (at least up to Abraham) God instituted any sacrament.

388. On the contrary:

Augustine *Against Faustus* 19.11, “Men can only be united together in the name of religion if they are bound to each other by communion in some signs or visible sacraments.”

I. To the Question

389. I reply:

At no time did God leave his worshippers without remedy necessary for salvation. But at every time after the fall the deletion of original sin was necessary for salvation. Therefore at any time there was some efficacious remedy for deleting original sin.

390. Now although it could be deleted in adults by a good interior movement, yet in children (in whom such a movement was impossible) it could not be deleted by their own act; therefore it was deleted by some act of others that was in reference to them or about them. But no one could be certain what act of another in reference to a child would suffice for him, namely for the child’s salvation, unless it was instituted by God. For no one can be certain that he attains salvation through something unless he is certain that God accepts it as sufficient for such a goal.

391. Since therefore God provides not only his adult worshippers with a remedy necessary for salvation but also their children (and this with a remedy of which the parents on behalf of their children could be certain), it follows that for the time of the law of nature God instituted some sign certain and efficacious for deletion of original sin.

392. And it is more probable that it was a sensible sign than only an intelligible one, because for the whole state of fallen nature sensible signs of spiritual realities are suited to man. Therefore it is reasonable that some sacrament, at least against original sin, existed in the time of natural law. But if there was some other sacrament at that time, as matrimony or something corresponding to another sacrament of the New Law, discussion of it will be given below in the treatment of those sacraments.

II. To the Initial Arguments

393. To the first argument [n.386] I say that Gregory does not understand by ‘faith alone’ a mere habit, nor perhaps merely an interior act, but a sensible exterior act making profession of faith, and this act could have sufficiently had the idea of a sacrament. And in this way is faith alone, that is, solitary faith without sacrifices, distinguished from faith professed in a sacrifice. And perhaps Gregory posited the first as sufficient for children if the profession was done in some mere words of invoking God, or of offering the child to God, but he posited that the second, namely faith with sacrifices, was necessary for adults.

394. To the second [n.387] the reply in one way is that God could have revealed such sacrament to one of the fathers, with whom he frequently spoke at that time, though to whom and when is not said in Scripture which passes, with succinctness enough, from Adam through to Abraham.

395. Or the reply could be that one gets expressly from Scripture that sacrifices pleased God at that time, and this would not be the case unless they had been instituted by God. Indeed the people of that time would be reputed vain and presumptuous if they had not performed such sacrifices by divine precept or inspiration: consider *Genesis* 4.3-7 about the sacrifice of Abel and Cain, *Genesis* 8.20-21 about the sacrifice of Noah after he left the ark, *Genesis* 14.18-20 about the sacrifice of Melchizedek “who was priest of the high God,” *Genesis* 15.9-21 about the sacrifice of Abraham dividing the heifer. And this was reasonable, because men at that time were prone to idolatry, as is plain from the so great multitude that turned aside to idolatry at that time. So, to prevent them turning aside to it, a fitting remedy was that God should institute for his worshippers sacrifices to be offered to him.

396. It is possible too that some determinate sacrifice would be a sacrament. For it is not contrary to the idea of a sacrifice that it or the offering of it should be a sacrament, and then one would, though indistinctly, have about such sacrament (in diverse places of Scripture) that it was instituted by God in the law of nature.

Second Distinction

Division of the Text

1. “Now let us come to the sacraments of the New Law,” Master Lombard.

In d.1 the Master dealt with the sacraments of the Mosaic Law and the law of nature. In this d.2 he begins to deal with the sacraments of the New Law.

2. This part is divided into two: for first the Master makes determinations about them all together, and second about each separately (at “But now about baptism”).

3. The first part has two parts according as the Master first determines what and how many are the sacraments of the New Law, and second the time of their institution and the efficacy of them (“But if the question is asked...”)

Question One

Whether the Sacraments of the New Law Get their Efficacy from the Passion of Christ

4. About this second distinction I ask whether the sacraments of the New Law get their efficacy from the passion of Christ.

5. It seems that they do not:

Because in *Metaphysics* 5.2.1014a20-23 and *Physics* 2..3195b17-20 it is said about ‘cause’ that “the cause in act and the effect in act exist and do not at exist the same time;” but the passion of Christ is not in act, so no effect will be in act through it.

6. Again, the sacraments of the New Law get their efficacy from Christ’s passion as foreseen in the future or as presented. Not in the first way because then the sacraments of the Old Law could have had efficacy through it, for in the time of that Law the passion was foreseen and believed in by anticipation; but the consequence is unacceptable because, according to the saints [cf. d.1 nn.338-339], the sacraments of the Old Law only promised grace. Not in the second way, as presented, because baptism and the eucharist would not get their efficacy from it, since they were instituted before the passion of Christ, as will be plain below [d.3 nn.134-144].

7. Again, the sacraments of the New Law get their efficacy from the passion either as from a principal cause or from a meritorious cause. Not in the first way because nothing is principal cause of a sacrament save what can be the principal cause of the effect signified by the sacrament, but this can only be God immediately. Not in the second way because there is no meritorious cause in respect of grace, “if it were of merit, it would not be of grace,” *Romans* 9.12, 11.6.

8. If they get it from some passion, this would be most of all from the wound in the side, as Augustine says in *City of God* 15.26, where he speaks of Noah’s ark. He says that “the door in the side of the ark is certainly the wound when the side of Christ was pierced with a lance; thereby indeed do those who come enter the door, because the sacraments by which believers are initiated flowed from it.” But no sacrament can get efficacy from that wound; therefore etc. The proof of the minor is that the wound was inflicted on Christ already dead, as is plain in *John* 19.33, “Now when they came to Jesus and saw that he was already dead...” But the body of Christ after death was not the meritorious cause of any grace.

9. On the contrary is the quotation in Lombard’s text, and it is the one from Augustine above [n.8].

I. To the Question

A. First Conclusion

10. Here the first conclusion needs to be made clear, that it was fitting to adorn the Law of the Gospel with the most perfect sacraments.

11. Proof:

First as follows: because it is the most perfect Law that the Trinity made disposition of to give to man for his state as wayfarer. For it is the final one, according to *Matthew* 26.28, “of the new and eternal testament;” – ‘eternal’, that is, after which there is no other future one; but in the process from imperfect to perfect, the later things are more perfect. This testament is also closest to what is most perfect, that is, to the state of

final blessedness. Therefore, it belonged to man in the state of this Law to be made thus ready by the most perfect aids to grace, of which sort are the most perfect sacraments; therefore etc.

12. Again, there is proof second thus, that the most perfect meritorious cause of grace, which the Trinity made disposition of to give to the human race, was Christ completing his course in this life for our sake. But a meritorious cause justly inclines God to confer good on him for whom such cause merits. Also the cause as made present obtains more than the cause as foreseen; therefore it was fitting that, through the passion of Christ made present and confirming the New Law, the greatest aids to grace are conferred on man in the time of the observance of the New Law; therefore etc.

13. This conclusion [n.10] is most perfectly expounded in the New Law as to both the intensity and the extent of its perfection.

14. First as follows: because the perfection of a sacrament consists in its signifying perfectly as to knowledge and in its causing perfect grace; therefore the sacraments of the New Law were bound to be most perfect – in the first way because it is the Law of truth, and in the second way because it is the Law of grace; hence *John* 1.17, “Grace and truth were made through Jesus Christ.”

15. Second [n.14], namely that its perfection is greatest as to extent [n.13], is shown by a likeness: In natural life generation is first and then follows nutrition, strengthening, and recovery of lost health, and these four belong to any individual person; and besides this is required something belonging to community, whereby someone is placed in a degree necessary for some act necessary for the community. Likewise spiritually, there is needed for complete perfection of spiritual life in all its extent some assistance belonging to spiritual generation, and second something belonging to nutrition, third something belonging to strength, fourth something for repair after a fall. And besides these four there is required, fifth, something whereby those departing this life are finally prepared, because this life is a certain spiritual way ordaining that he who lives well in it may pass without impediment to another life for which he is being prepared. These five therefore are required as necessary aids for any person for himself. But for the good of the accompanying community that observes this law there is also required carnal increase, because this is presupposed to spiritual good as nature is presupposed to grace, and spiritual increase of some in this life or in this law.

16. In this way, then, was it fitting that seven helps be conferred on those who observe the Gospel Law, in which helps there was not only intensive perfection but also extensive perfection, as sufficient for everything necessary for observance of this law.

17. And these are, as the Master says in the text, baptism, pertaining to spiritual generation, eucharist, necessary for nutrition, confirmation, for strengthening, penance, for repair of a fall, extreme unction, for the final preparation of the departing, matrimony, for increase in natural or carnal being, and the sacrament of orders, for increase in grace or spiritual being.

B. Second Conclusion

18. The second conclusion that needs to be made clear is that all sacraments were instituted for the time of this law by Christ or God as first author.

19. This I show in brief, because the point will become clear about the individual sacraments in the places proper to them.

As to baptism it is plain it was instituted by Christ while alive, because his disciples baptized, as is clear in *John* 3.22, and a precept was given that it be publicly preached and carried out, *Matthew* 28.19, “Go and teach all nations, baptizing them etc.”

20. As to the Eucharist the long discourse in *John* 6.26-60 makes it plain, and *Matthew* 26.26-28 is about its institution at the Last Supper.

21. As to confirmation, its institution is plain in *John* 20.22-23, when Christ breathed on the disciples and said, “Receive the Holy Spirit,” or on the day of Pentecost, *Acts* 2.1-41.

22. As to penance, it is said [by several doctors] that it was instituted in *James* 5.16, “Confess your sins one to another etc.” But this does not seem likely because of the way the text proceeds, “pray for one another etc.;” and it is clear that in these following words he was not intending to institute or promulgate any sacrament; nor even did James have the authority to institute a sacrament (as will be touched on in the argument to be set down for this conclusion [n.26]). It is better, therefore, to say it was instituted in *John* 20.22-23 , “Receive the Holy Spirit; whose sins you remit etc.,” and was promised in *Matthew* 16.19, “I will give you the keys of the Kingdom of heaven etc.” For this power was not principally that of remitting sins (which is proper to God) but of judging about the remission of sins, a judgement of approval accepted by God; for to judge in this way is to bind and loose in the penitential forum.

23. As to extreme unction, it is said [by some doctors] that it was instituted in *James* 5.14-15, “There are some sick among you etc.” But although this sacrament was promulgated there, it is better to say it was instituted by Christ; for we read in *Mark* 6.13 that the Apostles anointed many sick with oil who were cured, and it is clear that they did this only in virtue of Christ, who had instituted that powerful anointing.

24. Matrimony is plain in *Matthew* 19.4-5, “Have you not read,” says Christ, “that male and female he made them,” and he said [through the mouth of Adam, *Genesis* 2.24], “therefore a man will leave etc.” Here Christ approves and ratifies what God made public through the mouth of Adam in the state of innocence.

25. About orders there is *Matthew* 26 [*Luke* 22.19], “Do this in memory of me,” and *John* 20.23, “Whose sins you remit etc.” For these two acts belong to the sacerdotal order, namely power with respect to the true body of Christ and power with respect to the mystical body of Christ, as will be said in the discussion of orders [*Ord. IV d.24 nn.2, 9*].

26. Now that all these were instituted by God alone is plain from what was touched on in general about the institution of a sacrament [d.1 nn.240-241]. For to institute a certain and practical sign belongs to someone only in respect of his own proper act or in respect of another who is subject to him as to that act; but a sacrament is a practical and certain sign with respect to an effect proper to God, and God cannot be subject to another in an act proper to himself; therefore etc.

C. Solution of the Question

27. From these two conclusions [nn.10, 18] the solution of the question is plain from the first understanding of the question that was set down [n.14], because ‘a sacrament’s having efficacy’ is its regularly having the concomitant signified effect;

therefore it has efficacy from that from which the regular concomitance of the effect comes about.

28. But such concomitance of the effect can arise from something in two ways: either as from a principal cause principally causing this sort of concomitance, or as from a meritorious cause that merits there should be such concomitance.

29. And in this respect I say that the sacraments of the New Law get their efficacy from God alone as principal cause, but from Christ suffering, or from Christ's passion, they get their efficacy as from a meritorious cause.

30. The first of these [n.29] is proved by the second conclusion above [n.18], for God alone instituted these sacraments, and the efficacy of a sacrament cannot be from any cause inferior to the instituting cause.

31. This is also plain as follows: only God determines himself to causing an effect proper to himself; for if he could be determined to act by another he would then be a second cause with respect to it; but the effects signified by the sacraments are proper to God; therefore God alone can determine himself to causing the effects of the sacraments that regularly accompany the sacraments. But a sacrament's having efficacy is its having effects regularly accompanying the sacraments; therefore by divine virtue alone, as from the principal cause, do the sacraments determinately have efficacy.

32. The second point [n.29] is plain from *Ord. III d.20 nn.36-38*, and for present purposes is shown briefly as follows:

When man was made enemy of God by guilt, God disposed not to remit the guilt nor give any help for such remission (or for the attainment of blessedness) save through something offered to him that he would more agreeably accept than the offence was displeasing or disagreeable to him; but nothing more agreeable to the Trinity than the whole offense of the human race is displeasing can be found save some obedience of a person more beloved than the whole community, which by universal offense had offended, or which should have been dear had it not offended. Such a beloved person the human race could not get from itself, because the whole was enemy by one mass of perdition. Therefore the Trinity disposed to give the human race a person thus beloved to the Trinity, and to incline this person to offer obedience to the Trinity for the whole of that race. Such a person is Christ alone, to whom God gave not the Spirit of charity and grace by measure, *John 3.34*. And such obedience is that in which the greatest charity appears, which is to offer oneself to death for justice. Rightly then did the Trinity not confer on man the wayfarer any help pertaining to salvation save in virtue of the offering of Christ on the cross, an offering made by a person most beloved and most worthy and with the greatest charity. And thereby was Christ's passion a meritorious cause with respect to the meritorious good conferred on man the wayfarer.

D. First Corollary

33. From this follows a corollary, how in the conferring of such remedies (necessary for the human race) mercy and truth are in concord.

34. For the work of the greatest mercy is to give remedies as great to man who is enemy, and it is the work of the greatest justice (on account of so welcome an obedience on the part of so beloved a person) to confer a remedy as great on those for whom that

person offered the obedience; for it is just to accept the obedience of so beloved a person on behalf of him for whom the obedience is offered.

35. It was also the greatest mercy in the person making the offering thus to offer himself for the enemies of the Trinity – the Trinity he supremely loved, and this offering was a mark too of the greatest justice, both in reference to God and in reference to fallen man. For the person offering would only seem to love God and neighbor supremely if he wanted to present that obedience for so great a common good, namely the beatitude of man – to which God had predestined him and disposed that he would not reach it otherwise than through that obedience.

E. Second Corollary

36. From the points made above [nn.29-32] another corollary is plain, and it was supposed in the question about circumcision [d.1 n.379], that although the passion of Christ was meritorious in respect of the efficacy of the old sacraments and also with respect to the grace conferred on the ancient Fathers, yet it has a greater efficacy in respect of our sacraments and of the grace now to be conferred than it had then; for a just obedience made present is accepted for a greater good than a just obedience foreseen. And the Trinity now confers grace because of the passion of Christ now made present, and also as believed in by us as it has been made present. But then it conferred grace because of its being foreseen by him and pre-believed in by other faithful as something that was to be made present.

F. Third Corollary

37. Hence also appears why baptism and not circumcision opens the door [of heaven], which is not indeed on the part of the merits, but that, however great had been the grace conferred in virtue of the passion of Christ foreseen, it was not conferred as efficacious for the end of grace, namely blessedness, until first that obedience had been paid. But if the least grace were conferred now in virtue of the obedience that has now been paid, it would nevertheless be conferred, considered in itself, as a sufficient disposition for beatitude. An example in us is that we confer greater good for obedience shown than for obedience hoped for.

II. To the Initial Arguments

38. To the first argument [n.5] I say that although Christ's passion does not now exist in fact yet it does exist in the divine acception, and this suffices for it to be a meritorious cause. For it is plain that we confer many things because of a good not present in itself but present in our memory, if it is past, or in our opinion, if it is future.

39. To the second argument [n.6] it can be said that all the sacraments of the New Law have efficacy from the passion of Christ as made present – not indeed an efficacy made present in exterior act but in interior act. For thus did Christ have the merit of the passion in the first moment of his conception, and the idea of merit more principally consists in that interior act. And, therefore, whatever he instituted in the time of his life could also then have efficacy from the passion as already perfectly willed by Christ

himself, in which willing his principal sacrifice existed and in which willing his sacrifice was principally made pleasing to God. Nor can it be said that the passion would thus have been accepted before the incarnation, because although God foresaw it, yet it was not then offered in interior or exterior act. Or it can be said that all the sacraments of the New Law had, while Christ was alive, a lesser effect than they do after his passion, and yet it was not unfitting that they were instituted while he was alive, because they were instituted as going to have their principal efficacy, not for that time then, but for the time after his death.

40. To the third [n.7] I say that the intention of the Apostle there is that grace does not have a meritorious cause equal in desert, I mean in the case of him on whom it is conferred; but it can have a meritorious cause equal in desert within him together with a meritorious cause equal in desert that is extrinsic, in particular if that extrinsic meritorious cause is gratuitously given to him for whom it is a meritorious cause, so that it be for him such a cause.⁹

41. And if you object that grace (given for such a cause equal in desert) is not grace, because it is deserving and is due to merits, though not the merits of the receiver, one can concede that in all God's works there has not been any work of mere grace save only the incarnation of the Son of God, and here too provided no merits preceded, which indeed is true in the primary divine ordination of the incarnation. Because if, at the time of the conception, any good merits of Mary preceded, yet they were not good absolutely with respect to the incarnation, but perhaps with respect to acceleration, so that the preordained incarnation might be fulfilled. Therefore, Augustine speaks well, *On the Trinity* 13.19 n.24, "In the case of things that arise in time, the supreme grace is that man has been joined to God in unity of person."

42. To the final argument [n.8] I say that if the wound was inflicted on Christ after his death (as the Gospel narrates), then the sacraments did not flow from that wound as from a meritorious principal cause. But they are said to have flowed from it because of a certain more express likeness between the things that did flow from it and the sense realities that are found in certain of the sacraments. For the blood is more specially likened to the species that is blood in the Eucharist, and water is more specially likened to the water of baptism, which two are the principal sacraments. And this interpretation can be got from Gregory IX *Decretals* III tit.41 ch.8, 'On the Celebration of Masses', at the end, where it is said that "in those two things (that is, water and blood) the two greatest sacraments, of redemption and regeneration, shine forth."

Question Two

Whether Someone Baptized with the Baptism of John was Necessarily Required to be Baptized with the Baptism of Christ

⁹ An obscure paragraph which perhaps means that grace has a meritorious cause that is fully deserving in Christ himself but not in the (justified) sinner, who receives that grace from Christ, although once the sinner has received grace he has it in himself now as a meritorious cause that fully deserves what grace brings with it. So Christ's passion can be a meritorious cause that fully deserves grace for the sinner, and yet grace in the sinner is gratuitous and not deserved by the sinner (as the Apostle says). Once, however, grace is given gratuitously to the sinner by Christ, the sinner has a meritorious cause that fully deserves the rewards of grace.

43. “Now about the sacrament of baptism” [Master Lombard *Sent.* IV d.2 ch.2 n.1].

Here the Master deals with the sacraments of the New Law one by one.

44. And first about baptism, which is the first sacrament and the door to the others. It is divided into two parts. First he deals with a certain preamble to true baptism, namely the baptism of John; second he deals with Christ’s baptism, at the beginning of d.3.

45. About this part of the question I ask whether someone baptized with the baptism of John was necessarily required to be baptized with the baptism of Christ.

46. It seems that he was not:

Because the Master in the text, the last chapter, says that “he who did not put his hope in the baptism of John and believed the Father and Son and Holy Spirit was not afterwards [to be] baptized.”

47. Again, in the reception of the sacraments, what is given “is not to be repeated, but if something is omitted it is to be supplied with caution” [*Decretals* V tit.29, and I tit.16 ch.1]; but in the baptism of John exterior cleansing was given; therefore if interior cleansing was lacking it was to be supplied, but the exterior cleansing was not to be repeated.

48. On the contrary:

Gratian *Decretum* p.3 d.4 ch.39, and it is taken from Augustine *On John’s Gospel* tr.5 n.18, “If John baptized any, are they again to be baptized? Plainly again, but not with a repeated baptism. For whom Judas baptized, Christ also baptized; but whom John baptized, only John baptized.”

49. Again Augustine *On Baptism against the Donatists* 5.8 n.11 says, “Christ cleanses the world with the sort of baptism that, once received, another is not necessary; but John reached the sort of baptism that, once received, the baptism of the Lord was still necessary.”

I. To the Question

50. I reply that John’s baptism can be understood in two ways:

In one way in form of the baptism of Christ, which he could have known from Christ’s disciples or from others who heard them baptizing. And then it is not properly called ‘the baptism of John’, just as now we do not say ‘the baptism of Peter or of Paul’. For the Apostle rebukes this error in *I Corinthians* 1.12-16, 3.4-9. If it was in this way that John baptized anyone, then it is plain that such a one was not to be baptized again.

51. In another way John can be understood to have baptized not in form of Christ’s baptism, but in some other form proper to him, as “in the name of him who is to come” [Lombard], or without any form. And for someone baptized in this way it appears sufficiently manifest that he had to be baptized with the baptism of Christ. First because of the general precept about Christ’s baptism, which obliges everyone, and those baptized by John did not fulfill this precept (and this general precept was reasonable because it was reasonable for everyone to be obliged to becoming members of the Church and to taking up the sign common to all who enter the Church). Second because it was fitting, after the preparative medicine has been received, to receive the curative medicine (when a disposition has been introduced, it is still fitting for the principal form to be introduced).

But the baptism of John was like a disposition and preparative medicine for Christ's baptism, so that through John's cleansing men might be more easily inclined to receive the cleansing that saves; nor would this be irksome for those who had already been exercised in something similar.

52. This reasoning [n.51] is hinted at by John the Baptist, *John* 1.26, 33; 4.23: "I baptize you with water (understand: "with water only"), but there stands one among you whom you know not, who baptizes you (understand: "not in water only but") in the Spirit and in truth."

53. If it be said that the Master [Lombard] is speaking [n.46] of those baptized by John in the first way, namely by using Christ's form in the baptism [n.50], then what the Master says can in this way stand, because unbelief in a receiver of baptism is not a sufficient reason for him to need to be baptized another time, provided however he intends to receive what the Church intends to confer. So if someone baptized by John does not have the faith of the Trinity, while he does, however, intend to receive the baptism which John intended to give (which, with this intention, could have been a true baptism of Christ), he was not to be baptized afterwards – the opposite of which is asserted by the Master about those who are to be baptized afterwards.

II. To the Initial Arguments

54. To the first argument [n.46] I say that the Master's view is not adopted, nor does his argument (which is taken from *Acts* 19.2) prove it. For it is true that those who did not have faith were to be baptized with the baptism of Christ, but the inference 'therefore those who did have faith were not afterwards to be baptized' does not follow; for this way of arguing only holds in precise cases [*Ord. I* d.43 n.10, II d.34-37 n.94], and it does not hold in the matter at issue, for infidelity was not there [*Acts* 19.2] the precise reason for rebaptism with the baptism of Christ, but rather that they had not previously received the grace of baptism.

55. To the second [n.47] I say that the major is true when something of the sacrament is conferred; but in the baptism of John nothing of the sacrament was conferred; for exterior cleansing, without definite words spoken with a definite intention, is no part at all of the sacrament of baptism, just as neither is any other sort of bathing.

56. And if you ask, 'When therefore is the maxim true, "where something is omitted, it is to be supplied with caution" [n.47]? I say:

Either this has no place in a sacrament truly one, because when two things come together for the same sacrament, one without the other is nothing of the sacrament, because one without the other neither signifies nor effects grace. And then the maxim is to be expounded of ordered diverse sacraments, of which sort are ordination to the diaconate, subdiaconate, and the like; of such things is the discussion there.

Or if it is possible in the case of a sacrament truly one that one part is something of the sacrament without the other (as in the Eucharist when speaking of the species of bread and wine), then the statement 'what is omitted is to be cautiously supplied' does have place. But in the matter at issue it does not hold, for the reason that John's cleansing was nothing of the sacrament.

Third Distinction

Division of the Text and Overview of the Questions

1. “After this we must see what baptism is” [Master Lombard *Sent. ibid.*]

Above the Master dealt with a certain preamble to the baptism of Christ [d.2 n.44]. Here he deals with the baptism of Christ.

2. And it is divided into two parts: the preface and the treatise (which begins at “Baptism is called...”).

3. The treatise is divided into a principal part and an incidental part (the latter begins at ch.4).

4. The principal part is divided into three parts: first the Master deals with the parts that belong intrinsically to baptism, second with those who receive baptism (in distinction 4), third with the minister of it (in distinction 5).

5. The first part, which belongs to the present distinction 3, is divided into three: first he deals with the whatness of baptism or with what baptism is; second he deals with the form of it; third with the institution of it; and in this third part he inserts a treatment of the matter of baptism.

6. About this distinction 3 there are four questions that must be asked: first about the definition of baptism, namely whether its proper definition is what the Master posits: “Baptism is a dipping, that is, an exterior cleansing of the body, done under a prescribed form of words;” second about the form of baptism, whether this is the precise form of it: “I baptize you in the name of the Father and of the Son and of the Holy Spirit. Amen;” third about the matter of it, whether only pure natural water is the fitting matter of baptism; fourth its institution, whether the institution of baptism voids circumcision.

Question One

Whether the Proper Definition is what the Master Posits: ‘Baptism is a Dipping, that is, an Exterior Cleansing of the Body, done under a Prescribed Form of Words’

7. As to the first question there is argument to the negative.

A part is not predicted of the whole; cleansing is part of the sacrament of baptism, because from Augustine *On John’s Gospel* tr.80 n.3 (Gratian *Decretum* p.2 cause 1 q.1 ch.54), “A word is pronounced over the element, and the sacrament comes to be.” Therefore, as baptism is not a word, so neither is it a cleansing.

8. To the contrary:

The Master in the text [*Sent. IV d.3 ch.1 n.2*].

I. To the Question

A. How Baptism can have a Definition

9. In the solution of this question, one can speak similarly to the way spoken above in d.1 nn.181-187 about the definition of a sacrament.

For if one lays down from the usage of speakers the meaning of the word ‘baptism’, namely that baptism signifies a certain special sacrament so that, if baptism signifies cleansing (as the baptisms, that is the cleansings, of bodies and vessels was

among the Jews), then a *sacrament* of baptism (understanding this in transitive sense) is that which signifies a special sacrament. This is plain both from specifying the signification and the effect signified (namely purifying the soul from original sin), and from specifying the foundation of this sort of signification and relation – it is plain, I say, from this supposition how baptism can have a definition. For since what is definable should be a positive being, per se one, real, and common (as maintained above, d.1 n.187), then baptism cannot be a pure non-being (as something impossible is).

10. The proof follows the way used above about a sacrament [d.1 n.181]:

For the idea of baptism is not in itself false, since there is no repugnance in any sensible thing or things being instituted by God for signifying, as an effect, the cleansing of the soul from sin.

11. Nor is baptism a pure non-being, as is a negation or privation – as is plain [d.1 n.182].

12. Baptism is also, second, something per se one as to what it principally per se signifies, which is the sort of relation a sign has to the sort of thing signified [d.1 n.183].

13. Nor is it an objection that baptism connotes its correlative and foundation, because thus also does any relation signify; nor is it an objection that many things are connoted in the foundation, because (as said above, d.1 n.199) a single relation of reason can be founded in any number of things distinct in reality. However, such connotation can very well prevent a thing's having a definition in the primary sense; for nothing has a definition in the primary sense save substance, which is not defined by anything added on, either in the way the correlative is added in the definition of a correlative, or as a subject is added in the definition of an accident. Now many things have a definition but not in the primary sense, as is plain from *Metaphysics* 7.4.1030b4-7.

14. Only the third condition, then, namely that the definable thing must be a real being [d.1 n.184], prevents the sacrament of baptism having an altogether perfect definition; but it has a definition in the way that second intentions or any relations of reason are defined, because (as far as concerns an intellect possessed of science through definition) it is a definition in the way that a definition is that which a quiddity in reality corresponds to [d.1 nn.200-204].

B. Whether the Definition of Baptism is the One that the Master Posits

15. Second one needs to see in the first place whether the definition of baptism is the one the Master posits [n.6].

16. Here one must note that what baptism imports can be posited of the foundation of the relation in two ways:

In one way that the relation is founded in the whole thing (namely the cleansing together with the words) as in one foundation; and this, notwithstanding the unity of the foundation, is indeed possible, since the relation is one of reason.

17. In another way that the foundation of the relation is only the cleansing, so that nothing else is foundation, whether as total foundation or as part of the foundation – but not the cleansing by itself, that is not it without certain other things; rather it must have many other things accompanying it so as to be foundation, namely the words and that it is done by such and such a minister with such and such an intention. Nor is it unacceptable that real respects in the foundation should precede the relation of reason as

presuppositions for that relation of reason. And so in the cleansing there precedes a relation to the accompanying words and to a receiving person in some way consenting. And one can posit that the relation of signification that baptism imports is founded in all the real relations of this sort that precede and thus determine the related foundation.

18. If the first of these ways [n.16] were set down, then since in the case of an accident taken in the concrete the whole of its subject and not precisely a part of it is placed in the accident's definition (just as neither is an accident in the concrete predicated of a part of its subject but of the whole of it), then cleansing would not be the baptism (or the sacrament of baptism) but the cleansing and the words together would be. Because the cleansing alone is not the subject or the foundation of this relation, but both cleansing and words together are. Therefore neither one nor the other would be per se denominated by it.

19. But if the second way [n.17] be set down, then just as the definition of baptism would be predicated denominatively of the cleansing (although the cleansing is understood to be circumstanced by many real relations in order for the relation to belong to it), so too conversely could in the definition of this relation (taken in the concrete) be put the cleansing alone directly and all the others indirectly, along with certain determinations signifying that they determine or circumstance the cleansing.

20. Of these two ways the first [n.16] seems to be truer, because the words would not seem to be simply necessary unless they were the sign or part of the sign.

If however it were said that the words were certain determinations of the cleansing, which is the sign, since positing the cleansing as the sign rather than both [sc. words and cleansing] is sufficient when a sufficient idea of signifying can be found in that one, and since the exterior cleansing can adequately be posited to signify the interior cleansing – if one holds this view, the following could be set down as the idea of baptism, that “baptism is the cleansing of a man somehow consenting, done with water by another, who at the same time pronounces certain words with the due intention, this cleansing signifying efficaciously, by divine institution, the cleansing of the soul from sin.”

21. But if the other way is maintained [n.17], namely that the words are part of the foundation, then another idea of baptism could be set down, namely the following: “baptism is a sacrament of cleansing the soul from sin, which consists in the cleansing of a man somehow consenting, done with water by someone else who cleanses, and in certain words that are pronounced by the same cleanser along with due intention.”

22. But as to how the particulars placed in each idea or definition are necessary for the idea of baptism, this will become very clear about each of them in what follows [d.3 qq.2-3].

23. Nor is the difference between these ideas such that the same elements in each are not necessary for baptism; but one of them puts cleansing alone directly in its definition while the other posits that the cleansing and the words belong to the idea equally – and this difference arises from a diverse way of thinking about the foundation of this relation, whether it is the circumstanced cleansing alone or is the cleansing and the words together.

C. Solution of the Question

24. The solution of the question, then, is plain, because the Master seems to be speaking according to the opinion that circumstanced cleansing is baptism; and, taking this position, he touches on what principally belongs to the idea of baptism, although many concomitant things need to be implicitly understood, which are expressed in the idea of “the cleansing of man somehow consenting etc.” [n.20].

II. To the Initial Arguments

25. As to the argument [n.7], the reply is made that the matter is rightly predicated of an artificial thing, since the matter is the whole substance of an artifact; hence a box is not only called ‘wooden’ but also ‘wood’. Now a sacrament, inasmuch as it is a thing of reason, is likened to an artifact.

26. But this reply is nothing, because a part of matter is not predicated of an artifact (for a house is not stones, but other things along with stones are necessary for the being of a house). For, as was said before [n.18], nothing is posited in the concrete in the definition of a concrete thing save that of which the accident is predicated or can be predicated in the concrete; but no accident is predicated of a part of its subject.

27. One should say, therefore, when upholding the Master’s definition [n.6], that cleansing would not be a part of the foundation that baptism includes, but is the whole foundation, though a remote one, and between this and the relation of sign there are certain mediating relations of reason, as was said [n.24; d.1 n.198].

28. And if it be objected that cleansing cannot be described in either way [nn.25, 27] because it formally imports a relation of reason, and a relation of reason is not any real thing or things; therefore etc. – my reply is that just as a relation of reason in the concrete is said of an external thing (in the way that this statement is true ‘this word ‘man’ is a name or sign of human nature’), so conversely in the definition of this sort of concrete thing one can put ‘external thing’ as something added, as the foundation of the relation; therefore the objection is not valid.

Question Two

Whether this is the Precise Form of Baptism: ‘I Baptize you in the Name of the Father, and of the Son, and of the Holy Spirit’

29. Proceeding to the second principal question [n.6], it is argued that the form of baptism is not this: ‘I baptize you in the name of the Father and of the Son and of the Holy Spirit. Amen.’

30. First because in the case of everything that has form and matter, its form is in the matter; but this form is not in the water itself nor in the cleansing as in a subject (as is plain).

31. Second, Christ in *Matthew* 28.39 did not express this form when expressing the form of baptism; but the form of the sacraments he instituted is taken from him; therefore etc.

32. Third, if the above words are the form, then either as they are true or as they are false. But not as they are false, because there is nothing false in sacraments of truth. Nor as they are true, because their truth, in the order of nature, follows the conferring of the sacrament of baptism (for the truth of a statement follows the being of that which is

signified by it, and the statement here signifies the conferring of the sacrament). But a form, in the way it is a form, is not posterior but prior to that of which it is the form, *Metaphysics* 7.3.1029a5-7.

33. Again, species and form are the same; but there are more species of baptism than the aforesaid form, because there are three: namely baptism of water, of fire, and of blood (*Gratian Decretum* p.3 d.4 ch.5.34), and the aforesaid form is not followed in the two last; therefore etc.

34. Again, there is argument about the parts of this form:

First as follows: the Greeks truly baptize, because Latins who come to them are not rebaptized, or because those baptized by them are not rebaptized when they come to us. Yet the Greeks do not keep the above form but this one: “May the servant of Christ be baptized in the name of the Father and of the Son and of the Holy Spirit. Amen.”

35. Again, according to Priscian [*Grammatical Instruction* 8.18.101] the verb in the first person [in Latin] implicitly contains the first person pronoun without the addition of ‘I’. And this is confirmed by Gregory IX *Decretals* III tit.42 ch.1 [from Pope Alexander III] ‘On baptism and its effect’, where the gloss says that “the personal pronoun does not belong to the substance of the form, because the verb ‘baptizo’ ([I] baptize) without the first person pronoun ‘ego’ completes the full sense.” Also *Decretals* p.3 d.4 ch.24, “If anyone says ‘[I] baptize you in the name of the Father and of the Son and of the Holy Spirit,’ the person is baptized from the fact that the one baptizing has the intention to baptize.” But the first person pronoun is not made express there.¹⁰

36. Again, Gratian, *Decretum* p.3 d.4 ch.24, from Ambrose *On the Holy Spirit* 1.3.40-43, “If they have been baptized in the name of the Trinity and of Christ they should not be rebaptized,” because thus did the Apostles baptize, as said in *Acts* 2.38, 8.12, 19.5.

37. Again Augustine *On the Trinity* 5.7.8, “It is the same thing to be Father and to be begetter;” therefore to say ‘in the name of the Begetter and the Begotten’ would have equally the same force as to say ‘in the name of the Father and of the Son etc.’

38. Again Ambrose *ibid.* 1.3.42 (and it is also in Lombard’s text), “If the mystery of the Trinity is held by faith and only one of the Persons is named, the sacrament is complete.”

39. Again [Aristotle] *On Interpretation* 10.20b1-2, “Nouns and verbs mean the same when transposed;” therefore the words would have equal force if they were transposed; therefore the form given above is not a precise one.

40. On the contrary:

Gregory IX *Decretals* III tit. 42 ch.1, “If anyone has immersed a child three times in water ‘in the name of the Father etc.’ and has not said, ‘I baptize you in the name of the Father and of the Son and of the Holy Spirit’, the child is not baptized.¹¹

I. To the Question

A. Whether and How Certain Words could be the Form of Baptism

¹⁰ This issue does not arise in English or some other languages, because the pronoun ‘I’ must be expressed in addition to the verb to complete the sense.

¹¹ The Vatican editors note that all these arguments, nn.30-40, were already set down by Richard of Middleton in his *Sent. IV* d.3 princ.2 q3. The same holds of several of the opening arguments in the following questions.

41. Here three [four]¹² things need to be considered. The first is whether certain words could be the form of this sacrament.

Here one must note that, when speaking properly of form as it is one of the two parts of a composite thing, the form of a sacrament is the relation of sign, by which relation it is formally such a sacrament; and the matter is the whole that is the foundation of the relation. However, if there are in some foundation many things that one sacrament in some way comes to be from, and if these many things are not disposed altogether equally but one of them is as it were prior and a determinable while the other is as it were posterior and a determination of the preceding one, then the first can be called ‘matter’ by a certain likeness to matter, and the second can be called form. For it belongs to matter to precede in origin and to be determined, while it belongs to form to follow and to determine.

42. Likewise, what is more principal and more actual can be called form with respect to what is less principal and more potential.

43. Likewise, what is more spiritual can be called form with respect to what is less spiritual.

44. As to the question at issue, then, cleansing and words come together as foundation of the relation of baptism, either as parts of the foundation, according to one opinion [n.16], or as foundation and circumstances of the foundation, according to the other opinion [n.17].

45. If in the first way, the more principal part in signifying is the words themselves, because according to Augustine *On Christian Doctrine* 2.3.4, “Words among men have obtained the principality in signifying;” and he says something similar in *On the Trinity* 15.11.20. So, because of this principality in signifying, words could be called ‘form’ with respect to the other part.

46. But if in the second way [n.44], it is plain that words are the determining elements with respect to cleansing.

47. And whether this way or that, it is plain that words are more spiritual than cleansing.

And so, according to this metaphorical use of the terms, it is plain that where a visible sign and certain words come together at the same time in the foundation of some relation of a sacrament, the words always state the form.

B. About the Form of Baptism Needed on the Part of the Minister

48. The second thing that needs to be considered is what words are the form of baptism in the above stated way [n.29].

49. Here one needs to know that there is in sacraments something necessary simply, that is, on the part of the sacrament (something namely which when it does not exist there is altogether no sacrament), and also something necessary in a certain way, that is, on the part of the minister (without which the minister, when dispensing the sacrament, cannot avoid sin).

¹² The Vatican editors note that Scotus wrote ‘four’, but they correct it to ‘three’ because Scotus seems only to deal with three in what follows. However, it may be that Scotus is advertiring to the fact that the third (about the words of the sacrament) has two sub-parts, about the non-principal words and about the principal words, which makes four in all.

50. But if one asks about the necessary form in this second way [n.49], that is, about the form that must necessarily be observed by the minister, I say that in the whole Roman Church the form that the question is about [n.29] is necessary, namely necessary for the minister whose office it is to baptize. Who this minister is will be stated later (in d.5 nn.30, 70-73), for ignorance cannot excuse him since he is bound to know the matters of the office he is deputed to. The proof of the conclusion is that any minister in the Roman Church is bound necessarily to keep the form that the same Church has imposed on its ministers. Of this sort is the form that the question is about, as is plain from Gregory IX Decretals III t.42 ch1, ‘about baptism and its effect’.

51. But if one asks about the necessary form that a minister among the Greeks must observe, one can say that, as far as concerns certain non-principal words in the form, namely those that express the receiver and the act or the minister, the Greek Church has sometimes not wanted to keep that form [n.34], the reason for which is touched on by the Apostle *I Corinthians* 1.11-3, 3.3-6, “But this I say, that each of you says, ‘I am of Paul etc.’;” because they were glorying in the ministers who baptized them, as if baptism were attributed or ascribed to those ministers; and Paul rebukes them, and indicates their dispute when he says, “Is Christ divided?”

52. For this reason it was ordained among the Greeks (in order to take away the schism) that the minister would not be expressed, nor the act in the indicative mood but in the optative mood, because then the minister is signified not to be the author of baptism, but only the minister desiring and praying for the effect of baptism to be conferred by God; the receiver too would not be expressed in the second person but in the third person, as if he were precisely not receiving what he receives from someone directly speaking to him. However, it would have been possible for the receiver to have been expressed better than by the phrase ‘servant of Christ’, namely by his own name; for baptism is not of someone who is already a servant of Christ but so that he may be a servant of Christ – speaking of the spiritual servitude by which a Christian is a servant of Christ.

53. About this Greek form [n.34] one can say that, as long as it was tolerated by the Roman Church, it was permitted to the Greeks, and also permitted for the time which it was instituted for during the aforesaid cause [n.51]. But when the cause ceased, the common form [n.29] could reasonably have been imposed on them.

54. Either, then, the Roman Church has prohibited that form as far as the Greeks are concerned, and then they sin by keeping it (because it is not found in any chapter [of canon law] making special mention of them); or if the Roman Church has permitted or conceded it, then it seems licit for them to continue the form. And if, while such permission or license continues to stand, they have ordained in their particular Councils that such form is first to be kept among them, it seems that their ministers are bound to keep it. The case is just as when permission by the Roman Church continues to stand that in some places a triple immersion [in baptism] should be done and in others a single immersion; for then in a Church that has determined on a triple immersion a triple immersion should be done, and it is a necessity in the minister to keep the precept and the manner of his own Church.

So much about the necessary form on the part of the minister.

C. About the Form Necessary on the Part of the Sacrament

55. Third, as to the form necessary on the part of the sacrament [n.49], it is plain that this form is not necessary as to all the words, because of the fact that the Greeks did truly baptize, though not under the same form [nn.29, 34].

56. Hence one must note that in this form there are some words that belong to it principally and some that belong to it non-principally, because they express the minister, the act, and the receiver.

1. About the Non-Principal Words of the Form

57. One of these, namely the minister, is not required to be expressed by any word, not even by the pronoun for any person, because it is not in the words of Christ in the last chapter of *Matthew* (28.19).

58. But the other two, namely the act and the receiver, must be expressed, though not determinately in the way they are expressed in the words stated [n.29], namely the act in the indicative mood and the receiver by a second person pronoun. But the act can be expressed by a verb in another mood, and the receiver by a word or pronoun in another person, as the Greeks do [n.34]. But the reason for the necessity that these two be expressed in some way or other is taken from the phrase in the last chapter of *Matthew*, “baptizing them in the name of the Father etc.,” where the act and the receiver are expressed.

2. About the Principal Words of the Form

59. Now about the principal words, which are ‘in the name of the Father and of the Son etc.’, one must consider whether these precisely belong to the form.

60. To understand this one must note that, according to the Philosopher *Physics* 5.1.225a1-b3, 2.226a23-25, change is of four kinds, namely in substance, quality, quantity, and ‘where’.

61. Thus, there can be a fourfold variation in these words, namely in substance, when other words are put for these, or a different word for this or that word; in quantity, by adding or taking away – and if by adding, whether by diminishment or by putting something afterwards or in between; in quality, namely by taking away some termination required for appropriate speech; in ‘where’ by transposition.

62. About each of these variations I say that if he who varies in respect of them intends to use the words that he does use as the Church’s or baptism’s precise form, he does not baptize. For he lacks the intention to use the words that are used as the form by the Church; for he intends to use as the precise form of baptism words that are in some way altered.

63. Supposing that the intention is not lacking, then, we ask, on the part of the words in themselves, which of these variations can stand alongside the form and which cannot. The individual points will be dealt with in order.

a. About Variation in Substance

64. About the first [substance, n.61] I say that it can be understood in two ways: either [A] that a word different in a certain respect replaces one of the principal words (namely a different locution), though it signifies the same thing under the same idea; or [B] that a word different simply does the replacing, namely a different locution signifying a different thing.

65. And if the replacement happens in the second way [B], this can still be in two ways: either [B1] because the thing signified in that very place is altogether disparate from what is signified by the word that is replaced (as would be the case if ‘stone’ were to replace ‘Father’), or [B2] because what is signified is fitting and has altogether the same substrate in reality.

66. This latter way [B2] too happens in two ways:

Either [B2.1] because it distinctly expresses the Three Persons signified under ideas different from those signified by ‘of the Father and of the Son’ etc. (and such is the case with the nouns ‘of the Begetter, of the Begotten, and of the Inspired’; for these signify the Persons under the idea of their properties, not under the idea of their subsistence and hypostasis).

Or [B2.2] these Persons are signified implicitly, and this either [B2.2a] as in some collective whole (in the way that the name ‘Holy Trinity’ signifies), or [B2.2b] implicitly in something that imports the Persons by some correspondence of effect to cause, as does the name ‘Christ’; for this name signifies the Son in his human nature, the anointed one, and it gives to be understood the ‘Father’ by whom he is anointed and the ‘Holy Spirit’ with whom he is anointed.

67. So therefore, as to this division of variation [sc. in substance], we have [1=A] a name different only in locution, or [2=B1] a name signifying something altogether disparate, or [3=B2.1] names that do not signify the Three Persons under the idea of Persons, as ‘Begetter’ and ‘Begotten’, or [4=B2.2a] a name that signifies them collectively, as ‘Trinity’, or [5=B2.2b] a name that connotes the Persons as effects connote their cause.¹³

68. About these five possibilities [n.67]:

About the first [1] it is plain that the same form remains, because baptism can be done in any language. Perhaps, however, it is not licit (for someone baptizing solemnly by virtue of his office) to use words of just any language (as it is not licit in the consecrating of the Eucharist). For the Roman Church has ordained that ecclesiastical offices be said and sacraments be administered in grammatical Latin. And this is reasonable, because grammatical Latin can be more distinctly written and spoken. As for words altogether inappropriate [2], it is plain that the form is not preserved in them.

69. As for names signifying properties of the Persons and not the Persons [3], as ‘Begetter’ etc., I say that the form is not preserved in them, because Christ wanted the Persons to be named with the names of the Persons, and he did so reasonably, in accord with what was touched on in *Ord. I d.22 n.10*. For just as a name was given to the Jews signifying the divine essence under its proper idea, which they call the ‘Tetragrammaton’ name of God, so Christ gave to the Church names signifying the Persons under their proper ideas. Or if he did not so give them, yet it is very possible that, in some invocation, the name of the Person has some efficacy that the name of the property of the Person does not have. For when seeking some gift from someone ‘for love of John’, the

¹³ I have added the numerical notation in these paragraphs [nn.64-67] for ease of comprehension and reference.

gift would be more quickly obtained than if, in place of the proper name, something signifying a property of the individual were put.

70. As for the name of the Trinity [4], it is plain that Christ understood that the Persons needed to be made explicit; but in the name ‘Trinity’ the Persons are only introduced implicitly. And therefore, as to what is said in the chapter from Gratian [n.36], ‘Trinity’ must be understood to be put for the three Persons explicitly.

71. As for the fifth [5], namely about the name ‘Christ’, it is plain that it was sometimes licit to baptize in that name, *Acts* 2.38, 9.17-18, 10.48.

72. But whether it would be baptism now if it were thus handed on is doubtful.

73. It seems that someone thus baptizing would sin mortally; indeed he would altogether not baptize.

The proof of the first part is that no inferior can revoke the law of a superior, neither simply nor for a time. The law about baptizing in the common form of ‘In the name of the Father etc.’ was promulgated by Christ, *Matthew* 28.19. So for the time Christ has not revoked the same, no one else can revoke it. But although Christ made dispensation from that law in the time of the primitive Church (because then there was a reason for dispensation, so that the name of Christ might be made public), yet he made no dispensation when that reason ceased. Therefore, no inferior can for any time thereafter be absolved in any way from that law.

The proof of the second part is similar, because the form commonly handed on always remains as the form unless another form has, by way of dispensation, been handed on for a certain time by the institutor of the form. But the form handed on by way of dispensation was only handed on for the time for which there was a reason for the dispensation, namely in the primitive Church, so that the name of Christ might be made public. Therefore when the time of dispensation ceased, only that form remains which, from the institution, was the form.

74. What then? For I do not dare to say that someone baptized today in the name of Christ would have been baptized; but neither do I dare to say or assert that he would not have been baptized, for I do not read where the dispensation was relaxed or revoked.

75. In this matter, then, I reckon there is a doubt whether such a one has been baptized. And in his case one should use the sort of remedy that is used in other doubtful cases, on which Gregory IX *Decretals* III tit.42 ch.2 says, “As to those about whom there is a doubt whether they have been baptized, let them be baptized in these words, ‘If you have been baptized, I do not baptize you; but if you have not been baptized I baptize you in the name of the Father and of the Son and of the Holy Spirit’.”

76. And universally in all doubtful cases as to matter and form there are three maxims. The first is, ‘If it is possible, the safest way is to be chosen’; the second is, ‘If it is not possible, the way next to the safest is to be held to’; the third is, ‘When the impossibility ceases, one must cautiously supply what the earlier impossibility was preventing’.

b. About Variation in Quantity

77. About the second main variation, namely in quantity [n.61], I say that if anything is added that is repugnant to the principal words of the form, or that diminishes them, nothing is done, because the form is not preserved. An example of the first is if it

be said ‘In the name of the Father the Greater and of the Son the Lesser etc.’; an example of the second is if there is an omission or a disjunction or if some condition that does not exist is interposed, as ‘If I am a bishop I baptize you in the name of the Father etc.’; or if there is some disjunctive speech against the idea of the form, because a disjunctive determinately posits one of the disjuncts; and the same in like cases.

78. About interposition, however, supposing it is not with respect to anything that is disruptive or repugnant, there is this special point that, if the interposition interrupts the due unity of the form, the form does not remain. But as to when such necessary unity is interrupted, let it be judged by other human acts. That is, when no judgment from an interruption by something impertinent is made in common discourse that the previous speaking cannot be continued, then likewise no such judgment should be made in the issue at hand. For example, if someone were to begin speaking and say ‘be quiet’ or ‘go away’, it would not for this reason be reckoned necessary for him to begin his speech again, but he could continue the same speech notwithstanding such interruption.

79. Now as to subtraction, if one of the non-principal words is taken away, the answer was stated before [nn.56-58]. But if one of the principal words is taken away, nothing is done, because each of those words is *per se* necessary for the form. But if some syllable is taken away by syncope,¹⁴ then the form is not for this reason destroyed. For God did not wish to bind man to words in the sacraments beyond the point where the words suffice for expressing the concept. But words with syncope suffice, as is plain, because the hearer can well understand with syncope the concept of the speaker. But syncope is to be more guarded against in sacramental words than in common words, because of the reverence of the sacrament. However, I would not dare to say that he who does not avoid syncope sins mortally (provided his failure to avoid it is not from contempt, but is from some infirmity or some human inadvertence that he might not avoid as much as possible in all cases).

c. About Variation in Quantity

80. About the third main variation, namely in quality [n.61]: As to the determination that belongs to the chief part of the words, the answer is plain from Gratian *Decretum* p.3 d.5 ch.86, where the Pope, mentioning a priest who baptized “in the name of the Father, the Son, and the Holy Spirit,” replies that “if he did this from lack of skill in the language without intending to introduce error, he has truly baptized.” The point must be taken about an inappropriateness at the end of a word that does not prevent the concept signified by the words from being able to be understood. And how this is possible is well known by experience to those who listen to certain illiterates speaking improperly and yet they well grasp what they want to say, even as to individual words.

d. About Variation in ‘Where’

81. About the fourth main variation, namely in ‘where’ [n.61], I say that some transpositions do altogether vary the sense, as suppose it were said “I of the Father baptize you in the name of the Son, etc.” But some transpositions may retain in the form

¹⁴ Syncope is when a syllable is removed from within a word, as ‘camra’ for ‘camera’.

the same force, as suppose it were said “In the name of the Son and of the Father etc.” The first transposition is an impediment, because it removes the meaning from the statement as it has been instituted. The second is not an impediment, because although it would be fitting, when mentioning the Persons, to preserve the order (which is of the Persons according to origin), and although this is necessary as far as the minister is concerned, yet it does not seem altogether necessary on the part of the sacrament. For the Persons, in whatever order they are named, are a single efficient principle in baptism, and they are invoked as such.

II. To the Initial Arguments

82. To the first argument [n.30] the answer is plain from the first article [nn.41-47] about what the form properly is here, and how the words are the form.

83. To the second argument [n.31] the answer is plain from the second article [nn.48-54] that Christ expressed the words that are the principal ones in the form (namely the act and the receiver). But it was in the power of the Church to determine what words of the first or third person in the indicative or optative mood would express the receiver and the act. And the Latin Church has chosen to express the receiver in the second person and the act in the indicative mood – and reasonably, in order to indicate that the minister is truly conferring the sacrament. But the Greek Church has chosen to express the receiver in the third person and the act in the optative mood – and reasonably for the time, as was said [nn.51-53], namely so as to take away the schism between those who were glorying in the ministers who baptized them.

84. To the third [n.32] one can say that the division [sc. into false and true] is not sufficient, for it is very possible that some words taken materially are the form in some sacrament; indeed, God could have instituted non-significative word-signs for the form.

85. In another way it can be said that the speech is true, not for the time of speaking it, but for the final instant that completes the speaking, as will be said below in the material about the Eucharist [d.8 q.2 n.16]. And then, when the argument is made that a statement, as true, follows the actuality of the thing, this is true: it follows the cleansing itself, and the cleansing is introduced there by the word ‘I baptize’; and then the sense will not be, ‘I baptize, that is, I confer the sacrament of baptism’, but it will be ‘I baptize, that is, I cleanse’.

86. To the fourth [n.34]¹⁵, about the Greeks, the answer is plain from what was said above [nn.51-54].

87. To the fifth [n.35], about the pronoun ‘ego’, it is true that it does not belong simply to the form, neither as expressed nor as implied in a verb of the first person. But as to the Latin Church (at least after the time of Alexander III) it is necessary for the minister to express the pronoun ‘ego’; and the gloss with its proof can be understood of the time preceding the constitution of Alexander III.

88. To the one about the Trinity and Christ [nn.36, 38] the answer is plain from what was said about the first variation in words [nn.66-75].

89. To the one about ‘Begetter’ etc. [n.37] one must say that Augustine means there that ‘Begetter’ and ‘Father’ are the same as to their being said in relation to another,

¹⁵ Scotus does not respond to the third argument, n.33 (similar omissions happen elsewhere in the *Ordinatio*, e.g. I d.3 nn.337-338, 402, d.7 n.2, d.11 n.6, d.12 nn.4-5).

or as to importing the property of the same Person. But they are not the same as to the first signified concept in each case, because ‘Father’ signifies first and per se the supposit in the divine nature, while ‘Begetter’ signifies first and per se the property; and there is not the same force in a proper name and in the name of a property when one of the Persons is invoked for some effect.

90. To the last one [n.39] I say that the proposition of the Philosopher is true absolutely of transposed names, but it does not follow that the conception of the whole locution is the same when such names are transposed in this or that way. But the form [of baptism] does not consist only in the signification of single words but in the signification of the whole locution.

Question Three

Whether Pure Natural Water is the Only Fitting Matter of Baptism

91. To the third principal question [n.6] there is argument that pure natural water is not the only fitting matter of baptism:

Because artificial water¹⁶ has the same accidents as natural water, namely humidity, coldness, clearness, and the like; but a substance is known from its accidents, *On the Soul* 1.1.402b21-22.¹⁷

92. Again, what is mixed is grosser than elemental water; but artificial water is finer, or at least not grosser; therefore artificial water is not something mixed; therefore it is an element, and no element but water; therefore etc.

93. Again, mixable things can be separated from the mixture, *On Generation and Corruption* 1.10.327b27-28; therefore someone can apply an active power to the passivity of the mixture to bring about such separation; therefore artificial water, when separated from the mixture, can be elemental water. There is a confirmation from *Exodus* 7.11-12, 8.7, about frogs, where the art of demons applied an active to a passive power to produce frogs at once from the water of the river; therefore, conversely, it was just as possible to apply by art the active power to the passive power to separate the element from the mixture, especially since reducing things to their elements is easier than generation or composition.

94. Again, as to the adjective ‘pure’, natural water is finer than water in use, from *Meteorology* 2.3.358a21-b27. And it is plain from experience that earth is separated from water in use by boiling or purifying, and lies at the bottom.

95. Again, from Christ’s side water flowed, wherein baptism is instituted, according to Gregory IX *Decretals* III tit.41 ch.8. But what flowed from Christ’s side was not elemental water but bodily fluids, because in a dead body there is not any fluid immediately that is elemental water, nor did any fluid come out through the wound save what was in the body at the time of the opening of the wound; but it was then not pure water; therefore etc.

96. On the contrary:

John 3.5 “Unless one be born again of water and the Holy Spirit etc.”

¹⁶ For the meaning of artificial water see nn.107-110 below.

¹⁷ The Vatican editors note that several of these initial arguments are found in Richard of Middleton, and another in Thomas Aquinas.

97. Again, through reason: “Let alchemical artisans know that species cannot be mutated by art,” *Meteorology* 4.12.390b9-14. Therefore, something mixed cannot be reduced to pure water.

I. To the Question

98. Here the reply must be stated proportionally to what was said at the beginning of the preceding question [nn.41-47]:

For matter (taking matter properly as that which the form of a thing is in) is the whole of what can there be sensed and on which the relation of the sign, which is the formal part of baptism, is founded. But just as in this whole sensed matter there is something that is more principal and ultimate determinant, and is called the ‘form’, so there is something less principal or is determinable, and is called the matter.

99. But such matter can be understood as proximate to that which is to be signified or as remote from it:

The proximate matter is the cleansing itself, for it, along with the words as proximate sign, signifies the effect of baptism.

100. And therefore we should not feel pressured by the doubt in Gratian *Decretum with glosses*, p.2 cause 1 q.1, ‘lest perhaps an ass drink the sacrament’ [Gandulphus, as quoted in Gratian, said that the water is the sacrament, so that if an ass drink the water it drinks the sacrament], which is truly an asinine doubt. For the cleansing only occurs in its becoming, and however much the water could be drunk or poured out here or there, the cleansing itself cannot be [cf. d.6 n.67].

101. And ‘cleansing’ is understood here not only in the way that water is said to wash the body as it were formally, but also as a man is said to wash the body with water as if the water were properly in an active state – for the mere contact of the body with water, which is as it were the formal cleansing, is not what was instituted in the sacrament as the sign or part of the sign, but the washing that is done by someone who does the cleansing.

102. Nor is it necessary that the cleansing here be the cleansing that is contrasted with washing and includes the removal of dirt from the body by contact with water. Rather the commonly meant sense of washing is enough, the washing of the body with water by someone else as agent; and this is nothing other than that water is brought into contact with the body by someone who brings that contact about.

103. And by understanding the cleansing or washing in this way, the washing is the proximate matter, as the *per se* foundation or part of the foundation of the signification of it.

104. But the water that is applied to the body in this cleansing is the remote matter.

105. And the proof is no other than that so it was instituted, as is plain in *John* 3.5 and *Matthew* 3.11.

106. But there is appropriate fittingness as to why it was so instituted, for water is cold, flowing, lucid, necessary, and common. And all these properties agree with the fluid that baptism ought to be done in, since baptism is for repressing the heat of concupiscence, to loosen the stiffness of disobedience, to lighten up the clarity of faith, to

lead into the way of salvation; and all these properties are common, just as the law (of which the sacrament is the beginning) is common for salvation to all.¹⁸

107. But why is ‘natural’ put in the question to distinguish water from artificial water? I reply that the waters that are commonly called artificial are certain mixed bodies and are not called water save equivocally.

108. The point is plain, first, because so it is as to the qualities that follow the whole species. For a single likeness in quality does not involve identity of substance, but a single unlikeness in the whole species proves that the substance is not alike. But the waters that are called ‘artificial waters’ have in their whole species some quality that is unlike elemental water.

109. The point is plain, second, from the way these waters are generated. For it is impossible for the whole of created nature to generate something else from something save by following a determinate process through determinate means. For the whole of created nature could not at once, and without intervening means, generate wine from vinegar, but there must be a return to the prime matter that is common to both, which is water and which, when at length drawn up in the grape through the trunk of the vine, is eventually converted into wine. And this opinion is posited by the Philosopher in *Metaphysics* 8.5.1045a3-6, and it is plain to the senses that it is so.

110. But these artificial waters, whatever they are made from, are not made by keeping to nature’s process through determinate or ordered means. They are also universally made by the action of fire decocting and dissolving them. But fire does not seem to be sufficient in its active force to convert any mixed thing into elemental water. For this reason, it can be universally admitted that the waters called ‘artificial’ are not fitting matter for baptism, because they are not in the species of elemental water.

111. As to the addition of ‘pure’ in the question [n.6], one must understand that impurity in water can be taken in two ways: either because of mixing or juxtaposition (as washing water is called ‘impure’), or because of a mixture deviating from the species (as mixed fluids are not said to be pure water).

12. The first impurity, indeed, is not an impediment, provided however it does not remove from the water its being suitable for washing; nor is there any reason for the exclusion save that it was instituted so. Hence water mixed with flour in paste or sponge, or water mixed with thick dye (and so on with others), even though these waters may touch the body, yet they are not fitting material for baptism. For such contact is not washing but only contact of flowing water that freely spreads itself over the skin or makes a separation between the skin and some other body.

113. In the second way [n.109] I say that there can be some impurity while yet the water remains within the species of water – as perhaps if water begins to thicken in tending to generate a grosser element; and this is not an impediment provided however it is still fluid. And I say so to this extent, that in ice or snow, which however are imperfect water or on the way to being a mixture, baptism cannot be done while they are ice and snow, because there is no washing there, as there is not either in anything hard. But if water is altered to be now outside the species of water, it is altogether not the matter of baptism. And it is sufficiently clear about some alterations that they make the altered

¹⁸ The Vatican editors note that all these properties are found already in William of Merton and Richard of Middleton.

result to be outside the species of water, as about fluids that are naturally reduced first through digestion (as saliva, urine, and the like), according to *Decretals* III tit.42 ch.5.

114. About other alterations, however, this is not manifest, as about the cookings and mixings we perceive, where it is not clearlyly apparent that the species is altered (as about the juice from boiled flesh, and water in flour, and the like, and about white mustard and beer and mead); for it is not manifest that there is any active force there that is corrupting the species of water

115. However, this discussion does not belong to a theologian, who is determining the matter of baptism, save insofar as it can be got from the canon of the Bible. Nor does it belong to the canonist, who is determining the conditions of the matter as they are determined by the ordering of the Church. Rather it belongs to the natural philosopher, whose job it is to investigate which alteration removes water from its species and which does not.

116. And if there is a doubt about any instances, and they have been used to confer baptism, one must use the three maxims set down in the solution of the preceding question [n.76] to apply remedies for those whose baptism is likely in doubt.

II. To the Initial Arguments

117. To the first argument [n.91] I say that although artificial water has similar accidents, yet it has a dissimilarity or dissimilarities from the whole species, and from this follows a distinction of substance.

118. To the second [n.92] I say that although some artificial water is finer than elemental water, because it is more penetrating, yet its fineness is not that of simplicity but of active power (and in this way is wine more fine than water); but the fineness that comes with elemental water is that of simplicity, in the way that an element is simpler than a mixture.

119. To the third [n.93] I admit that it would be possible for a good or a bad angel to apply some active powers to a mixture as passive object, whereby elemental water might be resolved out of it. For I did not say that artificial water was not elemental water because art was involved in it (for art is present not as producing the term but as applying something active to something passive); but I say that no art can apply the same active force (such as fire) to passive mixtures, however diverse, such that there would be, by that active force, an immediate dissolution into elemental water; for that same agent cannot have a force, as a force, of changing things without going through intermediate forms, nor even of corrupting such diverse things back to the same term.

120. To the fourth [n.94] the answer is plain from what was said about impurity through juxtaposition [nn.111-112].

121. As to the fifth [n.95], Innocent responds in the cited *Decretals* that the water which flowed from the Savior's side was not bodily humor but true water.

122. He proves it from the words of the Gospel, *John* 19.35, “And he who saw it has borne witness to the truth.” He would certainly not have said water if it had not been water but some bodily fluid.”

123. He proves it also a posteriori from the matter of baptism. “Nor,” he says, “would the true sacrament of regeneration have been thereby shown, since in the sacrament of baptism people are not regenerated with bodily fluid but with water.”

124. He proves it also from the water that has to be added in the sacrament of the Eucharist.

125. He proves it fourth “from what prefigured it in the Old Testament when Moses struck the flint, from which not bodily fluid but water flowed.”

126. In support of the proof he makes response in the same place, namely that “either the water there was miraculously created anew, or was distilled from components.”

127. But whatever may be said about the water from the side of Christ – because this flowed as it pleased him, not because the sacraments took their efficacy from it, as said above [d.2 nn.19, 32], but because of a certain more perfect likeness to baptism and the Eucharist [d.2 n.42]) – it is nevertheless certain that baptism can only be performed with usual water, because Christ instituted this [n.105].

Question Four *Whether the Institution of Baptism Voids Circumcision*

128. Proceeding thus to the fourth principal question [d.2 nn.29, 32], argument is made that baptism does not void circumcision:

Because in *Matthew* 5.17 it is said, “I have not come to break the Law, but to fulfill it.” But circumcision was a precept in the Law, *Genesis* 17.10-11. Therefore Christ did not void it by instituting baptism. A confirmation is that Christ received circumcision in himself.

129. Again, in *Genesis* 17.13 circumcision was given to Abraham in an eternal pact. Therefore it was going to last always, otherwise it would not have been eternal.

130. Again, no inferior has authority to revoke a law instituted by a superior. But it is certain that God instituted the Mosaic Law and circumcision, but no place is found in the New Testament where he revoked it. Rather Christ kept the Law during the whole time of his mortal life, even before the *cena* by eating the paschal lamb. And the disciples did not have the authority to revoke it. Therefore etc.

131. On the contrary:

John 3.5, “Unless a man be born again etc.;” therefore baptism after its institution was simply necessary for salvation. Therefore circumcision was voided, because two remedies necessary and sufficient for the same thing are not concurrent at the same time.

132. Again, *Galatians* 5.2, “If you are circumcised, Christ is of no profit to you.”

I. Preamble to the Question: That Baptism was Instituted in the New Law is True and Reasonable

133. This question supposes that baptism was instituted in the New Law. And it is true and reasonable.

A. It is True

134. It is true, as is plain from many necessary authorities in the *New Testament*, of Christ and the Apostles, wherein the necessity of baptism is proved, which would not be the case if baptism had not been legitimately instituted in the [New] Law.

135. However there is doubt about when it was first instituted.

Not indeed when Christ was baptized by John, because that was not a baptism of Christ, that is, according to Christ's form, but according to John's form. Yet Christ did then dedicate water, from the contact with it of his most pure flesh, as suitable matter for his baptism, because the use of water was confirmed in the legislator, that is, as a ministry.

136. Nor too was baptism instituted in the words of *John* 3.5, when the Lord says to Nicodemus, "Unless a man be born again of water etc.," because it is not likely that so necessary a sacrament was instituted in secret before a private person, who was not due to be a herald of that institution.

137. Nor too was it deferred to the time of the Ascension, *Matthew* 28.19 ["Go then and teach all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit"], for the disciples were baptizing with the baptism of Christ before the Passion: in *John* 3.26 the disciples of John say to John, "Rabbi, he to whom you bore witness, behold he is baptizing and all come to him," and in the following chapter, *John* 4.1, "Although Jesus did not baptize but his disciples."

138. The time, then, of the institution is convincingly shown to have been before the time when Christ's disciples were baptizing, although the hour is not precisely read in the Gospel.

B. It is Reasonable

139. This supposition also seems reasonable, because the principal sacrament of the New Law (namely, that through which entrance is made for its observance) needed to be new and proper to that Law, as was said before in d.1 nn.254-257.

140. This sacrament needed to be evident too in its signification, because this Law is the Law of truth that removes the shadow [cf. *Hebrews* 10.1].

141. It needed to be rich too in the conferring of grace, because this Law is the Law of grace, *John* 1.17, "Grace and truth were brought about through Jesus Christ."

142. It needed to be easy too, because the yoke of Christ is pleasant and his burden light, *Matthew* 11.30.

143. It needed also to be common, because God chose for the Mosaic Law one people only, but for the New Law he chose the whole world, according to *Psalm* 18/19.4, "Their sound has gone out to all the earth."

144. These five features [nn.139-143] are found in one thing, namely in the washing of baptism and its words, because it clearly signifies the cleansing of the soul, which is the principal effect, and copiously bestows grace. Hence in *Psalm* 22/23.2 it speaks of the waters of repose, "beside the waters of repose." The washing of baptism is also easy, because it is in no way dangerous (as circumcision is), and is common to every sex and age.

II. Solution of the Question

145. On this supposition, then, that baptism is true and reasonable [nn.133-144], one needs to see first whether the receiving of baptism was simply necessary, and second whether by it circumcision was voided.

A. Whether the Receiving of Baptism was Simply Necessary

146. As to the first point [n.145] I say that the institution preceded the promulgation; for a law is not promulgated unless it is first determined by the legislator so as to be fixed (and this determination can be called institution), and also unless it be revealed to someone as to solemn herald (and that, if he [the legislator] wanted it to be promulgated through a herald).

147. About this institution I say two things:

First that, before this institution, it was not simply necessary to be baptized, which is plain from *John* 15.22, “If I had not come and not spoken to them, they would not have sin.” From this statement I take this proposition, that ‘no one is held to any divine precept unless it be promulgated through someone suitable and authorized, or comes from true report and the testimony of good men, which anyone rationally ought to believe’; and I understand this of positive law, which is not known interiorly in the heart. Therefore, by this institution alone, preceding promulgation, the people were not by necessity obligated to baptism, and this especially about the precept, because it was a positive precept only. Now the positive precept, about circumcision, that preceded it, did not at once have to be dismissed (from the fact that it was certain it had been instituted by God) unless there were certitude also that the second precept [sc. about baptism] had been given by God. And this certitude about the second precept could not have been had without an authoritative promulgation.

148. Second I say that the promulgation of this sacrament could have been set down as double: one by way of counsel, another by way of precept.

149. Now the fact that it was first promulgated by way of counsel was fitting for two reasons: First because the Law of the Gospel, which is most perfect, should not be hastily imposed, but men should be attracted to it first while it still fell under counsel, so that, after they were practiced in it, it might be imposed under precept. Second, because the Old Law was not bad the way idolatry is, and therefore should not be rejected suddenly (for then it would have been rejected as if something evil), but the Synagogue had to be buried with honor, so it might be shown to have been good for its time.

150. Now the imposition of baptism by way of precept [n.148] was a voiding of circumcision, at least as to the necessity of it. But promulgation by way of precept had at some point to follow, because otherwise this Law [of baptism] would never have fixity or necessity, at least as regards the sacrament.

151. And one should in general note that the promulgation made about divine counsel does oblige as to not despising it; for he who despises the counsel despises the one giving the counsel insofar as he gives counsel; and therefore he who does not wish to keep the divine evangelical counsel, as if despising it as irrational and fruitless, sins mortally. Hence let those who attack evangelical poverty see to it lest, if they do not wish to keep it (because it is not necessary), it happen that, by despising and belittling it, they despise Christ who urged to its observance as meritorious and useful for eternal life (as is contained in the sixth book of the *Decretals* 5 tit.12 ch.3, ‘On the Signification of Words’ [Nicholas III, 1279]).

But promulgation by way of precept obliges, not only to not despising it, but also to observing it if it is positive, or to guarding against it if it is negative.

152. Now I have said this about divine counsel and precept because it is otherwise with human ones, even when speaking of the counsel and precept of a superior or a prelate. For it is licit to despise both a precept and a counsel of some superior, that is, to judge it irrational and fruitless, but it is not licit, while he is a prelate, to despise it by not observing it, because it is said in *Matthew* 23.2-3, “For the Scribes and Pharisees sit in Moses’ seat; therefore keep and do whatever they tell you, but do not do according to their works; for they say and do not do.”

153. The proof of this (about despising the precept or counsel of a superior) is that we are not necessarily bound to have a true opinion about one’s superior, but his advice or precept can be in itself irrational and fruitless; and then one must work rationally and usefully for its revocation, and for the correction and admonition of such a prelate, who is giving precepts fatuously. However, a subordinate is not bound to repudiate the prelate’s precept as a mortal sin, or to repudiate it as irrational and fruitless, but he can think the opposite about it, the way it is, and despise it by not approving of it.

154. It is thus plain, therefore, that the first obligation of baptism, the one by way of counsel, has obligated everyone not to despise it. But the second obligation, the one by way of precept, has obligated everyone to the reception of it to whom it has legitimately come.

B. Whether Circumcision was Voided by Baptism

1. Opinion of Others
 - a. Exposition of the Opinion

155. About the second main point [n.145], namely whether circumcision was voided by the fact that reception of baptism was simply necessary [n.154], the response is made that the time when baptism fell under counsel was from the first publication of it to the passion of Christ, and this did not void circumcision, not even as to its necessity. For during that time it was necessary for a Jew to circumcise his child, because that law was not yet revoked, as neither was the other imposed.

156. But from the time of the passion to the time of the publication of the Gospel, circumcision was licit but not necessary nor useful, because the obligations of the Law were fulfilled in the death of Christ. This is proved from the verse in *John* 19.30: when, with death imminent, Christ said, “It is finished.” And if it be asked what for a child of a Jew there was as remedy against original sin from Christ’s passion up to the publication of the Gospel, the response is that it was not circumcision but the faith of the parents, as in the time of the law of nature.

157. But in the third time, after the publication of the Gospel, circumcision was death dealing, and for this time Paul says *Galatians* 5.2, “If you are circumcised, Christ will profit you nothing.”

b. Rejection of the Opinion

158. Against the first of these [n.155] the argument is as follows: if a precept when imposed totally revokes something else, then counsel or admonishment about it makes that something else non-necessary. The reason is that where something whose act when prescribed is prohibition of the act of something else, there the counseling of its act

is a license not to observe the act of that something else. Therefore, if precept about baptism was prohibition of circumcision (as to its fruit), then counsel about baptism rendered circumcision non-necessary.

159. There is a confirmation of this, that if some Jew before the Passion had, at the preaching of Christ or St. Peter, baptized his child and not circumcised him, then that child, had he died, would have been saved, because he received grace in baptism; for baptism conferred grace from its first institution.

160. But if you say that it is true baptism would have been sufficient for the child but the father would have sinned in not circumcising him – on the contrary: because he was able to circumcise his son before the eighth day, and from the fact he already had a remedy against original sin, and the father believed this (for he believed baptism to be efficacious for it), then it seems he was not necessarily bound to make provision from the other remedy for his child.

161. Against the second [n.156], which is asserted about the time between the passion of Christ and the promulgation of the Gospel, I argue as follows, that no one is differently disposed as to some law save because he has it differently promulgated to him; but after the passion of Christ, before the Apostles were preaching baptism, baptism was not promulgated to the people differently than it was before the passion; therefore no one was obligated to baptism after the passion differently than before, and so neither was he differently disposed as to circumcision

162. Again, the precepts get their power of obligating and of remedying and curing from the same source; the fact is plain from Bede in his *Homily on John* 3.5: “unless a man will have been born again” (and it is put in Lombard’s text, IV d.1 ch.10), “He who is now terribly and salubriously exclaiming, ‘Unless a man will have...’ (and ‘terribly’ is said by Bede because of the strictness of the obligation, and ‘salubriously’ because of the efficacy of the remedy), he was exclaiming before through the Law, *Genesis* 17.14, ‘A male child the flesh of whose foreskin is not circumcised, his soul will perish from the people.’” But circumcision retains its obligatory power until it be authentically revoked; therefore by the same fact it had the power of providing remedy until that revocation. But by Christ’s death alone it was not revoked differently than before, as is plain from the preceding reason [n.161], because no law was promulgated to anyone differently than before.

163. Again after the death of Christ until the time of promulgation the Jews were bound to circumcise their children, because they did not in any way have certainty about the revocation of circumcision. Now no one imposed circumcision on his child save as to its being useful and necessary for him for salvation, because he was bound to put hope in circumcision just as he did before; so ‘was he bound necessarily to have a false opinion about circumcision?’ – which amounts to saying nothing, because God deceives no one nor does he obligate anyone necessarily to deceive.

164. Again, man was never left without a remedy that was certain and a remedy about which he would not be certain that the remedy was certain; but the time after the passion before the publication [of baptism], there was no new certain remedy given to them, because neither was it promulgated to them; therefore, the remedy remained the same as before and was equally certain; therefore circumcision remained equally as before.

165. Against the third [n.157], which is asserted of the time after the publication of the Gospel, the passage in *Acts* 21.15-26 is plain, where it is read about Paul that he went up to Jerusalem, and there, on the advice of James and the other brothers (after the fourth synod held in Jerusalem¹⁹), he was purified according to the Law and went up to the temple and offered sacrifice for himself. And it is plain from *Acts* 21.20 how solemnly the Gospel had been published there, “See how many thousands of men in Judea have believed and all are zealous for the Law.” Therefore, while so great a publication of the Gospel is going on there, observance of the Law in Paul himself and among the converted Jews is approved of; and in the same place Paul himself among so many Christians accomplished a work of the Law.

166. Now the time when this purification and offering of Paul according to the Law will have been carried out can be conjectured partly from the way *Acts* proceeds, and partly from the Master of the *Histories* [Petrus Comestor, *School History*, chs.97-113]. For it was before the arrest of Paul seven days later, as is plain in *Acts* 21.27. Now this arrest was about the beginning of the reign of Nero, because Paul came to Rome in the third year of Nero, according to the Master of the *Histories*; and Nero began to reign about the twentieth year after the passion of Christ [54 AD, October 3, Tacitus *Annals* 12.69]. Now it seems that in so great a time the Gospel was sufficiently made public, and especially in Judea, where however Paul was observing the Law’s provisions.

2. Scotus’ own Opinion

a. About the Times of Baptism and Circumcision, and of their Interconnections

167. As concerns this article then [n.155], I say that in baptism there is need to distinguish two times only: a time when it was under counsel, and another when it was under precept.

168. The first time lasted from the beginning, from when the Gospel or baptism was preached by Christ or through the Apostles, up to the solemn and authentic preaching of the same after the ascension of Christ; such that the first time does not obtain, through Christ’s death or after it, any difference for the sole reason that the time ran differently afterwards than before.

169. Now the second time, as I believe, began on the day of Pentecost in Jerusalem, because up to that time the Apostles did not teach publicly, according to the word of Christ, “Now you remain in the city until you are clothed with power from on high” [*Luke* 24.49]. But on the day of Pentecost, after the Holy Spirit had been sent, the Apostles did preach publicly, “and on that day were added around three thousand souls” and were baptized (*Acts* 2.41), and from then on, as to other cities in order, the second time for each place or nation was when the Law of the Gospel was preached there publicly and solemnly – such that the second time did not begin at once for everyone whatever but “from Sion went forth the Law, and the word of the Lord from Jerusalem,” according to *Isaiah* 2.3. And for some the second time began a month after Pentecost, and

¹⁹ The four synods, according to Bede *Retraction concerning the Acts of Apostles* 21.25, are first when Matthias was chosen to replace Judas among the Twelve (*Acts* 1), second when seven were chosen to be deacons (*Acts* 6), third about not imposing circumcision on the believing Gentiles (*Acts* 15), fourth about not preventing the believing Jews from performing the ceremonies of the Old Law (*Acts* 21).

for others a year, for others four years, in the way it was preached to them, and so on continually.

170. But as concerns circumcision I distinguish four times: for the first time it was necessary; for the second it was useful and not necessary; for the third neither useful nor necessary, though licit; for the fourth altogether illicit and death dealing.

171. The first time of circumcision preceded both times of baptism.

172. The second time of circumcision accompanied the first time of baptism for (as argued previously, nn.158-160), as soon as baptism was counseled, circumcision was not necessary for him who wanted to be baptized, but both then ran together under disjunction as either/or, so that a Jew might choose whichever of them; for it was licit and it profited him to be circumcised if he wanted (for circumcision was not then revoked as to utility or as to liceity); it was also licit for him, indeed it was laudable, to be baptized. And this is fitting enough, because in the intermediate time between the two Laws, when the first was not immediately taken away nor the second imposed, at that time, I say, they ran together under disjunction as either/or.

173. Now the third time of circumcision ran with the second time of baptism; and this ran, as concerns the Jews, up to the time of Paul's purification, which was argued about before [nn.165-166]. Nay, it is likely that it ran well beyond that time, because at the time of Paul's purification the brothers in Jerusalem seemed to be approving of the observance of the Law and to be consulting Paul about it [*Acts*. 21.20-25].

174. But as concerns the Gentile converts to the faith, the second time of baptism and the fourth of circumcision ran together, at least after fourteen years or thereabout from the passion of Christ [*Galatians* 2.1, Comestor *History on Acts* ch.77], namely when Paul went up to Jerusalem to the elders on the question about which is *Acts* 15, where first Peter alleges the case of Cornelius (on which is *Acts* 10), and then James "as bishop of Jerusalem gave his opinion" (according to Comestor, Master of the *Histories*), saying [15.19-20], "I judge that we trouble not at all those who are converted to God and that we write to them to abstain from pollutions of idols, and from fornication, and from things strangled, and from blood."

175. Of these four things, two, namely to abstain from sacrifices to idols and from fornication, are necessary, and so they needed especially to be written about to them, because the Gentiles worried little about these things. The two others, namely abstaining from things strangled and from blood, were not necessary but they were well suited for the converted Gentiles to abstain from, lest those Gentile nations be abominable to the Jews (just as it well becomes man in society to abstain from certain things that are abominable to his fellows, though they are not simply illicit).

176. Therefore, the second time of baptism from its beginning altogether made circumcision illicit as far as concerns the converted Gentiles, or at least it did so after the time of the third council in Jerusalem [nn.165 fn.], just now touched on [n.174], about which the elders decreed, in the fourteenth or fifteenth year after the passion of Christ, that the Law should not be imposed on the converted Gentiles. But as concerns the converted Jews, the second time of baptism did neither from its beginning nor after the third council of the Apostles altogether exclude circumcision as illicit, or other provisions of the [Old] Law, but these were licitly observed for a long time afterwards.

b. About the Ways in which Peter and Paul conducted themselves in the Presence of Convert Jews and Gentiles

177. If you object that Paul resisted Peter in Antioch, as he writes to the *Galatians* 2.11-14, “When Cephas had come to Antioch I resisted him to his face, because he was to blame,” and he adds the cause, “For before certain people had come from James, Peter was eating with the Gentiles; but when they had come he withdrew and separated himself from them, in fear of those who were of the circumcision, and the rest of the Jews consented to his pretense.” And the rebuke follows in the same place, “If you, though you are a Jew, live as the Gentiles and not as a Jew, how do you compel the Gentiles to behave like Jews?” Now this was not long after the third council in Jerusalem, according to the Master of the *Histories*, because “in the fourth year of Claudius [45AD] Peter came to Rome,” and on the way to Rome, when he passed through Antioch, these things happened. But this was sufficiently quickly after the aforesaid council, which was in the fourteenth or fifteenth year after the passion of Christ.²⁰

178. I reply that about this deed of Peter there seemed to be a controversy between two exceptional Apostles, Peter and Paul, and afterwards between two famous masters, Augustine and Jerome [Augustine *epistle* 82 to Jerome, Jerome *epistle* 112 to Augustine]. Saving the reverence of the others, I hold with Paul and Augustine. For although the Apostles could err in the acts or words that they said as men, yet no Apostle or Prophet in any way erred insofar as he was writer of any part of Scripture. Because, according to Augustine in his *epistle* 40 to Jerome (and it is in Gratian *Decretum* p.1 d.9 ch.7), “If there were to be any lie admixed in the divine Scriptures, however small or useful, nothing remains in them of solid truth whereby an adversary may be convinced; for whatever were alleged against him, he will reply that it was falsely said, humorously or usefully, as the other remark is which is conceded to have been falsely said.” Hence Augustine says, “For only to these books, which are called ‘canonical’, have I learnt to give this reverence, that I should believe most firmly that none of them erred in the writing.”

179. Since therefore Paul in his letter to the *Galatians*, which is part of canonical Scripture, writes this, “I resisted him, because he was to blame,” and he adds, “But when I saw that he was not walking rightly as regard the truth of the Gospel” – it is necessary to say that these words are simply true, or the authority of the whole Scripture is taken away.

180. One must ask, therefore, what the sense is of these words so as to make them true:

For it cannot be said that Peter was then to blame because he was then keeping the Law, for Paul too after that event circumcised Timothy [*Acts*. 16.3]. For the deed [of Peter] took place shortly after the third council, while Barnabas was still present with Paul in Antioch after their return from Jerusalem (as the Master of the *Histories* says), namely when Peter, heading toward Rome, passed through Antioch [n.177]. Now Paul circumcised Timothy after his separation from Barnabas, namely when, after taking Silas, he proceeded to visit the brothers whom he had before preached to, as is plain in *Acts* 16.

²⁰ If Christ’s passion was 33AD then 14 or 15 years later would be 47 or 48AD, which does not fit Scotus’ earlier remark from Comestor about the year, 45AD, when Peter came to Rome after passing through Antioch. If Christ’s passion was 30AD then the date from Comestor of Peter’s arrival in Rome fits better.

Also, a good ten years after that time Paul was purified according to the Law, and the whole converted multitude in Judea was observing the Law, *Acts* 21.

Nor does it seem that Peter was to blame because he was observing the Law in this way, namely in separating his food, because this too was not more death dealing than other provisions of the Law, namely purification and the like.

181. Either, then, Peter will be said to have been to blame because he was observing the Law in that act, by removing himself from the Gentiles in food and drink – and that this was not to be done seems to have been said to him before by God, *Acts* 10.13-15 about Cornelius. Or Peter will be said to have been to blame because, while not observant of the Law previously in this regard before the Gentiles, he was observant of it in this regard afterwards, when the Jews came up [to Antioch].

182. And both of these answers could be posited in several ways.

For the first [n.181] could be said to be blameworthy:

Because “to whatever Church you come, conform yourself to it,” Ambrose says to Augustine [Augustine, *To the Querries of Januarius* I ch.2 n.3; Gratian *Decretum* p.1 d.12 ch.11]; therefore, in the Church of the Gentiles it was blameworthy not to conform oneself to their manner of living.

183. Or because in this Peter was giving occasion to the Gentiles for observing the Law, either showing in deed as it were that this was necessary, or at least necessary for this purpose, so that converts from among the Jews would want to communicate with the Gentiles (and inferiors often would cause some difficulties so as not be excluded from communion with superiors).

184. And to this understanding [nn.182-183] Paul’s rebuke in *Galatians* 2.11-14 [n.179] could be referred, “You are compelling the Gentiles to Judaize,” either by showing them with example that it would be simply necessary for them to keep the Law, or by showing them that it would be necessary for them in order to be worthy of communion with the faithful Jews, or that, by imitating the examples of the ancestors, it would be at least more praiseworthy for them than would be the opposite.

185. The second too [n.181] can be understood:

Either because Peter was engaging in pretense, not reckoning in his heart that this was to be done, namely what he did in his body; for from the first deed that he did, in the absence of the messengers from James, it appeared that he did not feel that one should keep apart from Gentile converts to the faith; and in the second deed he showed that one should do so. And to this understanding can be referred the statement of Paul that “the others consented to his pretense,” *Galatians* 2.13.

186. Or the second answer [nn.181, 185] could be said to be blameworthy because Peter did not use a prelate’s authority; for since he was superior to the messengers from James, he should rather himself hold firmly in deed to the truth and lead them to his own rightness than to be turned, because of fear of them, to that which was pleasing or more acceptable to them; and such yielding or timidity of a prelate is for a time blameworthy.

187. And to this understanding [nn.185-186] can be referred what Paul says, “[Peter] separated himself from them, fearing those of the circumcision” [*Galatians* 2.12]. For there was really no fear there, because it was simply licit for Jews not to keep the Law, and especially when they were among Gentiles; and this Peter ought to have shown by his example to the messengers as to his inferiors.

188. About each of these four [deeds, nn.182-183, 185-186] there could be discussion as to how and how much it was blameworthy; and provided the words of Paul in Scripture could be saved [*Galatians 3.1-29*], it is better to say that, whichever of them was there the case, it was venial rather than mortal.

189. And the sin cannot be excused because Peter did this to avoid scandal to the Jews, since there would not be matter of scandal there, whether for the perfect or for children, but only for Pharisees; and one should not care about that scandal, as Christ teaches in *Matthew 15.12-14*, to whom when the disciples had said, “You know that when they heard this word the Pharisees were scandalized,” namely eating without washing of hands, he replied, “for what enters into the mouth does not defile a man;” Caring not about the scandal, he said “let them alone, they are blind, leaders of the blind.” Now such would have been the scandal here, because no one should be scandalized because of the kind of act, unless he is thinking badly of Gospel freedom.

190. Nor can Paul for such reason (about avoiding scandal) be excused in circumcising Timothy, or in purifying himself [n.180], because nothing illicit is to be done for the sake of avoiding any scandal whatever. Hence Gregory IX *Decretals* V tit. 41 ch.3, about the rules of right, ‘He who is scandalized’, says, “More usefully is a scandal permitted than a truth given up.” At least this is true for truth of life always and at all times in the case of negative precepts, and in the case of affirmative precepts for the time when they are to be fulfilled.

191. Briefly, then, Paul among the Jews licitly kept the precepts of the Law, even a long time after the third council; and this was licit provided however he himself put no hope in them, although it was not useful or necessary. But among the Gentiles he conformed himself to the Gentiles, because it was licit for him not to keep [the precepts of the Law] during the second time of baptism.

192. And Peter in Jerusalem did not sin in keeping the Law, because it was licit then also for a Jew to keep the Law among Jews. Now in Antioch, among Gentile converts, he did not sin in not keeping the Law; but in conforming himself to them in food and drink he did not sin; for it was possible for him not to keep the Law. But he did sin afterwards in separating himself from them in food and drink – because of one of the four reasons previously stated [nn.182-187], so as to keep and save the words of Paul [n.188].

c. About the Definitive Revocation of Circumcision

193. And if you ask when circumcision was simply illicit even for convert Jews, I reply that we do not have that time in canonical Scripture, because Scripture’s history does not take the Church beyond the fifth year of Nero [59AD], namely not beyond the thirtieth year from the passion of Christ; and in all that time too the convert Jews were observing the Law, because it was licit for them.

194. Nor do I believe that up to the overthrow of Jerusalem was observance omitted, or up to the dispersion of the Jews, with convert Gentiles among Jews; for then they began perhaps to conform themselves to the Gentiles among whom they were dispersed; and in this way observance little by little ceased even among them.

195. Or it can be said in another way that, through the Apostles or their successors at a determinate time, God simply prohibited the precepts of the Law from being kept,

although we do not have anything in Scripture about this because Scripture's history does not last up to that time. But it is probable, because the Church now holds it a heresy to say that the legal precepts are current with Gospel Law, as is contained in Gregory IX Decretals III tit.42 ch.3, 'About baptism and its effect,' where Innocent III says, "Far be it that we should fall into that damned heresy, which wrongly affirms that the Law is to be kept along with the Gospel, and circumcision along with baptism."

196. Now it does not seem that the Church would judge this a heresy from the mere omission of it by Jews not keeping the Law (through some necessity of dispersion or the like), but it seems that this was because of some revocation simply done by God.

3. To the Arguments for the Opinion of Others

197. To the arguments made for the preceding opinion:

To the first [n.155], when it is said that circumcision was not revoked before the death of Christ, I say that it is true: not revoked so as to be useless (as if useless and illicit), but revoked, that is relaxed, so as no longer to be necessary, because counsel about another remedy [baptism] relaxed the precept about the prior one [circumcision]; for from the fact that the second was a remedy simply and was being counselled, it was licit – nay it was laudably licit – not to use the prior remedy against the same.

198. To the argument about *John* 19.30, "it is consummated" [n.156], I say that this is understood of the things that were written about the Son of man, according to *Luke* 18.31, "Behold we go up to Jerusalem and all things will be consummated that are written about the Son of man through the prophets." Or if this be referred to the Old Law, the consummating must be understood thus, 'it is consummated in its cause', because the death of Christ was the cause of the confirmation or the consummation of the Law of the Gospel. But that Law was not consummated or confirmed as necessary for observance before the public preaching of it, which did not begin at the passion but on the day of Pentecost. For in the time between the disciples sat in the upper room [*Acts* 2.2], preaching to no one solemnly and publicly, or not yet

III. To the Initial Arguments

199. To the initial arguments.

To the first [n.128] I say that in the Law there were legal, judicial, and ceremonial precepts, and as to each of them can be understood Christ's word, *Matthew* 5.17, "I have not come to destroy the Law etc."

200. For the decalogue remains simply but it is more perfectly expounded than the Jews understand it, as is plain in *Matthew* 5.21-22, 27-28, "You have heard that it was said to them of old time, 'Thou shalt not kill', but I say to you whoever says to his brother 'raca' will be in danger of the council. But whoever says 'You fool' shall be in danger of hell fire." And "'Thou shalt not commit adultery', but I say to you whoever looks upon a woman to lust after her has committed adultery with her in his heart."

201. Now the judicial precepts do not remain in themselves, but in their equivalents as to their end; and the end of the judicial precepts was the peaceful living together of men. But the morals of the Gospel avail more for peaceful sharing together than the law of 'an eye for an eye' [*Exodus* 21.24-25, *Deuteronomy* 19.21, *Matthew*

5.38]; for peace is more preserved if you do not strike him who strikes you than if an eye is given for an eye and a tooth for a tooth. Hence in brief, no judicial precept of that Law is now binding, just as not of this law: for it is licit well enough now for princes to establish some of the things that were in the Law of Moses, and they bind now by the authority of the prince now establishing them, not by the authority of the Old Law (just as it is licit for one king to establish a law in his kingdom that exists in another kingdom, but it is there binding not because it is the law of the other kingdom, but because it has been instituted here by this king).

202. And the ceremonial precepts do not remain in themselves but in what they signified, because the shadow has passed away and the truth has succeeded [cf. *Hebrews* 10.1ff.]; for all the [ceremonial] purifications were signifying purification from sin, and the oblations were signifying the perfect oblation of Christ and certain acts of worship (of faith, of hope, and of love for God), and these are completed in the host now offered, and through it in purged sins and minds directed to the worship of God. I say therefore that Christ did not come to destroy the Law or circumcision as to the fruit for which I was instituted; rather he perfected it more copiously in destroying it and by instituting a far more perfect remedy (as was said in making clear the supposition of this question [nn.139-144]).

203. To the confirmation, when it says ‘Christ in himself was circumcised’ [n.128], I reply that it is not necessary for a legislator to take away his law at once, before necessity; and therefore the prior law still endures at the beginning of Christ’s time. Hence too the things that belonged to the law of nature were to be observed around Moses up until the time of the giving of the Law on Mount Sinai. So here. And in the same way can it be said of the eating of the Paschal Lamb in the Last Supper, because in the death of Christ causally the Old Law died, though not for that time then but for the time of publication of this cause and [New] Law; and so Christ could up to his death licitly observe those ceremonial precepts.

204. To the second argument [n.129] ‘eternal pact’ can be given the exposition ‘in itself or in its equivalent’, or perhaps, more to the meaning of the letter, that there was an eternal pact between God and Abraham and his seed specifically; because there was never another sign specifically between God and that race, and yet there was future another sign of a pact between God and the whole human race, and it was better for the ‘seed of Abraham’ to pass over into that common pact than to remain under the sign of a specific pact, for it was better for the part to be in a whole for which it might be simply good than for it to be distinct from the remaining parts so as to be in some way good for itself but bad for others.

205. To the third [n.130] it is plain that, as to the convert Gentiles, the precept about circumcision was revoked in the third council by the authority of Peter and James, rather of the Holy Spirit, because James says, “It has seemed good to us and to the Holy Spirit” [*Acts* 15.28]. But as to the Jews the supposition is that it was at some time revoked, though the time of revocation has simply not been explicated in Scripture.

Fourth Distinction

1. “Here it must be said etc.,” Master Lombard [*Sent.* IV d.4 ch.1].

2. After the Master has dealt with baptism as to the things intrinsic to it, he here deals with those who receive baptism; and the whole determination of this distinction consists in making clear a certain threefold distinction in recipients, which is that some receive “the sacrament and the thing,” some “the sacrament and not the thing,” some “the thing and not the sacrament.”

3. And it is divided into three parts: in the first of which he sets down this threefold distinction; in the second he expounds it; in the third he raises and sets down doubts about it (the second there at “sacrament and thing”; the third there at “A question is wont to be asked about them”).

4. The first part stays undivided; the second is divided into three, according to the three members that he makes clear (the second member he makes clear there at “But if without faith”; the third there at “There are also others”).

5. And each of these parts is divided into two parts: in the first he makes clear the truth, in the second he raises objections and solves them.

6. And according to the things said in making clear the second member [n.4], he sets down two objections: the first is from the authority of Augustine (there at “Augustine however seems”), the second from the authority of the Apostle (there at “The question is raised as to how”)

7. Also against things said in making clear the third member [n.4], he sets down two objections (the first there at “Now it seems to them”; the second there at “But some say”).

8. The third main part [n.3] is divided into two, according to two doubts that he raises. The first is raised about the third member [n.4] (and it is put there at “The question is wont to be asked”), the second is raised about the first member [n.4] (there at “The question is also wont to be asked”).

9. The first member, namely receiving the sacrament and thing [n.2] belongs to children; as to the second, receiving the sacrament and not the thing [n.2], it is certain that it belongs precisely to adults; the third member [n.2] can belong to both children and adults, namely receiving the thing and not the sacrament, because both can have the baptism of blood or of desire.²¹

10. According to this, then, one must first raise questions about children, second about adults, third about both together.

11. As concerns children I ask three questions: first whether children are to be baptized; second whether baptized children receive the effect of baptism; the third whether a child present in his mother’s womb can be baptized.

²¹ Literally ‘baptism of breath or wind (flaminis)’, perhaps because the Holy Spirit (who inspires to baptism) is associated with wind, as in *John* 3.8 “The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh, and whither it goeth: so is every one that is born of the Spirit.” And again, *John* 20.22: “He breathed on them, and saith unto them, Receive ye the Holy Spirit.” The baptism of blood is by martyrdom for the faith before baptism with water can be received. The baptism of water is also called in Latin the baptism of ‘the river’ (fluminis), perhaps in memory of John the Baptist who baptized in the Jordan river, but also perhaps for the sake of the jingle (flaminis – fluminis) as a memory device.

First Part

About Reception of the Sacrament and the Thing in Children Receiving Baptism

Question One *Whether Children are to be Baptized*

12. To the first [n.11] it is argued that they are not to be baptized:

Because baptism is a remedy for sin; but children do not have sin, for they have use neither of reason nor will, and according to Augustine, *On True Religion* ch.14 n.27, “sin is so far voluntary that if it not be voluntary it is not sin.”

13. Again *Mark* 16.16, “He who will not have believed will be condemned.” A child cannot believe; therefore by baptism he cannot be saved; therefore he is baptized in vain.

14. To the contrary:

Augustine [in fact Fulgentius] *On the Faith to Peter* n.70, “Hold most firmly that children who pass from this age without the sacrament of baptism are to be punished with eternal punishment, because by carnal conception they contracted original sin.”

I. To the Question

15. Here was the error of Pelagius, that children do not have original sin. This and its rejection was touched on in *Ord. II* dd.30-33 nn.55-66.

16. I hold the opposite therefore, that according to Scripture and faith children contract original sin, and for the deletion of it, which is necessary for salvation, they are to be baptized; because in the time of Gospel Law baptism is instituted as remedy against that guilt [cf. supra d.3 nn.139-145].

II. To the Initial Arguments

17. To the first argument [n.12]: the authority from Augustine must be understood of actual sin; and original sin was voluntary in this way in the first parent; however it is not necessary that every sin be voluntary with the will of him in whom it is.

18. As to the other argument [n.13], it is plain that it must be understood of adults because of what precedes it [*Mark* 16.16] “He who will have believed and will have been baptized...” Or it can be said that he who will not have believed either in act or habit will be condemned, because according to the Apostle, *Hebrews* 11.6, “It is impossible to please God without faith; for he who approaches God must believe;” now children, though they cannot have the act of believing, can yet have the habit of it (as will be said in the next question, nn.27, 39).

Question Two *Whether Baptized Children Receive the Effect of Baptism*

19. Process thus to the second question [n.11], and argument is made that baptized children do not receive the effect of the sacrament:

Because the effect of baptism is grace; but children do not receive grace, because grace is not infused without faith, because, *Hebrews* 11.6, “without faith it is impossible to please God,” and therefore not possible to be in God’s grace either. But children do not receive faith, which I prove:

20. First, by the authority of the Apostle, *Romans* 10.17, that “faith comes by hearing;” children cannot thus receive faith.

21. I prove it, second, with this reason, that he who has faith can use it when he wants, if not impeded; a baptized child, when he will have come to the use of reason, has no power for an act of faith, because he cannot proceed to an act of believing the articles of faith.

22. And there is a confirmation of this, that he who has faith is disposed differently toward act than is he who does not have faith; for a habit is in some way disposed toward act, and in this way the haver of faith differs from the non-haver [cf. *Ord. I d.17 nn.32-53*]. But a baptized child is in no way differently disposed toward the act of believing than if he had not been baptized; because if, having been baptized, he be nurtured among infidels and be taught by them, he would acquiesce in their error just as another would who was not baptized; if too a non-baptized child be nourished among the faithful and be taught in their Law, he would acquiesce in that Law just as a baptized child would. If therefore a baptized child is in no way differently disposed toward the act of believing than the non-baptized child, in no way does he have the habit of faith.

23. If it be replied that an acquired habit is disposed in some way to the act, an infused habit not so – against this, and for confirmation of the main argument [n.22], that if God were to infuse the habit of geometry into someone then, when the ideas of geometrical terms occur to him he could, from that habit, assent to the truths of geometry. Therefore, similarly in the matter at hand: by infused faith, were it present, the one possessed of it could assent to the ideas of terms when they occur to him, and so when the idea of ‘dead’ and ‘resurrection’ is apprehended, someone could assent to this truth, ‘the dead will be resurrected’, of which we experience the opposite.

24. There is a confirmation of what is proposed, because a habit bestows some facility and delight in the act, from *Ethics* 2.5.1106a15-17; for no one works more easily or more delightfully against a habit than according to it. But a baptized child, after he will have become an adult, more easily dissents from matters of belief than assents to them, as we experience; therefore etc.

25. Again to the main point: no one receives grace from God unless he is in some way conjoined to God, for God does not give grace to one who is actually averse and totally indisposed. The first conjunction with God is through faith; therefore, to one who does not have faith, grace is not given. But a child does not have faith before baptism; therefore, grace is not given to him in baptism.

26. On the contrary:

Augustine says in his *Enchiridion* ch.13 n.43, “From a child recently born up to one decrepit [with age], just as none is held back from baptism, so there is none who does not die to sin in baptism;” but no one dies to sin unless he receives grace; therefore etc.

I. To the Question

27. To this question I say that just as it is believed that original sin is discharged in baptism for a child, so too is it believed that grace is infused into him, because, as was said in the question on Circumcision [d.1 n.370], God remits guilt (conformably to the state of fallen nature) to no one save one to whom he gives grace; for he liberates no one from perdition unless he ordains him for this, that he be a son of the Kingdom.

II. To the Initial Arguments

28. As to the first argument [n.19], although God could, of his absolute power, give grace without faith (if one has posited that two absolutes are simply distinct), yet because “God’s works are perfect,” *Deuteronomy* 32.4, and because, when God heals a man, he heals him totally, therefore must it be conceded that he does not infuse grace into a child without faith and without hope.

29. Now as to the proofs about faith [nn.20-21] (which are against this [n.28]), they have their place in III d.23 [not in the *Ordinatio*; see *Lectura* III d.23 nn.48-58], for they prove absolutely that no faith is infused; and therefore they have to be solved there, just as it has to be declared there why [infused] faith is to be posited – for either it is posited as having some causality with respect to act, and then the act could not, without that causality, be of the sort it is when that causality is posited; or faith is posited as having no causality, and then it is manifest that faith cannot, from the act, be reckoned to be present.

30. But if it have some causality, then still this is possible: either it has a precise causality, namely which could not belong to anything else, or a non-precise causality, namely if a like causality could belong to acquired faith.

31. And if the first of these were posited, it could perhaps with certitude be set down that faith is known to be present by the fact that someone would know a condition of such sort to be present in his act as could not be present without infused faith.

32. If the second be posited, then it can simply not be known from the act, or from any condition of the act, that infused faith is present. And then it would have to be said that, although nothing is in the act or belongs to the act by which he who has faith may be distinguished from him who does not have faith, and that thereby it could not, by natural reason, be known that faith was present, yet this is something believed.

33. And thus it could be said generally that no supernatural virtue can be proved to be present either from any act or from any condition of the act; but perhaps neither can it be proved universally, by natural reason, that any supernatural virtue is present.

34. More will be said about this in book III [*Lectura* III d.23 nn.48, 56-58, *Ordinatio* III d.26 n.132, d.27 n.66], in the material about the virtues.

35. To the second initial argument [n.25], it is said that a child is conjoined to God through the faith of the parents.

36. To the contrary: posit the parents to be heretics.

37. It is said he is conjoined through the faith of the Church.

38. To the contrary: let it be that in the Church Militant no one were faithful yet they [the ones who baptized the child] intended to do what Christ did; the child would still truly be baptized and receive grace.

39. I say therefore to the argument that in fact grace is given to no one save through some meritorious cause that merits the child's conjunction with God, and this meritorious cause is Christ; but besides this cause, there is no need to grant another cause intrinsic to the recipient whereby he may be conjoined to God before he receive grace.

Question Three

Whether a Child Present in the Womb of his Mother could be Baptized

40. Process thus to the third [n.11], and it is argued that a child in the womb of his mother could be baptized.²²

Because the gift of God is more perfect than the sin of Adam, as is plain in *Romans* 5.15-21; but a child in his mother's womb can be infected by Adam's sin; therefore he can be perfected by the gift of God, and thus can receive the most perfect sacrament.

41. Again, a child in the womb can be liberated from temporal servitude, because according to the laws, if a mother frees a maidservant, the child too who is in the maidservant's womb is freed; therefore, a child in the womb can be freed from the spiritual slavery of sin; therefore he can be baptized.

42. Again, *Romans* 11.16, "if the root is holy, the branches are too;" therefore, if the mother, who is compared to the tree, is holy, the offspring in her womb, who is compared to the branch, will be holy.

43. To the contrary:

I Corinthians 15.46, "What is spiritual is not first, but what is animal, then what is spiritual;" therefore it is necessary to be born carnally first before being reborn spiritually.

44. Isidore [*Sentences* I ch.22 n.5] maintains the same, "One born according to Adam is not; he cannot be re-born through baptism" [sc. one cannot talk of regeneration if generation has not happened first].

I. To the Question

A. Opinion of Others and Rejection of It

45. A negative answer is given to this question, because a child in his mother's womb is conjoined with the cause of his own corruption; but such a one so conjoined cannot be cleansed while he is conjoined.

46. To the contrary:

The flesh of the mother in the child is not the cause of corruption save mediately; but the flesh here of the child is the immediate cause, speaking of the corruption of original sin. For as soon as the soul of the child informs his flesh, it is infected with that corruption; the flesh then causes the corruptions in the child more immediately, because it is his flesh, than the mother's flesh does. If then, while conjunction with the cause of corruption remains, he cannot be purged from it (according to you, n.45), it follows that a child possessed of his own flesh can never be purged from original sin, which is against the faith.

²² Scotus has drawn the arguments that follow, nn.40-44, from Richard of Middleton, *Sent. IV* d.6 princ.2 q.1.

47. Again, although the child in his mother's womb is conjoined to her as to place, yet he is distinct from her as to person, because he has another body and another soul. But personal distinction suffices for distinction as to sin and not-sin, because sin or justice are present in the person insofar as the person is 'this' person, not because he is in such and such a place. Therefore, notwithstanding this conjunction as to place, the child can be just because of this distinction in person, though his mother be disposed to justice whichever way.

48. Again, if grace in the child could not stand along with this conjunction to the cause of corruption, then the child in the mother's womb could not have the baptism of desire or blood, each of which is false.

As to desire the fact is plain [about Jeremiah] in *Jeremiah* 1.5, "Before you came forth from the womb I sanctified you," and about John the Baptist in *Luke* 1.41-44, and the Church firmly holds this about the Mother of Christ.

As to the second [blood], the fact is plain from this that, if someone is pursuing a pregnant mother, he is pursuing the child in her womb for the same reason as that by which he is pursuing the mother; therefore, the child is killed for justice if the mother be killed for justice. Also, if the child were killed outside the womb, he would have the baptism of blood if he were killed for justice or for the faith (even when not baptized). Therefore, it is reasonable in the same way that God not condemn him who suffered for a like cause in his mother's womb.

49. And from this an argument against the opinion can be made, that if a child can have the baptism of desire then he can have purgation from original sin; but when conjoined to his mother, who is cause of corruption for you, he can have the baptism of desire;²³ therefore, he can have purgation from original sin [sc. he can be baptized].

B. Scotus' own Opinion

50. To the question I say that either a boy is in his mother's womb as to all his parts or he appears outside the womb as to some part.

51. If in the first way, I say that a child cannot be baptized – not for the earlier reason, that 'he is conjoined with the cause of corruption' [n.45], but for this reason 'that baptism is a washing or cleansing in water' [d.3 nn.101-103]; a child in the womb cannot in this way be washed because neither can he in this way be touched immediately by water. From this a corollary follows, that if a child were wrapped in animal hide, and were placed in water so that the water did not touch his body, he would not be baptized, but if he were touched by water, it is well; similarly if he were thrown from a bridge, he would not be baptized, because this throwing is not ordered to life or to washing but to death.

52. If in the second way [n.50], as follows: either a principal part appears (as the head), and then the child can be baptized on that part, and in this way be also simply baptized; for it is not likely that on the day of Pentecost, when three thousand men were baptized, *Acts* 2.41, each of them was washed with water as to their whole body, but

²³ Peter of Tarentaise, later Innocent V, in *Sent.* IV d.4 q.2 a.1 q.2, "Regeneration is double; one according to common law, which is done by the ministry of Mother Church, one according to a privilege of grace, which is done by divine power alone. In the first way a child in the womb cannot be reborn, in the second way he can. The first regeneration is done by baptism, the second by privilege of sanctification in the womb."

precisely as to the face by sprinkling, or as to the head by pouring; and in the case at hand, if afterwards [sc. after the appearing of the head] the boy was born, there would be no need to baptize him again. But if a less principal part appears (namely hand or foot), this part is to be baptized, because the whole soul is in it, though not every sense is, as in the head. And should this lesser [sc. washing] suffice for the fact that the child was simply baptized, if he were born alive afterwards, he should be baptized conditionally, as *Decretals II tit.42 ch.2* of Gregory IX, ‘On baptism and its effect’ teaches. For one must believe that God would supply what powerlessness impeded; for such a child, even if he is born dead, is yet to be buried in consecrated ground, for the reason stated [sc. that the whole soul is present in less principal parts of the body].

II. To the Initial Arguments

53. To the first argument [n.40] I concede that God can by his own gift justify an unborn child, as was in fact the case with Jeremiah and John the Baptist and the Virgin Mary [n.48]; but not by this sacrament, because while a child is in the mother’s womb has not the capacity for this sacrament.

54. To the second [n.41] I say that, as to temporal servitude, a child, while he is in the womb, is not distinct from the mother; for the master does not have lordship over the child save because he has it over the mother. But as to spiritual servitude or liberty things are not alike, because this has regard to the distinct person, and a child in the womb is as distinct in person from his mother as he is outside the womb.

55. To the third [n.42] I concede that fruit, insofar as it is something of the tree, follows the condition of the tree; yet insofar as it is something in itself, it can have conditions opposite to the tree in itself, for the fruit of the tree can be soft and the tree hard. So it is in the issue at hand, because justice and injustice have regard to the person in himself, not as he is conjoined or divided in place, but as he is divided personally in respect of the other person; therefore justice can belong to the offspring though not to the mother, or conversely. – A response can be made in another way to the intention of the Apostle.^{24 a}

a. [Interpolated text]: For there [*Romans 11.1-24*] he is restraining the Romans from insult of the Jews. They were saying that the Jews were branches cut off and themselves branches ingrafted. For this reason does he say that some Jews are good and not cut off but natural branches, speaking thus: ‘if the root is holy’ (that is, the Patriarchs, who were the roots as it were of the Jewish people) ‘the branches are too’, namely they are holy (it is plain of the Apostles, who were Jews).

Second Part

About Reception of the Sacrament and not the Thing in Adults Receiving Baptism

56. Concerning the second member of the division [n.9], about one who receives the sacrament and not the thing of the sacrament, which precisely belongs to adults, I ask first whether an adult who does not consent can receive the effect of baptism; second whether an adult who is feigning receives the effect of baptism.

²⁴ The text breaks off here, with nothing more added.

Question One

Whether an Adult who does not Consent can Receive the Effect of Baptism

57. As to the first point [n.56], argument is made that he does not:

No one who does not consent contracts carnal marriage, therefore not spiritual marriage either, because spiritual consent there is required not less but more; now in baptism a spiritual marriage is as it were contracted, because then the soul is espoused to God; therefore etc.

58. Again in baptism a certain vow is made of renouncing Satan and clinging to God; but no one who is unwilling or not consenting vows or binds himself to God; therefore etc.

59. Again, his own malice harms the baptized more than the malice of the minister doing the baptizing; but in the one baptizing there is required not only consent but the intention of baptizing; therefore much more is the baptized's consent required.

60. Again, Augustine in a letter [*On Baptism against the Donatists* IV ch.24 n.31]: as a sponsor responds for the child, so an adult responds for himself; but if the sponsor does not consent, the child for whom he does not consent is not baptized. For it seems that baptism is conferred in virtue of the sponsor's reply when to the question "Do you wish to be baptized?" the sponsor replies "I wish," and the priest subjoins "And I baptize you etc.," but what is done under a condition is nothing if the condition do not exist.

61. To the contrary:

Decretals III tit.42 ch.3, Gregory IX, 'About baptism and its effect': "He who is drawn forward by terrors and punishments and, lest he incur harm, receives the sacrament of baptism, such a one, just like him too who comes to baptism feigning, receives the character of Christianity impressed on him, and he himself, as if willing conditionally though absolutely he does not will, is to be compelled to the observance of the Christian faith." Therefore, he who is absolutely not willing receives the sacrament of baptism.

I. To the Question

62. Here I draw a distinction both on the part of him who is called an adult and on the part of him who is called non-willing.

A. About an Adult with the Use of Reason or without It

63. About the first: either an adult is not using reason and has never used it (as the empty headed and mad from birth); or he is not using reason now, yet has sometimes had the use of it; or, third, he is actually using reason now.

1. About an Adult who never Uses Reason

64. Judgment about the first must, in brief, be made as about a child [n.16], save that there is a difference in this, that if there be hope of his sometime needing to be cured

and coming to have the use of reason, that time must be waited for, so that he may receive the sacrament with greater reverence. But if there be no hope of his ever attaining the use of reason, the sacrament is to be conferred on him at once, because God removes the remedy for salvation from no one.

2. About an Adult not Now Using Reason

65. About the second, namely someone not now using reason [n.63] yet who did at some time use reason, I say that the supposition is that he is now in habit consenting or not consenting according to the way he was actually disposed when, immediately before impediment to his use of reason, he was healthy; namely, if he actually consented then, he is judged to be consenting in habit now; if he actually dissented then he is judged to be dissenting in habit now. And I said ‘immediately’ in the sense that between the act and the impediment no opposite motion of will intervene. And thus I say universally that the one who is habitually disposed can receive the sacrament the way he could before when he was actually this way or that way disposed. But how he who is disposed actually could be baptized will be stated at once in the third part [nn.68-69].

66. But is it expedient to baptize such a one? For many things are lawful which are not expedient, *I Corinthians 6.12*.

67. I reply that if there be hope he will return to the use of reason, it is more expedient to await the time when he does have the use of reason; for example, it is expedient as regard one asleep to wait the time of his being awake, and as regard one who is deranged the time of a lucid interval. But if there be no hope of him, as of one who falls into some permanent blockage to his use of reason, it is expedient to baptize him (provided however he has the capacity for baptism), because otherwise he would be exposed to the danger of damnation. But how he may be capable will be stated immediately in the discussion of him who has the use of reason [n.69].

3. About an Adult with the Use of Reason

68. About the third case, namely an adult using reason [n.63], I make a distinction about the ‘not consenting’ [n.56] that is put in the question, which can be understood as the negative or the contrary: the negative denies only actual consent, while the contrary posits actual dissent.

69. And the distinction is plain, because ‘not willing’ is not the same as ‘willing against’. If ‘contrary’ is taken as ‘dissenting in act’, then the adult dissents either simply or in a certain respect. And I mean ‘simply’ in the way it was expounded in *Ord. III d.15 nn.58-59, 119*, that when someone, who wills something simply so as to escape some disadvantage, wills that something (as throwing merchandise overboard into the sea to escape sinking) he wills simply to throw the merchandise overboard, for his will by commanding moves his power to throw overboard, and his will moves itself freely because it cannot be compelled. He is willing simply, then, when he throws the merchandise overboard, but he wills against it in a certain respect, that is he wills against it under a certain condition, because he would will against it if he could save his life in another way.

B. About an Adult who is not Willing

70. If the adult dissents in both ways, I say that he does not receive the sacrament, because God says through Wisdom, *Proverbs* 23.26, “Sons, give me your heart,” as he does not want anyone who is altogether unwilling to be ascribed to his family; but someone who receives baptism is ascribed thereby to the family of Christ.

71. Nor is it necessary here to distinguish between the one who cries out or protests his dissent by an exterior sign and the one who does not cry out, because if in real truth there is dissent, it is altogether the same as regard God and the truth; but as to the judgment of the Church (which judges of things manifest and presumes that one who keeps silent consents), he who cries out will not be compelled to observance of the Christian religion, but he who does not cry out will be compelled.

72. Nor can the Church here be accused because an injury is done to him who wills against [baptism] but does not cry out; for it is a lesser evil to him that he keep the Christian Law than that he be permitted to act with impunity against it; because it is a lesser evil to do good things against one’s will and to escape evil things than to do freely and with impunity evil things and to lose good things.

73. But if the adult dissents in a certain respect but consents simply (and does so, I say, not only to the washing [of baptism] as if to a certain bath, but to the washing in the way the Church intends to do it), he receives the sacrament, because simply he is willing, although in a certain respect unwilling.

74. And about such an adult the Council of Toledo speaks, which is cited in *Decretals* III tit. 42 ch.3, Gregory IX, “Those who now a long time ago were compelled into Christianity (because it is already clear that they have been made associates in the divine sacraments) should be compelled to keep the faith that they by necessity took up, lest the name of the Lord be blasphemed and the faith they took up be held as cheap and contemptible.”

75. An example of this: whatever is the way that someone is able to consent to the washing [of baptism], the washing is received in the way in which it is conferred by the Church – and yet, let that someone be unwilling (provided he could escape torments), because he does not believe the washing is worth anything.

76. An example can also be taken from him who does not believe that the words of the ritual formula can have any effect, yet he concedes to the intoner of them that he is saying the formula over him with the intention with which he is wont to say it, saying in his heart ‘Let the formula be worth as much as it can be worth’ – this person should truly be said to have been intoned over; and if such formula intoned over someone were said to be ‘consecration of him to the devil’, he would also be consecrated to the devil.

77. Now the difference of this case, ‘he who dissents in a certain respect’, from the preceding one [n.70], is plain, because he who is simply dissenting does not at all receive the sacrament; and for this reason he would, when the dissent ceases, have to be baptized simply; but he who simply consents, though he dissent in a certain respect, has been baptized, and therefore when this dissent in a certain respect ceases, he is not to be baptized again.

78. But if someone consents only negatively [n.68] I say that he receives the sacrament, because God wills not to bind man to what is impossible or (according to the state of this life) to something too difficult. But now ‘not being distracted’ seems too difficult for man in this state of life, because, according to Augustine *On Free Choice*

3.25 n.255, “It is not in our power what things when seen we are touched by;” therefore God willed not to set down the salvation of man with the condition ‘if he not be distracted’. Therefore, he did not want to oblige anyone, in receiving baptism, not to be distracted [on distraction, cf. Scotus *Lectura III* d.17 n.26].

79. And so it is universally with all the other sacraments; for the priest, in confecting the sacrament [of the eucharist], is not obliged (I mean, necessarily) to the fact that he not be distracted; for a distracted priest truly confects, provided however that before, while he was robing, he intend to celebrate mass according to the manner of the Church.

80. And if you ask, let it be that someone not consenting actually yet consenting virtually (in the way that the example about the celebrating priest is posited [n.79]), receive the sacrament, does not he too surely receive it who consents only in habit (and the distinction between these, habitually and virtually, is plain in *Ord. II* d.41 n.10)? And let it be that he does, does not he too surely receive it who only negatively does not consent, and he too surely who only negatively does not dissent, because he has neither the opposite habit nor the opposite act?

81. About the first [he who consents only in habit] it could be said that such a one is judged to be consenting in habit because he at sometime had actual consent with no dissent intervening. And such a one, though using reason, receives the sacrament, because he does not for any condition seem to be less capable if he is using reason than if, having used it before, he is not using it now. But in such a one who is not using reason now, yet having used it before, habitual consent would also be sufficient; therefore, here too.

82. About the second [he who negatively neither consents nor dissents, n.80], although it were difficult to find such a person, especially one who had sometime thought of baptism before, because either it would have pleased him then to be baptized or it would not have pleased him (indeed would have displeased him), and according to his last movement he would be judged to be such in habit for the future; yet if someone were wholly not consenting nor dissenting, both actually and in habit, and yet he is using reason, he would not be capable of baptism; for from the fact he is using reason he ought to have, or have had, some devotion for the sacrament, if it has to be valid for him – for otherwise he would seem to be contemning it.

II. To the Initial Arguments

83. To the first argument [n.57] I say that in baptism there is more properly an adoption to sonship than to marriage, because a child cannot properly be said to contract a marriage since he does not have use of reason, the use of which is required for any contract. But in adoption the consent or act alone of the adopter suffices even if the one adopted has no consent or act.

84. To the second [in fact the third, n.59] I say that malice can exist *in* the minister or *insofar* as he is minister (namely in administering badly), either because he does not believe well or because he does not intend to confer the sacrament. And this malice, especially the malice of not intending, prevents the sacrament from being conferred more than does the malice of morals in the recipient (and the reason will be stated in the following distinction [d.5 nn.18, 24]). Now there can be another malice of

the minister, not insofar as he is minister, but concomitant (as that he is in mortal sin); and this does not prevent the sacrament from being conferred. It is plain, therefore, that the intention of the minister impedes the sacrament but not any other malice. But it does not follow from this that the non-intention of the recipient impedes it, because in a second agent there is required also what per se belongs to the agent, and this is the ‘to intend’ in an agent acting by reason, but intention does not belong per se to the recipient insofar as he is such.

85. To the third [in fact the second, n.58] one must say that if the adult to be baptized willingly intends to renounce the devil and his pomps, everything that precedes the reception of baptism is not of the necessity of the sacrament, but belongs only to its solemnity.

86. To the next [n.60] I concede that the custom of the Church is good one, because the Church baptizes no adult unless he respond for himself; and it is a praiseworthy and reasonable custom, so that he be ascribed to the family of Christ who is willing. But although he not respond, namely because he does not have use of reason (as someone asleep), the sacrament could be conferred on him, provided however he is consenting in habit. But as was said before [n.67], it is not expedient to do this but to wait for the time when he may actually consent.

Question Two

Whether an Adult who is Feigning Receives the Effect of Baptism

87. Proceeding thus to the second point [n.56]: and it is argued that an adult who is feigning may receive the grace of baptism.

Because *Galatians* 3.27, “As many of you as are baptized in Christ have put on Christ.” But no one puts on Christ unless, by receiving grace, he become conformed to Christ; therefore etc.

88. Again, if someone feigning do not receive grace then, since he cannot be saved without baptismal grace, he would, when the feint is given up, have to be baptized another time. The consequence is plain from a similarity, that a feigning penitent is bound to do penance truly for the same sins. The consequent is unacceptable [sc. he must be baptized again], as is plain from the authorities of the saints in the text [Lombard, *Sent.* IV d.4 ch.2].

89. Again, baptism expels sin; not the sin which is not present, because that was already expelled before; but what has been expelled cannot be expelled; therefore, it expels the sin which is then present. Therefore, no sin in someone who is feigning impedes the effect of baptism.

90. To the contrary:

Augustine, *Sermon 351, On the Utility of Doing Penance* ch.2 (and it is in Lombard’s text): “When anyone who is established as arbiter of his own will comes to the sacrament of the faithful, unless he repent of his old life, he cannot begin a new one.”

91. Again, Augustine, *On Baptism Against the Donatists* I ch.12 n.18, “Baptism begins to be effective then for salvation when the pretense by a true confession has departed – the pretense that, with the heart persevering in malice, does not allow the washing away of sins to take place.” Therefore, the pretense was preventing the washing in baptism to happen, and consequently preventing the grace.

I. To the Question

92. I reply: “He who feigns is pretending one thing on the outside but has another on the inside” [Bonaventure, Richard of Middleton, *Sent.*, *ad loc.*]. Therefore, someone can, in receiving baptism, be feigning in two ways:

A. About him who Feigns on the Outside to be Willing, is Unwilling on the Inside

93. In one way because he shows himself to be willing to receive the [baptismal] washing in the way the Church intends to confer it, and yet he has the opposite in his mind.

94. And this person does not receive the sacrament (as is plain from the preceding question [nn.70]), because he is simply unwilling with respect to sacramental washing though he is willing with respect to washing; and if such a person were later to give up the pretense, he would need to be baptized. Yet the Church would judge him to be consenting to sacramental washing and would compel him to observance of the Christian faith, because the Church assumes the better side when signs are more indicative of it (as the Church presumes about someone who feigns to know her to whom he is pledged that, after marriage, he does know her with marital affection; and therefore the Church compels him to true matrimonial consent with her).

B. About him who Feigns on the Outside to Be Disposed, is not Disposed on the Inside

95. In another way can someone be feigning, by showing himself to be disposed to receive the sacrament and yet is not disposed interiorly, either because he does not have right faith or because he has then some mortal sin, actual or past, which he does not in any way have attrition for. And the saints and doctors commonly speak of a baptized person who is feigning in this second way [Lombard, *Sent.* IV d.4 ch.2].

1. A Person so Feigning does not in Baptism Receive Grace but through Penance

96. And about someone thus feigning [n.95] I say that since God does not justify someone who is unwilling (according to Augustine’s “He who created you without you will not justify you without you” [*Sermo* 149 ch.11 n.13]), this person – who has in actuality a bar against grace (namely infidelity or some sin that he is now committing by act of will, or that he committed before), and is no way displeased with himself – in no way receives grace, according to Augustine’s remark above [n.90] “anyone who is established as arbiter of his own will etc.” And of this man is understood the verse from *Wisdom* 1.5, “The Holy Spirit flees from him who feigns discipline.”

97. And if the objection is made that therefore this man seems to be in perplexity, because the way of salvation is not open to him, since he cannot be baptized again (because he has been baptized), and without baptismal grace he cannot be saved – I reply: he cannot be baptized because God instituted baptism to be unrepeatable lest, because of the full remission of guilt and punishment that takes place in it, occasion be given for more often doing wrong were baptism able to be more often repeated.^a

a. [Interpolated text] Now the fact that in baptism there is remission of all sin is stated by Ambrose [rather Ambrosiaster *On the Epistle to the Romans* 11.29] in Gratian *Decretum* p.3, ‘On Consecration’ d.4 ch.99 (and it is taken from the gloss on the words “the gifts of God are without repentance,” *Romans* 11.29): “The grace of God in baptism,” he says, “does not require sighing or weeping or any work, but it bestows everything gratuitously.” The Master also in *Sent.* IV d.4 ch.6 n.1.

98. But from no one, however often he falls, has God closed off in this life the path of salvation; for he did not wish to bind any of us to a greater mercy toward our neighbor than he wished to have himself toward his subject; and when Peter asks, *Matthew* 18.21-22, how often he should forgive his brother who sins against him, whether up to “seven times,” he replies to him, “up to seventy times seven.” Indeed, according to Augustine in his homily on that place [*Sermon 83 on Matthew 18*], “thousands of thousands of times;” and universally, as often as a man has sinned and acknowledged it, so often should he be forgiven. Therefore, did God thus institute some other remedy, namely the sacrament of penance, as many times as someone will have sinned as wayfarer.

99. And then I say the way of salvation for this person [nn.95-96] is open through true penance for the pretense, according to the authority adduced from Augustine [n.91].

100. And if the objection is made, “how will he get the grace of baptism or its effect?”

In one way it can be said that the pretense is only dismissed through true penance; but once it has been dismissed, baptism has its effect as regard all the sins preceding baptism that, however, were not the cause of the pretense in baptism. For example, someone has committed seven mortal sins before baptism, and on coming to baptism he has attrition about six and the seventh actually pleases him, or about it he in no way has attrition now. That seventh is alone the cause of his pretense in baptism; he must then be truly penitent about this seventh sin, both in itself and insofar as it was the cause of his pretense in baptism.

101. Which I say to this extent, that perhaps he has sinned with a new mortal sin, doing irreverence to the sacrament of baptism by receiving it with such pretense. But after the departure of the pretense, which was the impediment to the effect of baptism, God confers the grace of baptism as remedy against the other sins that would have been deleted in baptism if the pretense had not occurred.

102. And therefore it is not necessary for such a feigner to have true penance for the other sins, nor perhaps a new attrition for them (besides the one that was had before baptism); but once the only impediment has been removed, then just as God would have stood by his sign before [sc. the sign of baptism] to cause the effect of it, or to give it when baptism was received, had there not been an impediment in the receiver, so is he always ready, after reception of the sign, to stand by him who received it, so as to cause the effect of it when the impediment ceases.

103. Nor is it necessary to say that the character in the one feigning does anything, but only that God from the same pact [sc. the pact to give grace through the sacramental signs: d.1 nn.315, 322, d.14 q.4 nn.7-8] also stands afterwards by him who was the recipient, as soon as the obstacle is taken away.

2. Objections to the Aforesaid Solution

104. But argument against this is made, because this pretense, according to you [sc. Scotus, nn.98-99], is destroyed through penance; but one mortal sin cannot be destroyed without all of them being destroyed, because according to Augustine [ps.-Augustine, *On True and False Penance* ch.9 n.24; also Gratian *Decretum* p.2 causa 33 q.3 d.3 ch.42], “It is impious to hope for a half pardon from God.” Therefore, all the other sins are destroyed by that penance; so baptismal grace does not destroy those others.

105. Again, no mortal sin that remains after baptism can be destroyed without penance, because “it is a second account after shipwreck,” according to Jerome [*Epistle* 130, to *Demetrias* n.9; Lombard, *Sent.* IV d.12 ch.1 n.1]. But those other sins, which are not cause of the pretense, are present after baptism; therefore they are only destroyed by penance. Of if you imagine them to be destroyed by baptism when the impediment to the effect of baptism is taken away [as Scotus thinks, n.100], why cannot the pretense, which was the cause of the impediment, be thus taken away, when the impediment ceases, by baptism itself?

3. Response to the First Objection

106. If it be said to the first of these [n.104] that ‘penance, as far as concerns itself, could delete all sins, yet when it is prevented by some higher or more potent cause, it does not delete them; but that other cause is so present here that baptismal grace as to the other six sins prevents penance or the effect of it’ –

This does not seem reasonable, because pretense is naturally taken away first before anything is caused by baptism; but in that prior moment he must have true penance, because “pretense is not taken away without true penance,” according to Augustine, *On Baptism against the Donatists* I ch.12 n.18; “true penance reconciles fully to God in every respect,” Ps.-Augustine, *On True and False Penance* ch.9 n.24 [in Lombard’s text, IV d.15 ch.7 n.4]; therefore Baptism cannot prevent the effect of penance as to anything that needs to be deleted; rather penance prevents as to everything.

107. It can therefore be said differently that true penance perfectly reconciles to God, and consequently leaves no sin behind. But yet penance does not per se cure everything that was present, but only what is the object of the penance (namely what the penitent is penitent about). But sometimes it is necessary for ‘every sin that is deleted’ to be the object of penance, namely if all the sins were committed after baptism; and sometimes it is not necessary, as in the matter at hand.

108. Therefore not by virtue of penance are all these sins dismissed; but in the sacrament of confession they are partly dismissed by penance, partly by another cause; and so there is got there not a half pardon but a total pardon from God; not however total through penance, because there was no need to do penance for all the sins that were present.

109. And accordingly it should be said that those six sins [n.100] are destroyed as to punishment and as to guilt, nor is it necessary to have contrition or make confession or satisfaction for them, but only for the seventh that was the cause of the pretense.

4. Response to the Second Objection

110. To the second [n.105] it can be said that although all the mortal sins are present after baptism, yet none of them was the cause that they had not already been deleted in baptism. But the remaining seventh one was the cause why neither it nor the others have been deleted; and therefore it is rational that with respect to it baptism has no efficacy, but that it does have effect with respect to the others, because it has formally prevented the effect of baptism while the others have not. And then the proposition ‘mortal sin is not destroyed after baptism save through penance’ [n.105] must be understood of sin committed after baptism, or of sin altogether inherent, namely such that there was no contrition or attrition about it in baptism or after baptism.

111. It can be said in another way that when he now truly repents of his pretense, a grace is infused into him more perfect than would be the grace that would be infused precisely by virtue of penitence, so that it includes in itself the perfection of penitential and baptismal grace; and in this way baptism has its effect because it gives to someone who is repentant for his pretense a grace equivalent to baptismal grace, together with the grace that is merited from repenting.

a. Objection to this Response

112. But against this it is argued that then he would gain an advantage from this pretense, more than if he had not then been pretending and afterwards had fallen into a sin similar to the pretense; for if he had fallen into pretense in this way and were now repentant, he would not now have grace save by virtue of penance alone. But you [sc. Scotus] say that he who then was feigning in baptism has as it were a double grace in repenting [n.111].

b. Triple Response to the Objection

113. Here it can, in one way, be said that he does not gain an advantage but rather a loss; because at the time of baptism, and in the subsequent time up to penitence, he is a son of Gehenna [*Matthew 23.15*], and also all his works are dead. But if he had not been feigning, he would then, and afterwards up to his fall, have been a son of the Kingdom, and his works would have been alive, whereby he would have merited increase of grace and glory.

114. It can in another way be said that if he had not been feigning and if, having lapsed later, he were truly to do penance, he would, in doing penance, receive as much grace as he does now when doing penance for his pretense, because by rising through penance from mortal sin he recovers all the grace from which he fell, and some grace through penance in addition, and this either in reality or in divine acceptation; but about this below in the matter on penance [*Ord. IV d.14 q.4*].

115. It can in a third way chiefly be said that he who does penance for his pretense alone receives grace by virtue of the penance, and does not in this way receive a greater grace than if he had not been feigning in baptism and if, falling after baptism, he were now to rise again through penance. For it is not likely that equal grace not be given to someone equally penitent and about an equal or lesser sin. But he who has lapsed after baptism, although he has in some respect sinned more gravely than he who feigned, yet

he who feigned has sinned more gravely in some other respect, because he has done irreverence to the sacrament.

116. And then the words that are said about the effect of baptism (which effect he obtains who does penance for his pretense) are to be taken to mean, not that in that penance he receive some grace by virtue of baptism (because his receiving of baptism was dead, and the dead cannot revive), but because he is absolved from the precept about receiving baptism, because he has fulfilled that precept. But the fulfilling of it was of no value to him for salvation before the penance. He receives the grace of baptism, therefore, when he repents, because he is a son of the Kingdom; nor is he obligated to receive baptism for the purpose of being a son of the Kingdom, because he has fulfilled that precept. And here note that someone actually sinning mortally in some act can fulfill in that act an affirmative precept.

II. To the Initial Arguments

117. To the first argument [n.87] I say that everyone baptized has to this extent put on Christ, that he is ascribed to the family of Christ; but he has not put on Christ through charity and grace. The first ‘putting on’ can be said to be common to everyone in the family; but the second is the ‘putting on’ of sons [Bonaventure *Sent.* IV d.4 p.1 dub.4]. Or it can be said that he is not baptized in Christ but in the name of Christ, because not in virtue of Christ interiorly baptizing him.

118. To the second [n.88] the answer is plain in the body of the question [nn.93-99].

119. To the third [n.89] I say that baptism expels sin – not because in the same person there is grace and sin in such a way that in the instant in which baptism has its effect it does not expel the sin that is then present (for which reason [as the objection tries to conclude, n.89] ‘no sin in someone who is feigning impedes baptism’), for grace and sin do not stand with each other at the same time; but baptismal grace expels all sin that was present up to that point. Now the guilt that is then actually present, or which is actually then being committed (because there is no attrition or contrition present about it), baptism does not expel, because it finds the obstacle of a will that is contrary.

Third Part

About the Reception of the Thing and not the Sacrament both in Children and in Adults Receiving Baptism

Single Question

Whether those already Justified are Bound to the Receiving of Baptism

120. Concerning the third member of the division [n.9], which is about those who receive the thing and not the sacrament, I ask whether those already justified are bound to the receiving of baptism.

121. It appears not:

Because it is not read of the Apostles or the Blessed Virgin that they were baptized.

122. Again, those baptized with the baptism of blood are not bound to baptism of water; therefore, neither are those baptized with the baptism of desire bound to it. The consequent is plain per se, because these two baptisms, of blood and of desire, are said equally to supply the baptism of water. The antecedent is manifest, because such a one [sc. a martyr] flies off [to heaven].

123. Again, no one is bound to receive a sacrament in vain, because in the works of God there is nothing in vain [Aristotle, *On the Heavens* 1.4.271a33]. But baptism received by someone who has been justified is received in vain, since he already has its effect, which is the washing of the soul from sin; for he was already washed before.

124. Again, no one is bound to do injury to the sacrament; but if someone justified were to be baptized he would do this; for it is an injury to the sacrament to make it, as far as concerns oneself, to be a false sign; but this sort of recipient makes it to be a false sign, because it now lacks what it signifies (because in that case it does not bestow grace).

125. On the contrary:

John 3.5 “Unless a man be born of water and the Holy Spirit he cannot enter the kingdom of God.”

I. To the Question

126. I reply: after the promulgation of baptism by way of precept, anyone who, in whatever way justified, has not fulfilled that precept (and God has not specifically made dispensation with him so that he not be bound to it), is bound to baptism in desire and, as to a place and time, in effect (if he remains as wayfarer among us), until he can suitably receive it in effect.

127. The fundamental reason for this is that a law when promulgated obliges everyone universally ('universally promulgated' I say is that law in whose promulgation there is no exception of person, or exception of anything whatever); such was the precept about receiving baptism. And rationally, because it was fitting that everyone belonging to Christian Law have one sign wherein they might agree with each other and be distinguished from others, as was said in the question about the institution of a sacrament in general [*Ord. IV d.1 n.233*]. And that sign is the one through which they enter into observance of this Law; for by the reception of it they are ascribed to the Law and made to be of the family of Christ.

128. Another reason could also be assigned, because any wayfarer is bound to be a member of the Church Militant, not only in divine science but also as to knowledge of the other members, as far as concerns himself, because he is bound to communicate with the other members in things that pertain to observance of the Law, and not to scandalize them. But if he not accept the sacrament by which he becomes a member of the Church, he would, according to the judgment of the Church, not be fit for communion with other members and in many acts pertaining to the Church. He would also actively scandalize the other members, because they would have occasion for judging him to be despising the community or despising grace.

129. From this can be formed a third reason, because if he who can, by an easy act, acquire a great grace neglects the act, he seems to be despising the grace, or at least not to be appreciating it as much as it can be appreciated. But he who is not baptized, however he may be otherwise justified, can by an easy act (namely by reception of baptism) easily acquire a grace of this sort, because grace is increased for him who, however perfect, comes, of common law, to baptism; therefore if he neglects it, he seems to be despising grace and giving others occasion of so judging.

II. To the Initial Arguments

130. As to the first argument [n.121] the gloss on *John* 13.10 [in Nicholas of Lyra, V 225ra], “He who is washed needs not to be washed save his feet,” seems to say that the Apostles were baptized. This is probable because Christ made them priests, conferring on them during the *cena* the power of confecting the body of Christ, saying, “As often as you do this” [*I Corinthians* 11.25], and conferring on them after the resurrection the power of absolution, *John* 20.23, “Whosever sins you remit, they are remitted;” and he conferred on them the office of solemnly baptizing, *Matthew* 28.19, “Go therefore, baptizing them...” But the order of priesthood presupposes baptism, at least by congruity, *Decretals* III tit.43 ch.3, Gregory IX, about a non-baptized priest.

131. Nor does there seem to be a necessity for Christ to have made a dispensation in this matter for the Apostles, because there seems no reason for dispensing them, nor was there any consequent necessity for it, since neither would the Apostles be more grateful to God for the fact they had not been baptized, nor would they have been more effective teachers in the Church – rather it seems that they would have been less effective, because a moral master who does not wish to fulfill in deed what he teaches prevails less, according to Gregory *On Ezechiel* II, homily 9 n.15.

132. Christ also wished to receive baptism in himself, at any rate some baptism (because the baptism of John), before he imposed the law of baptism on others, since in *Acts* 1.1 it is said, “Jesus began to do and to teach.”

133. One must suppose the like of the Blessed Virgin, unless perhaps she be excepted from the law; and there would have been a reason for dispensation in her case, because perhaps she had in the conception of her Son the fullness of grace which God disposed her to reach [IV d.1 n.381].

134. To the next [n.122] I say that if someone baptized with the baptism of blood is afterwards a wayfarer along with us, he is bound, in affection and according to place and time, to receive the sacrament in fact, that is the baptism of water. But this supposition [sc. that he is afterwards a wayfarer along with us] is very well possible, just as it is read about certain people that they became confessors twice, because for the faith they twice underwent penalties by which however they did not die. But if the baptism of blood be complete (because, having been thus baptized, he dies and does not remain a wayfarer along with us), he is not under obligation to the precept of a wayfarer, and the sacraments have place only for the state of [this] life, as was said above in d.1 nn.246-249.

135. To the next [n.123] I say that no one receives baptism in vain, because grace, if it has not reached its term, is increased there; and if perhaps it has reached its term

before, merit is added there by the divine precept being obeyed. Also, it would not be in vain to add meritorious works after fullness of grace (if someone possessed it).

136. To the next [n.124] I say that this person [sc. someone already justified who is baptized] does not injure the sacrament, nor does he make the sign to be false, because: either some grace is conferred there, and then the sign is a true practical sign; or no grace is conferred, if the grace was already perfect before, and then it is a true practical sign, not with respect to grace coming to be present, but with respect to its being present [cf. *Ord. Prologue nn.54-55*].

137. And if objection is made that at least he does not have with him the thing signified, namely the washing of the soul from sin – I say that the washing is signified, either that it is then coming to be present, or as if it be now present, or that it needs to be present, as far as the side of the sacrament is concerned, namely were something present from which the soul needed to be washed.

Fourth Part

About Equal or Unequal Reception of the Thing and not the Sacrament, and about Conferring Baptism in Doubtful Cases

Question One

Whether All the Baptized Receive the Effect of Baptism Equally

138. Lastly, I ask whether all the baptized receive the effect of baptism equally.

139. That they do:

Because the effect of baptism depends on the conferrer more than on the receiver, just as effects universally depend more on the efficient cause than on the material cause. It is also apparent in the matter at hand, because a more perfect intention is required in the minister than in the recipient, and this is only so because baptism depends more on him than on the receiver. But an inequality of ministers does nothing for inequality of baptism's effect; therefore, much more does an inequality of receivers not do so; and consequently there is no cause for inequality in this effect of baptism.

140. On the contrary:

“The acts of active things are in what undergoes and is disposed,” *On the Soul* 2.2.414a11-12; therefore, an effect is received more perfectly in what is more disposed; therefore etc.

I. To the Question

141. I reply:

Some distinguish between the effect that is thing and sacrament, which is called the character, and the effect that is thing only.

142. But there has not yet been discussion of the first effect [sc. character], but it will be had in d.6 nn.187-278. The question therefore is about the second.

A. Opinion of Others and its Rejection

143. And it is said [Alexander of Hales, William of Melitona, Richard of Middleton] that baptism has several effects of the sort, yet in a certain order, because it has causing grace and remitting the tinder [of original sin] and the like; but it is plain that the tinder is remitted equally in all the baptized.

144. But this claim is not true unless it be understood in a sane way; because the tinder, since it is in the flesh or in some bodily power, cannot be diminished formally by grace, which is in the soul, because there is no formal repugnance between it and grace, since they are not of a nature to come to be in the same subject; but the tinder is said to be diminished as to the effect that it was accustomed to cause in the soul, namely sin; for according as grace is increased, the tinder has less efficacy in inclining to sin.

145. Let a suitable example be taken about a small stone tied to the wings of an eagle; because if the motive power of the wing were to grow it would, however much it grew, never diminish the weight of the stone (because they are not opposites nor in the same subject); yet the weight of the stone would be diminished as to its effect; for the more the power in the wing is greater, the more the stone impedes less the ascending or flying of the eagle.

B. Scotus' own Opinion

146. So therefore, by positing only one effect of baptism, namely grace, I respond to the question that, since for the effect of baptism there is concurrent the principal cause (namely God), and the meritorious cause (namely the passion of Christ), and the one receiving baptism himself, equality or inequality can be considered on the part of each of these.

1. About the Effect of Baptism Flowing Forth from the Principal Cause

147. As concerns God, who determines himself to cooperate with this sign through the effect signified, and who therein institutes this sign in idea of certain sign (as was said above, d.1 nn.192-193) – there can in some way be a difference, in some way not.

148. For he made disposition to confer, as a matter of rule, some grace by this sign, such that he confer a lesser grace on no one; and this grace can be said to be conferred by virtue of baptism, because conferred by the truth of this sign; and just as, with respect to this degree [of grace], the universal determination is uniform, so is the effect equal.

149. However, because God has predestined diverse of the elect to diverse degrees of glory (and this before the determination of this sign for conferring in baptism such and such an amount of grace), and because a greater grace can rationally be conferred on someone ordered to greater glory – God could, in determining the truth or certitude of this sign, make disposition to confer on some recipient precisely the grace that is required for the certitude of the sign, and to confer a greater grace on someone whom he predestined to greater glory. But that nobler degree [of grace] would not be conferred by virtue of baptism but by a special divine benevolence.

150. Because of this, therefore, it can be said that the effect given by virtue of baptism on the part of the principal cause is equal, and also that as a matter of rule the effect by virtue of baptism is equal, because the supposition is that, by common law, the first grace is not given greater without any difference beyond the principal cause.

2. About the Effect of Baptism Flowing Forth from the Meritorious Cause

151. About the second [n.146] it can be said that this meritorious cause can more efficaciously work for grace in one person than in another, either because this cause was offered, as to the intention of the offerer, more specially for one than for another, or because, as to its execution, it was offered for one in fact, for another only in divine foresight [n.153].

152. In the first way, as Christ is commonly posited to know everything that God knows by the knowledge of vision [*Ord. III d.14 nn.25-27*], and as consequently he knows all the elect and for what degree of glory they have been elected, he therefore could make a special offer of his passion for those destined to greater glory, and especially as he offered himself for the human race for this purpose that divine predestination be fulfilled in them [cf. Scotus, *Lectura III d.20 nn.36-39*].

153. In the second way the passion of Christ was more effectively operating for us, who are in the Law of the Gospel, than for the fathers in the Law of Moses, because an obedience performed is accepted for giving a greater good in return than is an obedience foreseen. And in this second way there is inequality in those who receive grace by circumcision and those by baptism, because of the unequal application to them of the meritorious cause, and perhaps also [there is inequality] in those who were baptized before the passion and those after the passion.

154. But whether in the first way (namely because of a more special oblation in the will of Christ [n.151]), there is inequality of grace in some even of the non-baptized, is doubtful in fact, but the possibility has been shown.

3. About the Effect of Baptism Flowing Forth from the Receivers

155. About the third [n.146] I say that the baptized are children or adults.

156. Comparing child with child, since they have no motion proper, they therefore also on their own part have no inequality as to receiving grace.

157. However there can be in the parents of one child a greater motion than in the parents of another for their little one, or in some other things ministering to or assisting the baptism – and because of the merits of these parents God can confer on one of the little ones a greater grace than on the other, but this not by virtue of baptism but by virtue of merit. And in this way perhaps the parents of Blessed Nicholas merited for him by their prayers a greater grace, which was in him, even as a child, a principle of so marvelous an effect that in two days in one week he rested content with only a single breast feeding.²⁵ And in this regard it is more to be desired that a boy is baptized by a good priest than a bad one, because the prayers of a good priest (of which prayers he

²⁵ Jacob de Voragine, *Golden Legends*, ‘On Saint Nicholas’ [ed. Maggioni, Florence, 1998, 38] “In addition, on the fourth and sixth weekday he sucked at the breast only once.”

makes many before and after baptism) are heard more and avail more for him for whom they are made than do the prayers of a bad priest.

158. But if the baptized be adults, since they could by their own motion be unequally disposed, and since in the sacrament grace is conferred according to the proportion of the disposition in the receiver, there follows an unequal effect.

159. But if you compare a child with an adult, a child as a rule has no merit; an adult, however slight a will he may have, provided however he consent to receive the sacrament and does not put an obstacle in the way, seems to have some proper merit, and to this extent he is more disposed than a child is; therefore etc.

160. But let it be that an adult, for the whole time of his baptism, is sinning venially, it seems that he is indisposed in some way; but a child has no indisposition; therefore in that case the child will receive a greater grace.

161. I reply: venial sin does not prevent grace being infused, nor even prevent possessing a meritorious act at the same time; yet because the soul cannot be equally perfectly intent at the same time on several acts, the good act, with which the venial sin is concurrent, is less intense, and therefore less meritorious than it would be if it were without that venial sin. As to the matter at hand, the consequence is that if an adult does not put the obstacle of mortal sin in the way and is consenting to the reception of baptism, he has a motion (which a child lacks) somehow disposing him, notwithstanding that he has a venial sin at the same time.

II. To the Initial Argument

162. To the argument [n.139] I say that baptism depends more on the minister as to its being a sacrament, because intention in him is simply requisite, not so in the receiver, because he cannot use reason; but as to a greater or lesser effect in the one baptized being received, baptism depends more on the disposition of the receiver.

Question Two *What is to be Done about an Exposed Child*

163. Following on from these are certain questions plain without arguments.

First, what is to be done about an exposed child.

164. And I say that either certain signs are found on him that he is not baptized, in the way working women have been wont to put salt with him, as with those who have to be carried to baptism; and then he is to be baptized absolutely without any hesitation. Or no such sign is found with him, and yet because such a sign cannot be had about him from the vicinity, nor a testimony worthy of belief, that he is baptized, then he is to be baptized; however it is safer to use the form from *Decretals* III tit. 42 ch.2, Gregory IX, ‘About baptism and its effect’ [“Let those, about whom there is doubt whether they have been baptized, be baptized with these words as preface, ‘If you are not yet baptized, I baptize you etc.’”].

165. And of this case Pope Leo [the Great] speaks, Gratian p.3 ‘On Consecration’ d.4 ch.113, “Those about whom,” he says, “no marks are discernible among those nearby or in the vicinity whereby they may be shown to have been baptized, one must act so that they be reborn,

lest they perish; and because no outward bearing appears in them, reason does not permit [the baptism] to seem to have been reiterated."

Question Three

Whether the Children of Jews and Infidels are to be Baptized against their Parents' Wishes

166. About the children of Jews and Infidels, whether they are to be baptized against their parents' wishes.

I. Opinion of Others and Rejection of It

167. It is said that they are not to be baptized, because either they would be returned to the parents and their baptism would be to the reproach of the Christian faith since they would afterwards be nourished by their parents in their parents' error; or they would not be returned, and then an injury would be done to them, because parents have right over them while they are children.

168. But this reason, though perhaps it might be conclusive about some private person (because a private person could not rightly take children from such parents and baptize them), does not however seem conclusive about a prince, to whom, in rule of the republic, such parents are subject. For the Lord has greater right of lordship over a child than the parents do; for in the case of ordered powers universally, a lower power is not binding in things that are against a superior power, as Augustine teaches, *On the Words of the Lord*, sermon 62 ch.8 n.13 (and it is in Lombard's text, *Sent. II d.44 ch.2 n.2*), "If a power commands that which you ought not do, surely despise here that power, fearing a higher Power;" and he gives an example about a procurator, and a proconsul, and an emperor. Therefore, he who has to rule a republic should compel everyone to be more subject to the superior lord than to the inferior one – indeed to be subject to the superior with contempt of the inferior when the inferior in such lordship resists the superior. Just as, if an emperor should decree that someone must obey the proconsul, to the contempt of the precept of the procurator, that is, of one inferior to the proconsul if he were contradict the proconsul – so too, if there were ordered lordships under the same lord, namely that someone were servant of Titius and Titius of Peter, the emperor should compel the servant rather to serve Peter (because Peter is superior to Titius) than to serve Titius if Titius wanted to use the servant against the lordship of Peter. Therefore, the prince should most of all be zealous for keeping the lordship of the supreme Lord, namely God.

169. And consequently the prince not only may but also should take children from the lordship of parents who want to educate them against the cult of God, who is the supreme and most honorable Lord; and he should attach them to the divine cult.

II. Scotus' own Opinion

170. I say briefly therefore that if the prince were to do this with good precaution, namely lest the parents (knowing that this was in the future) were to kill the children, and that he would make the baptized to be educated religiously – it would be done well. Indeed, what is more, I would believe it religiously done if the parents themselves were compelled by threats and terrors to receive baptism, and to keep afterwards what they had

received, because let it be that they would not all be truly faithful in their heart, yet it would be less bad for them not to be able with impunity to keep their illicit law than to be able to keep it freely. Again their sons, if they were well educated, would be in the third and fourth generation truly faithful.

171. If you say that, according to the prophecy of *Isaiah*, 10.21-22 (which Paul repeats to *Romans*, 9.27), “a remnant of Israel will be converted in the end,” and therefore the Jews should not be wholly compelled to receive baptism and to leave their own Law – I respond: I do not doubt but that the prophecy of Christ is true, which Christ states in *John* 5.13, “I have come in the name of my Father and you have not received me; if another come in his own name, him you will receive.” Therefore at least from the word of Christ they are going to have to be made perverse, because they will adhere to that most evil Antichrist, whom Christ’s aforesaid statement was about.

172. And if you say that, when they have seen Antichrist’s destruction, those who adhered to Antichrist will be converted – I say that for those who are so few and so tardily to be converted (because the fruit for the Church will be slight and there will be no propagation from them of sons in the Christian Law), there is no need for so many Jews, in so many parts of the world, to persist in retaining their Law for so great a length of time; but it would be sufficient for some few, sequestered in some island, to be permitted to keep their law, and about them the prophecy of *Isaiah* would at length be fulfilled.

173. Now this point about infidel parents being compelled by threats and terrors [n.170] seems proved because the Council of Toledo, referred to above [n.74], commends the like thing saying, “Those who long ago were compelled to Christianity, as was done in the times of the most religious prince Sisebut;²⁶” therefore in this the Council approves of him as a religious prince, because he compelled the infidels to the faith.²⁷

Fifth Distinction

Division of the Text and Overview of the Questions

1. “After this one needs to know that the sacrament of baptism...” [Master Lombard, *Sent.* IV d.5 ch.1 n.1].

2. After the Master has dealt with baptism in itself and in its recipient, here he deals with the conditions of the minister.

3. First, then, he deals with the conditions of the minister, second with the rite or manner of ministering (there: “This also needs to be known”).

²⁶ King of the Visigoths in Spain (died 621), see Isidore, *History of the Kings of the Goths, Vandals, and Swiss* n.60. About the Council of Toledo, *Decretals* III tit.42 ch.3, Gregory IX, “He who is drawn violently by terrors and punishments and, lest he incur loss, has received the sacrament of baptism, such a one, as if being conditionally willing, is to be compelled to the observance of the Christian faith. In which case must be understood the decree of the Council of Toledo, where it is said that those who long ago were compelled to Christianity, as was done in the times of the most religious prince Sisebut...must be compelled also to maintain the faith, which by necessity they undertook.”

²⁷ Two other cases are reported in ms. A of the *Ordinatio*, about monstrous births or an infant born with two heads. They are brought forward by Henry of Ghent *Quodlibet* VI qq. 14-15. Scotus however deals with these cases below in d.6 nn.61-67.

4. The first is divided into two parts: first about the power of the minister, second about his status and rank (the second at the beginning of d.6, there: “Now those who are permitted to baptize”).

5. The first is divided into two: first he shows that this power cannot be impeded by the malice of the minister, second to what the power extends itself (there: “Here it is asked”).

6. The first is divided into two: first he shows that the power is so [sc. not impeded], second he shows why it is so (the second there: “Because the ministry”).

7. About this fifth distinction one must ask in what way the malice of the minister relates to impediment or non-impediment of baptism. And about this I ask two question: first whether the malice of the minister prevent baptism being conferred, second whether one who knowingly receives baptism from a bad minister sin mortally.

Question One

Whether the Malice of the Minister Prevent Baptism being Conferred

8. Proceeding thus to the first question [n.7], and argument is made that it does [prevent baptism being conferred]:

Ambrose *On the Mysteries* (or *On Initiating the Uneducated*) ch.4 n.23: “The baptism of the perfidious does not cleanse but pollutes.” Which he proves by the authority of *Psalm* 31.6, “In the flood of many waters they will not approach God,” and it is said of the wicked. He proves it too from *Romans* 14.23, “Whatever is not of faith is sin” [Gratian, *Decretum* p.2 causa 1 q.1 ch.50; the proofs are actually from Alger von Lüttichs, *On the Sacraments of the Body and Blood of the Lord*, III ch.1]

9. Again Gratian, *Decretum* p.2 causa 1 q.1 ch.49, and it is from Augustine *On Baptism, sermo* 71 ch.19 n.32, “Those who are separated [sc. from the Catholic Church] can have the form; the virtue cannot be in them, just as sense does not follow the bodily member when it is amputated from the body.”

10. Again, by reason:

A dried-up member [of the body] cannot be cause of pouring life into another member; a bad minister is a dried-up member of the Church, because he is without grace, which is the life of the Church; therefore etc.²⁸

11. Again, in order for water to be the suitable material of sanctification it is necessary that there be in it some supernatural virtue, and the proof is from Ambrose [*On Sacraments* I ch.4 n.12; Gratian, *Decretum* p.3 ‘On Consecration’ d.4 ch.9: “He who passes through this font (for this passage is from sin to life, from guilt to grace, from filth to sanctification) does not die but rises up;” ch.5 n.15, “Not every water heals, but what has the grace of Christ.”]. Therefore, much more is some sanctity or supernatural virtue required in the minister in order that he may baptize; for baptism depends more on the disposition of the minister than on any virtue of the water; therefore etc.

12. Again, Augustine *On the Sole Baptism* ch.13 n.22, “The glorious martyr Cyprian, who refused to recognize baptism given among heretics or schismatics etc.” From this the argument is as follows [Lombard *Sent.* IV d.6 ch.2 n.5, who takes it from Ps.-Hugh of St. Victor]: he who errs about some article of faith is, if he die in that error,

²⁸ Argument taken from Richard of Middleton and Peter of Tarentaise.

damned, because “without faith it is impossible to please God,” *Hebrews* 11.6. Cyprian [*Epistle* 70.1 nn.1-3; Gratian, *Decretum* p.2 causa 1 q.1 ch.70] said that true baptism could not be conferred by a bad minister, at least a heretic or schismatic, and he persisted to the end in this opinion, and yet has not been condemned but is a glorious martyr; therefore, this opinion is not erroneous nor against any article of faith. But the truth of the sacraments belongs to the article “holy Catholic Church;” and *Decretals* V tit.7 ch.9, Gregory IX, ‘About heretics and schismatics’, “All those who do not fear to teach and judge differently from the sacrosanct Roman Church we bind with the chain of perpetual anathema;” therefore this opinion ‘that a heretic baptizes’ is not a truth belonging to any sacrament. But nothing is to be asserted as certain and necessary for the sacrament which is not something true belonging necessarily to the sacrament; therefore etc.

13. On the contrary:

The Master in the text [*Sent.* IV d.5 ch.1 n.1], and he adduces many authorities.

14. And several are taken from Augustine:

Homily on John tr.5 n.6, “Baptism is such as he is in whose power it is given, and not such as the minister is by whom it is given.”

15. Again, *Against Cresconius* III ch.6, “If the baptism that is given through a better is not better, in no way is the baptism that is given through a bad [minister] bad, because the same thing is given.”

16. And if these authorities be expounded of someone bad in morals but not of a heretic or schismatic – Augustine says expressly to Orosius [Ps.-Augustine *Dialogue of 65 Questions*, q.59], “Although the baptism of heretics who baptize in the name of the Father and the Son and the Holy Spirit and the baptism of the Catholic Church are one, yet those who are baptized outside the Church do not take it up for their salvation but for their ruin;” and there follows, “The Church does not rebaptize those who are baptized in the name of the Trinity.”

I. To the Question

17. The truth of the question is plain from many authorities [n.13], because whatever malice the minister is bad with (whether the malice of heresy or schism or morals), provided the unity of the Church be kept, if he intend to do what the Church does and keeps the manner of the Church, he does truly confer baptism; and such baptism truly has its effect in the one baptized, notwithstanding the malice of the minister, unless the malice of the receiver be an obstacle in respect of what he receives from such a minister (which will be discussed in the next question [nn.52-55]).

18. But the truth of this solution has only one demonstrative reason giving the why, namely that thus did it please Christ to institute it, so that the malice of the minister would not impede the sacrament or its effect,

19. But that he did so institute it Augustine gathers from the authority of John the Baptist, *John* 1.33, “Upon whom you see the Spirit descending, he is the one who baptizes with the Holy Spirit.”

20. But that baptism did have to be thus instituted there are many congruous reasons.

First, because it is reasonable for God to assist with his own practical sign, to cause what is signified, by a determination of his will that precedes every condition of the

minister, so that, just as that determination (whereby he bestowed on the sign its being a sure sign) is from him altogether immediately and first, so too his assisting presence, consequent to that determination, to cooperate with the sign is immediately from him.

21. The second congruence is taken from the end, because if baptism could be conferred only by the good, it would not be much of a remedy for the wayfarer, but almost commonly to his loss; for since almost no one can be certain about his own goodness, much more can he not be certain either about the goodness of another; therefore if baptism were to depend on the goodness of the minister, never could anyone be certain that he had truly received baptism – which is unacceptable.

22. And if you object that neither now can he be certain, because he does not know his own disposition – this is not an obstacle, because he can know with as sufficient certitude as certitude requires, namely that he intends to receive baptism, and this on his part suffices.

23. If you say he cannot be certain of the intention of the minister – this is not an obstacle, because it can be assumed with probability that the minister performing such an act intend to do that to which the act is in itself ordered, but certitude could not be thus had about the goodness or sanctity of the minister.

24. Again, there is congruence on the part of the receiver, because it is altogether unjust that another be punished for the iniquity of someone else when that other is communicating in the iniquity of the latter in no way such that it could be imputed to him; but the one who is to be baptized is disposing himself for grace as much as he can; if therefore the malice of the minister were to get in the way, the one to be baptized would be punished for the guilt of another that should in no way be imputed to him.

II. To the Initial Arguments

25. To the first [n.8] I say that either the heretic baptizes a child in the form and intention of the Church, and in this there is no obstacle for the child either as concerns the sacrament or as concerns its effect; or the heretic baptizes an adult, and still he confers the sacrament and effect on him, provided there is no evil movement in the adult (as his consent to the heresy of the baptizer or intention to become his disciple). And about such an adult [sc. one who does consent to the heresy] the authority of Ambrose [n.8] is to be understood, and likewise the authority of Augustine that follows [n.9], because the virtue of the sacrament is life, therefore life does not remain in a cut-off member; for it does not follow that life through his sacrament could be in the receiver, as is plain from the response immediately following [n.26].

26. Hence to the reason [n.10] it must be at once replied that in the whole human body there is one life for all the parts, and it is participated by them in a certain order, because it is first in the heart and second in the other parts according as these are more closely related to the principle of life. And so life cannot there be derived from one part to another unless the part from which it derives is alive with the same life in its own perfect way first. Things are not so in the mystical body that is the Church, because there is not in them [sc. members of the mystical body] numerically one life, nor is it necessary that the member who gives life, as minister, to another be closer to the principle of life in participating life but only in rank of ministering. An example would be if the veins in the

body were not formally alive, yet they would be the means of ministering life to the other parts.

27. To the next argument [n.11], the point about sanctification in water was denied above in *Ord. d.1 nn.309-326*; nor does it seem very probable that the supernatural virtue is generated and corrupted so many times, nor even that after generation in baptismal water it remain while the water remains.

28. To the authority of Ambrose [n.11] – look for it.^{29a}

a. [*Interpolated text*] above. It can be said, as was said in d.1 qq.4-5, nn.300, 315, that there is in the water no virtue that is active according to any absolute form, but there is only the virtue that is the ultimate of power, namely to signify grace efficaciously.

29. To the next about Cyprian [n.12] I say that there are some things there that are simply thus of the substance of the faith, because perhaps all recipients of baptism (some little time after the use of reason) are held explicitly to believe them, as are now the articles about the incarnation (as ‘Christ was born and died’), for which there are special solemnities in the Church, and which the people are able to conceive, because they are about Christ as man. Other things are explicitly requirements of the substance of the faith, to be observed by seniors in the Church (as that God is triune, and things belonging to these sort of spiritual and imaginable things). And this distinction is plain from Augustine *On the Trinity* 14 ch.1 n.3. Other things there are which are not explicitly to be believed by either the former or the latter, because they have not yet been declared by the Church, of which sort are the many conclusions necessarily included in articles that are believed; but before they have been declared by the Church it is not necessary that one believe them, but one ought to think soberly about them, namely so that a man be ready, for the time when the truth will have been declared, to hold them.

30. I say that in this way the statement ‘baptism is a sacrament of the New Law necessary for salvation’ was immediately of the truth of the Christian faith because it is express in the Gospels. But that it could be conferred by a heretic was not immediately express, indeed was not declared even in the time of Cyprian. For this reason, Augustine labored much on declaring that truth in his books, as is plain in his book *On the Sole Baptism* ch.5-15, and *On Baptism Against the Donatists* I [also *Against Cresconius* I ch.25-34].

31. Hence if Cyprian [n.12] so thought, namely that there is no baptism among heretics, yet because he was ready in his mind to think about it what the Church declared, he erred in nothing – save perhaps by sinning venially, because he too much asserted that for which he had neither authority nor compelling reason. For his reasoning is not valid, namely that what one does not have one cannot give, because he who baptizes does not give grace but gives the sacrament, and he has that in his power because he has [clerical] order. And in this way perhaps Augustine indicated that Cyprian had sinned venially when he adds in the before cited passage [n.12], “While he detested them too much,” he says, “if there was anything that needed purging [in him], it would be taken away by the scythe of his passion.”

²⁹ Scotus, *Rep. IV A d.5 qq.1-2, n.4*, “To the next I say that in the water there is no sanctity nor anything supernatural, because it is not a subject capable of such a form; but this whole of ‘water along with word’ is one sign of sanctity and grace whereby the soul becomes holy, to which sign God is immediately present and gives the grace that it designates.”

32. And in this way can Abbot Joachim be excused, because although he held an erroneous opinion, as is plain in *Decretals* I tit.1 ch.2 ‘About the Supreme Trinity and the Catholic Faith’ [the Fourth Lateran Council], namely that ‘the Three Persons are not some one thing that neither generates nor is generated, neither spirates nor is spirated’ [cf. *Ord.* I d.5 n.12³⁰] – because it is not said that he stubbornly defended it, but that he left all his books to be corrected according to the judgment of the Church.³¹

Question Two

Whether he who Receives Baptism Knowingly from a Bad Minister Sins Mortally

33. Proceeding thus to the second question [n.7], and the argument is made that he who receives baptism knowingly from a bad minister sins mortally because, according to Ambrose *On Initiating the Uneducated* [in fact Alger von Lüttichs, *On the Sacraments of the Body and Blood of the Lord*, III ch.13] “What they do and for whom they do it profits nothing, but is for judgment;” he is speaking of bad baptizers and those who receive baptism from them.

34. Again, he who cooperates with someone in committing mortal sin sins mortally, because this is against brotherly charity; but he who receives baptism from someone bad cooperates with him in the act of baptizing, wherein he sins mortally; therefore etc.

35. Again, let it be that a minister wants to commit the malice of simony in conferring baptism (that is, he refuses to baptize save for money), someone could not receive baptism from him unless he committed simony, because if the seller is a simonist so is the buyer; therefore at least in this case the one who receives baptism from a bad minister sins mortally

36. To the opposite:

Gratian, *Decretum* p.3, *On Consecration*, d.4 ch.23 [in Lombard’s text], “The Roman Pontiff does not give heed to the man who baptizes but to God, even if it is a pagan who is baptizing.”

37. Again, Augustine *On John* tr.5 n.11 (and Gratian, *Decretum* p. 2 cause 1 q.1), “Let not the dove shrink from the ministry of evil men; let the Lord have regard to the power. What does a bad minister do to you where the Lord is good? How does a malicious court announcer impede you if the judge is kind? John the Baptist taught this through the dove” [e.g. *John* 1.32].

I. To the Question

³⁰ Fourth Lateran Council: “But we, with the approval of the sacred Council, believe and confess with Peter [Lombard], namely that one supreme thing is essence or divine nature, which neither generates nor is generated; yet it does not follow that there is a quaternity, because those three things – Father and Son and Holy Spirit – are that one thing.”

³¹ Fourth Lateran Council: “In nothing, however, do we for this reason wish to derogate from the Monastery in Florence, of which Joachim himself is founder, because there is both institution according to rule there and salutary observance, especially since Joachim himself bade that all his writings be assigned to us [sc. Pope Innocent III], to be approved or even corrected by the judgment of the Apostolic See, dictating a letter which he undersigned in his own hand, wherein he firmly confesses he holds the faith that the Roman Church holds, which, by the disposition of the Lord, is mother and mistress of all the faithful.”

38. Here a distinction is made [Richard of Middleton, Peter of Tarentaise] about a bad minister: either he is in schism from the Church totally or for a time, or he is not in schism but is permitted.

39. But let us see about the members of this distinction in order.

A. About Reception of Baptism from a Minister in Schism from the Church

40. About the first there are two opposite ways of speaking.

1. First Way: about the Obligation to Receive Baptism

41. One way is that one is bound to receive baptism from such a minister if another minister cannot be had, because baptism is a sacrament of necessity.

2. Second Way: about Refusal to Receive Baptism from Such a Minister

42. Another way is that one is bound not to receive from him, and that by receiving one sins mortally.

43. And the clarification of this is that the one needing to be baptized is either an adult or a child.

If an adult, the baptism of desire is sufficient for him when he cannot have the baptism of water; in the matter at hand, he does not have a minister because he is prohibited from communicating with one who is in schism, and especially in sacramental acts; therefore, he will be saved by baptism of desire in not receiving baptism from him, because he is in a situation where he cannot have a minister; and if he were to receive baptism from him he would be communicating with him contrary to the prohibition of the Church in acts that have been prohibited most of all.

44. But if the one to be baptized is a child, he who has the child may baptize him if he cannot get another more suitable who is not in schism [Gratian, *Decretum* p.2 cause 30 ch.7]; because, as before [n.43], it is not licit for him on behalf of the child to communicate with someone in schism. And if it be posited that he who has the child is infirm and does not have anyone in the region who is not in schism, one should consequently say that in no way must there be communication in such an act with someone in schism, because not even in that case should he offer his child for being baptized to someone in schism.

3. The Second Way is Rejected

45. Against this [nn.42-44]:

The precept of a superior obligates more than the precept of an inferior (from the authority of Augustine, cited before [n.37]). But God commands baptism to be received, the Church forbids communicating with him whom she cuts off; therefore, the precept of God is more to be obeyed in this case than the precept of the Church.

46. Again, someone excommunicated is more bound to avoid others than others are to avoid him, because this precept about avoidance is not imposed on anyone save for his own sake; but someone in schism or excommunicated is not bound in this case to

avoid others, indeed he is bound not to avoid them; for if someone thus in schism knew that some non-baptized child was presently going to die, he would necessarily be bound to baptize him, and so bound not to avoid others in a case of baptizing. My proof of this is that if he were to find the child exposed to danger of bodily life because of famine, he would necessarily be bound to feed him to save his bodily life; but he is more bound to love his spiritual life; therefore when a child is exposed to danger of spiritual life, he is bound to confer on him the remedy necessary for spiritual life; therefore much more are others not bound to avoid him as to communicating with him in such act.

47. And hereby appears the answer to the reason for the second way of speaking [n.43], which proceeds from the precept of the Church: for the prohibition is universally understood to be when a greater precept does not oblige to the contrary; but the precept of a law of nature and a Gospel precept is greater than a precept of the Church only. When therefore a precept of the law of nature thus obliges one to save the bodily life of one's neighbor, and much more to save his spiritual life, and there is a divine precept about conferring and receiving baptism, the precept of the superior is more to be obeyed than is someone to be avoided in these acts because of a precept of the Church shunning him; for no judge or legislator in the Church would understand that her precept needed to be kept in a case where it would go against a precept of the law of nature and of God.

4. An Intermediate Opinion

48. So it is possible, as to this article, to hold an intermediate opinion as concerns an adult, that it is licit for an adult to receive baptism from someone in schism if another minister cannot be had.

49. And this seems to be held by Augustine, *On Baptism against the Donatists* VI ch.5 n.7 (fairly quickly after the beginning): "However someone separated [from the Church] can bestow baptism, just as he can have baptism, but ruinously bestow it; but he to whom he bestows it can receive it in a sound way, if he who receives it is not separated; just as to many it has happened that, with a Catholic mind and heart not alien to the unity of peace, they have, by some necessity of approaching death, come to some heretic and have received the baptism of Christ from him, without his perversity; and, whether deceased or set free, they would never remain with them [sc. heretics] to whom they had never in their heart passed over."

50. An adult is also able perhaps not to receive [baptism from a heretic], because the baptism of desire would suffice for him if, because of reverence for the Church, he were to avoid such a heretic. However, all things considered, it seems better that he receive from such a person than that he depart from life without baptism.

51. But as to a child, if no one but someone in schism can be had to baptize him, and danger threatens, because it would not be possible to wait to get a suitable minister, he who has the child [n.44] is necessarily bound to offer his child to someone in schism. For it would be too hard to say that he would be bound to permit his child to be perpetually damned although he could have someone to baptize him, and although the child would be saved whoever was the baptizer, even it be a pagan doing the baptizing, according to Gratian, *Decretum* p.3 [n.36].

B. About Receiving Baptism from a Bad Minister not in Schism from the Church

52. As to the second member of the distinction [n.38], namely about a bad minister not in schism from the Church:

If he is secretly bad, so that his life is not scandalous to the people, it is conceded that someone could receive baptism from such a minister, indeed should do so – provided otherwise he should, because one should not avoid a neighbor in acts that are well known on account of a sin that is not well known.

53. But if the minister is publicly or notoriously bad, as a public fornicator or the like, then either it is incumbent on him by his office to dispense the sacrament of baptism (as that he is a parish priest or curate), or it is not incumbent on him but would fit him by reason of his office, as that he is a priest called to assist a parish curate.

54. If in the first way, he who receives baptism for himself or for his child does not sin, because he who seeks and receives from someone bad what is owed does not sin; and the curate is debtor to his parish in administering the sacraments.

55. If in the second way – if it be possible to get another on whom it is incumbent by his office to baptize, either he gets someone equally bad or someone better. If can get a better, then he sins who receives baptism from the other, on whom it is not incumbent to administer the sacraments to him; also if [the one he gets] is someone equally bad, he ought to receive baptism from his own minister. But if no other curate or priest can be got save someone equally bad as his own minister, but some good layman can be got, it is doubtful who should be preferred to whom in this act, whether a good layman to a publicly bad priest, or a priest thus bad to a good layman. And in brief, because the office of ministering sacraments in the Church does in this way belong to priests, it seems one should say that, as to this act, a bad priest is rather to be chosen.

II. To the Initial Arguments

56. As to the first argument [n.33], the authority from Ambrose needs expounding, the way it was expounded in the other preceding question [n.25], for he means to speak about one who receives [baptism] outside the Church so as to become a disciple of the baptizer.

57. As to the second [n.34] I say that he who seeks baptism from a bad priest is not cooperating with him directly in mortal sin, for he seeks from him a due act; and in this he is not at fault, because no one's malice excuses him from paying a debt by which he is bound to another. The requested act could also be paid for without sin, if the baptizer were to confess. Hence as to what comes fro the act of the requester, the requester necessitates the priest to do penance rather than to an act of sin. But if the priest do not repent, nothing is to be imputed to the one who requests the act, because he does not request it insofar as it is a sin but insofar as it is due.

58. To the third [n.35] I say that if he in no way wish to baptize unless he receive payment for the act of baptizing, and if thus he were to become a perfect simonist (because selling the sacrament), in no way is baptism to be received from him: not for an adult, because an adult would sin mortally and he is not obliged to receive the sacrament when he cannot receive it without mortal sin; and not for his child, even though it be that there were no one in the province who would want to baptize him.

59. And if you argue that then the adult exposes his child to the danger of damnation, I reply: let him do the baptizing himself if he be able, namely if he is not infirm or mute or hoarse; or if in the baptizing of his child he cannot get anyone save by buying baptism, he must let his child die without baptism, because “evils” are not to be done “so that good may come,” *Romans* 3.8, and everyone ought to love himself more than his neighbor [cf. *Ord.* III d.29 nn.5-6], and consequently ought to avoid mortal sin in himself than damnation in another.

60. However this case would with difficulty, or never, so happen that it would be impossible to get baptism without simony being committed on the part of the one to be baptized, or on the part of the one offering the child to be baptized. For if the priest were willing to sell his water and would in no other way permit it, the water can be bought, even supposing it be consecrated water, but without in any way having an eye on buying or selling the consecration, because consecrated water is worth as much as unconsecrated water is. For in this way it is licit to sell a consecrated chalice, because in no way does one have an eye on buying or selling the consecration. Also if the priest insist on selling the act of baptizing, the one offering the child can buy it, not by intending the act insofar as it is sacramental, but the labor of the priest in the act – just as now priests are hired to celebrate masses, not in order that they themselves sell and others buy the act of celebration insofar as it is sacramental (which God forbid); but they themselves sell their labor and others buy it, because everyone has to make a living in some way or other from his labor.^a

a. [Interpolated text] Hence a priest can in this way sell consecrated water but not, because it is consecrated, more dearly. But if he altogether wants to sell it more dearly because consecrated, he is to be committed to the devil, and the child is to be restored [to the parent] and, if no one else suitable is available, he is to be baptized by the father with confident trust.

Question Three

Whether One Should Administer the Baptismal Sacrament when there is Presumption that the Baptizing Poses a Danger to the Bodily Life of him who Receives it

61. After this the question is asked, without arguments, whether one should administer the baptismal sacrament when there is a presumption that the baptism poses a danger to the bodily life of him who receives it.

62. I reply: either this presumption is certain and taken from certain signs, as that if someone, who does not have water that he could get hold of save from a bridge, were to throw the child to be baptized into a river or a well, it is something certain because, as concerns the idea of such an act, death naturally follows it because submersion does.

63. And I say that when death is in this way presumed, in no way should anyone propel or throw him in, because then by doing this one will sin mortally; and everyone is more bound to avoid mortal sin in himself than to seek his neighbor’s salvation, because ordered charity is directed toward oneself more [n.59].

64. It is also said that someone so thrown into water would not be baptized, because washing is ordered to the life of the one who is washed; but such submersion is not so ordered.

65. In such a case, therefore, some rags should be lowered into the well or the river (if no vessel were to hand in which water could be drawn up), and out of these rags water should be squeezed whereby such a child might be baptized.

66. But if the presumption of imminent death, or of accelerating death, because of the baptism, is not certain but slight or perhaps irrational (as if the child or adult is set at the point of death), I say that he who has a conscience about accelerating the death of such an infirm person, through baptizing him, has an erroneous conscience, and that makes him perplexed if no one else is present to do the baptizing. For no one is perplexed by the divine law, but there can be a perplexed person in case of an erroneous conscience, for if [the one not baptized] die without baptism he is damned; therefore, the other is bound by necessity of salvation, if no one else be present, to baptize him lest he be damned; for he is bound to love more the eternal life of the other than his temporal life.

67. Therefore, if he were to sin by not saving another's bodily life in a case of necessity, as by permitting him to be submerged (refusing to extend a hand to draw him out), much more would he sin mortally by permitting the other to be damned because of lack of baptism. Also, if while his erroneous conscience stand that he would accelerate death by baptizing him, then after he baptize him he sins mortally, because according to his conscience he is performing homicide.

68. What then? It is necessary, if no one else be present who could do the baptizing, to dismiss that conscience, because in the case in question there is no other remedy for avoiding mortal sin.

69. It is also sufficiently reasonable that the presumption is fatuous and irrational, because it would not much harm even someone severely infirm for a little of the water to be poured on his head; and if perhaps cold water would harm him, at least lukewarm water would not harm him, because the most tender children are bathed as a remedy in lukewarm water.

70. But is someone who baptizes with this erroneous conscience irregular if death follow afterwards?

71. I reply: he is not irregular, because no ecclesiastical law as to this matter renders him irregular unless he is truly a murderer; but he is not in truth a murderer. However, after the death of such baptized person, while the conscience stands, he is bound to hold himself irregular, because he holds himself a homicide; but when the conscience ceases or is removed he should not seek dispensation, because he was never irregular.

72. And if you ask whether a cleric more than a layman needs to beware of baptizing an infirm person set at the point of death, I reply: neither needs to beware, because neither is transgressing a divine precept about not killing, nor does a cleric incur any punishment expelling him from the clerical state.

73. But if both are equally supposed to have an erroneous conscience, neither could simply baptize, because the divine precept equally binds both, and each is, according to his conscience, acting against this precept; however, a cleric would, according to his false opinion, believe that he is incurring another penalty over and above mortal sin, and therefore he himself has more things for retraction in this case than the layman does.

Sixth Distinction

Division of the Text and Overview of the Questions

1. “Now we add for whom baptizing is licit” [Lombard, *Sent.* IV d.5]
2. After the Master has in distinction 5 made determination about the power of the minister, here he makes determination about his status and rank, about rank in this chapter, about status in the following chapter (“But about those who by heretics...”).
3. “This also needs knowing:” this is the third part of this sixth distinction, which can be continued simply to the preceding one as a principal part to an incidental one.
4. And it is thus divided:
 - In one way, so as to be divided against the whole preceding part about baptism, from the beginning of distinction 3, just like a principal part to an incidental one (and thus is the division in distinction 3 [d.3 n.4]).
 5. In another way, so that it is distinguished against the things preceding in distinction 5 and 6, so that what is first said is determination about the order of the minister and the condition of administering [Lombard, *Sent.* IV d.5-6].
 6. Whether in this way or in that, the judgment is the same.
 7. This part is divided into two parts: for first he determines about the things that go together with baptism, second about a certain preamble to the administration of baptism, namely about catechism and exorcism.
 8. The first part has six parts: for in the first he treats of the unity of baptism; second of the receiver; third of the form; fourth of the certitude to be had about the receiver; fifth of the intention of the minister; sixth of the time of baptizing.
 9. Concerning this sixth distinction, questions must be asked about four things: first about the rank of the minister; second about the unity of baptism; third about the intention of the minister; fourth about the repetition of baptism.

First Part

About the Rank of the Minister

Single Question

Whether only a Priest can Baptize

10. About the first I ask whether only a priest can baptize.
11. An argument is made that so it is:
Isidore *On Ecclesiastical Offices* II ch.25 n.9 [Lombard, *Sent* IV d.6 ch.1], “It is agreed that baptism is only handed over to priests.”
12. Again, discharging sins is committed to the priest alone, *John* 20.23, *Matthew* 16.19, 18.18; but in baptism sins are discharged; therefore etc.
13. To the contrary:
Gratian, *Decretum*, p.3 ‘On Consecration’ d.4 ch.23, “The Roman Pontiff does not judge the man who baptizes, but the Spirit of God administers the grace of baptism,

even if it be a pagan who does the baptizing;" and if a pagan baptizes, much more, or equally, does any Christian [d.5 n.37].

I. To the Question

14. I reply:

Since it is necessary for the baptizer to wash the baptized, which is actively to make his body to be touched by water, and this either by motion of the body to water (as by immersion) or by motion of water to his body (as by pouring or sprinkling), the power to move is necessarily requisite in the baptizer, whereby the baptizer can, in one of these ways, actively wash another.

15. Since also it is necessary for the minister to speak words, in which is the form [of baptism], it is necessary for him to be able to speak.

16. Since too intention is requisite in the minister (as will be stated in the third article [n.96]), it is necessary for him to have the use of reason.

17. Simply, then, no supposit of an intellectual nature is excluded from being able to baptize, save because of one of the defects of these three [requisites, nn.14-16], or because of several of them, or because of all of them at once. Since therefore many non-priests could have and do have these three [requisites], it follows that they are simply able to baptize.

18. But I said 'supposit of an intellectual nature' in general [n.17], because if a good angel were to baptize in an assumed body, along with all the aforesaid requisites, then one must suppose that his baptism is genuine, because he would not do it save at the command of God; nor is the one baptized by an angel to be baptized again (thus did Michael [the Archangel] prohibit the bishop from dedicating his church on Mt. Gargano, asserting that the church had been dedicated by himself).³²

19. If too a bad angel were to baptize in an assumed body, and it were clear that it was at the command of God, such a one is to be held to be baptized, because a bad angel must, even unwillingly, obey God. But without a sure revelation had in addition one should not believe that a bad angel really baptized, both because God does not administer the sacraments through those who are definitely excluded from salvation, and because, if a bad angel were not constrained by divine precept to do the opposite, one should suppose that he is acting fraudulently and is not completely doing what would be necessary for the salvation of the one baptized, on account of the enmity a bad angel has, from his preexisting envy, to the salvation of men.

20. Generally, then, it is fitting for baptism to be conferred by a man who is a wayfarer and not by an angel – first because Christ, who instituted baptism, was a man; second because in a sacrament there is something sensible and something spiritual, and consequently it more befits a minister who uses sense and intellect than a purely intellectual minister; third because by receiving baptism one is ascribed as a member of

³² The sanctuary of Monte Sant'Angelo on Mount Gargano in Apulia in the South East of Italy is the oldest shrine to St. Michael in Western Europe. The story in the text is told by Jacob de Voragine, *Legenda Aurea* ch.141, "Therefore, as the Pope and the bishop with the citizens were instant on a three day fast, Michael appeared on this day to the bishop saying, 'There is no need for you to dedicate the church which I have built; for I myself who built it have dedicated it.'"

the Church Militant; therefore it is fitting that baptism be done by someone in that Church.

21. Lastly I say that although, according to what has been said [nn.17-20], any supposit having the three aforesaid conditions can baptize, and also since, along with this, it befits only a man who is wayfarer to baptize, yet it is fitting that among wayfarers only a priest baptize, and to that priest alone is it fitting on whom is incumbent, from his office, the presiding [at baptism].

22. The reason for this is that by baptism the one baptized is received into the college of the Church Militant; but the reception of someone into a college belongs to the one who presides and has authority in the college; and therefore the more someone might have greater authority in the Church the more would it belong to him to receive and introduce into the Church, and consequently to baptize. Hence it would belong more to a bishop than to a simple priest, if there could be enough bishops; but because of the fewness of bishops and the manyness of those to be baptized, baptizing is regularly conceded to all priests.

II. To the Initial Arguments

23. Hereby is plain the answer to the authority of Isidore [n.11]; for he is speaking about the office of baptizing, because that is solely committed to a priest.

24. To the argument [n.12] I say that only a priest can discharge sins by way of judge and assessor, which is the way sins are remitted in [the sacrament of] penance; but in baptism sins are remitted by virtue of the sacrament, without assessment or judgment or accusation.

Second Part

About the Unity of Baptism

25. About the second main matter [n.9] I ask three questions: first, whether unity of baptism necessarily requires that it be conferred by one minister; second whether it requires that the washing and the speaking of the words be simultaneous; third whether, because ‘one’ is what is undivided in itself and divided from what is other [*Ord. I d.11 n.40*], it requires him who baptizes to be distinct in person from him who is baptized.

Question One

Whether the Unity of Baptism Necessarily Requires that it be Conferred by one Minister

26. To the first question argument is made that it is not so required.

Because the same person can baptize several people at the same time; therefore, several people can baptize the same person. The consequence is plain from the likeness. The proof of the antecedent is, first, that it is possible to pour water on two people at the same time, saying “I baptize you (plural) etc.”; nor does it seem that anything is lacking there to prevent both being baptized; second, because if the baptizer were monstrous

having two heads, he could baptize at the same time and yet it is probable that there are there two persons, because two principal parts; and third by likeness, because the same priest can at the same time consecrate several hosts.

27. When for some effect several things run together, those things can be made equally from one and from many (this is plain about a house: one stone can equally be positioned by one person and another by another and at length the house will be completed just as it would be if all the stones, up to the introducing of the form [of the house], were put in place by the same person; it is plain also in another example, where there is greater unity of effect, for a ship can equally be dragged in one pull by several people as by one person who has with them an equal virtue). But in baptism many things come together, as washing and speaking of words; therefore baptism can be conferred equally by two, one of whom washes and the other speaks the words, as by the same person washing and speaking.

28. To the contrary:

The minister there represents Christ, who is mediator of God and man, and Christ is one [*I Timothy 2.5*].

I. To the Question

29. I reply: ‘many baptizing’ can be understood either as baptizing ‘the same recipient’ or baptizing ‘many recipients’.

30. And each of these can further be sub-distinguished:

Because if they baptize ‘the same recipient’, either each does the whole or one washes and the other speaks the words.^a

a. [*Interpolation*] or each does part and neither does the whole, as that one washes and the other speaks the words.

31. The second division is also sub-distinguished, because if one baptizes ‘many’, either many who are clearly distinct or many who are unclearly distinct (as in a monstrous birth, where there is doubt if it is one person or two).³³

32. About these four divisions in turn:

A. About Baptism Administered by Two Ministers who Together do the Whole

33. About the first [n.30] I say that that person is baptized, because it is not likely that one doer would annul the deed of the other; but if only one of them were to do what both do, it would be done; therefore, no less is it done when the other does the like.

34. About this there are two doubts:

The first is that the same thing cannot be from two total causes; but when one washes and speaks the words he is the total cause in baptizing, and does it with the causality that belongs to a minister; therefore, the same baptism cannot be from someone else who is a causer in the same place in the same order. The major is proved through this proposition, that nothing is a cause when, on its non-existence, the effect none the less exists [cf. *Ord. I d.3 n.522*].

³³ We today would likely speak of ‘conjoined twins’ here.

35. Again, if the agent and the form by which he acts are different things, the form induced is different (this is taken from the Commentator [Averroes] on *Physics* 5, comm.2 48-49); but here there is this agent and that agent (in the way being an agent belongs to a minister), and a different form by which each acts, because there is one intention in this agent and another in that; therefore the act of baptizing is simply different. But to each action belongs its own action undergone; so there are several undergoings of baptism there, and consequently several baptisms.

36. As to the first [n.34] I concede the major about the cause that does effectively induce the form.

37. And if it is objected that at least the form of baptism, as it is a sacrament, is induced by the minister, and thus there are two causes and each is total – I respond: if each washes, neither is total cause in washing, and this whether the washing is done by immersion – (for then both move the body of the one immersed by one motion that is caused by the motive power of both; and although another could cause the motion, nevertheless when they move together neither uses his whole motive power to the extent he could use it – it is plain when two carry one weight which either could carry) – or whether it be done by pouring or sprinkling; albeit each make [the recipient] wet with the per se poured water, yet neither makes him wet with the whole wetting that comes from the sprinkling done by both.

38. But a difficulty still seems to stand, because each is total cause with respect to the speaking of the words; therefore, as to one part of the exterior effect (which is the sacrament) there will be two total causes, and this is as impossible about a part of the effect as about the whole of it.

39. I reply: it is difficult for the words of one of them not to be superfluous in this way, that they are not per se part of one sacrament; because it is to set down two things of the same idea as parts of one thing that is simply perfect in having one of them; the other seems to be superfluous.

40. But which words are superfluous, and whose as speaker, is difficult to assign, because the reason by which it is this one is a reason by which it is that one – and so each or neither is superfluous, because each speaks the words equally completely and with like intention.

Look for the response.^b

b. [Interpolation] It can be said that the act of baptizing by this one or that other one is valid, namely his whose act of baptizing God accepts. But whose he accepts determinately is altogether uncertain to us; only God knows, and he to whom he wishes to reveal it.

41. To the second argument, about action [n.35], there is doubt whether it be placed in the undergoer or the doer. And if in the undergoer, the action is not a ‘many’ in reality if the undergoings are not many; nor are the undergoings many when the form received in the undergoer is one; and, by holding this view, the major proposition that is taken from the Commentator [n.35] must be denied. But if action be placed in the agent, whether action is something absolute or a relation to the undergoer, then the major can be conceded; but then the proposition that ‘to diverse actions respond diverse undergoings’ [n.35] is false. In whichever way, then, that action is spoken about, several baptizings are not posited but one is.

42. And from this seems to follow a corollary, that the sacrament of baptism is more the baptism undergone than the baptism done, because baptism is not multiplied when the doing of baptism is multiplied, for the undergoing of baptism is one. This inference also seems probable, because the one baptized properly receives the sacrament; for he properly receives the washing undergone, and not the washing done, unless the washings be said to be the same really.

B. About Baptism Administered by Two Ministers who do Something Separately

43. About the second member of the distinction [n.30], I say that when each does something separately, and neither does the whole in thus washing and speaking at the same time, nothing is done.

44. Nor is there a reason save the institution of God who, as he wished there to be one principal agent, so he wished to have one minister in the integral conferring of the sacrament.

45. This is also plain by taking up the form that we use for, from our words, he who speaks them signifies that he is washing; and his speaking, which is the form of our sacraments, should not be false. The like must also be understood of the words of the Greeks, who say ‘let him be baptized etc.’, because this is not merely an invocation but as it were a certain efficacious willing, so that the sense is, ‘Through this my act over him, let him be baptized’.

C. About the Baptizing of Many Carried out by One Minister all at Once

46. About the third member of the distinction [n.31], it is conceded that when someone sprinkles or pours [water] on several at once and at the same time pronounces the form in the plural saying “I baptize you [plural]”, he does baptize them all at once but sins mortally, because he does not keep the form imposed on him by the Church – and this unless perhaps there were so great a necessity that the death of all were imminent at once, and that if he were to baptize individuals singly some one of them would be dead before he had baptized the others.

47. But here there is a doubt whether there be then one baptism.

It seems that there is not because several are baptized and consequently there are several undergoings of baptism, and thus several baptisms.

48. But the opposite also seems to be the case, because there is only a single form, for the same words are spoken once.

49. It could be more conceded perhaps that there are several baptisms, by holding to what was stated, that the sacrament of baptism is the *undergoing* of baptism [n.42].

50. And then in response to the argument [n.48]: either there is no need, for the pluralizing of something, that all things in it are pluralized, but it is enough that some of them are pluralized for the whole to be pluralized; or the form is not simply one, because the plural ‘you’ includes in itself the singular ‘you’ several times doubled.³⁴

51. But would the case of necessity that is posited about several who are going to die at once [n.46] excuse from mortal sin a minister who uses the form ‘I baptize you

³⁴ Priscian, *Institutiones Grammaticae* V ch.9, “It is well said that the singular too, when doubled and multiplied, makes all numbers, and that all numbers are composed of it and dissolve into it.”

[plural]’? It seems this is reasonable, because from the fact it was in the power of the Church to determine, as to some of the words, the form, ‘I baptize you [singular]’ (as was said above, d.3 nn.48-76), it does not seem that the Church wanted to restrict anyone so precisely to this form that the way of salvation would thereby be closed off to anyone. But now salvation would be closed off for some one of those in a case of necessity if one could not, without mortal sin, use the form ‘I baptize you [plural]’, for if it were in any case a sin, no one ought thus to baptize them; for no one should procure the salvation of another by sinning in himself mortally.

D. About the Baptism of a Receiver whose Unicity is in Doubt

52. About the fourth member of the distinction [n.31] I say that if time can be had for discerning whether the monstrous birth is simply one person or two, diligent investigation should first be made about this before it is baptized. And investigation can be made either from the parts of the body (for example if there be two heads or two spines in the back), or there is the more principal indication of hearts.

53. But this [indication of hearts] cannot easily be clear while it is alive.

54. But neither can the sign about two heads be altogether certain, because it would be possible for some chamber of the womb to be divided through the whole of it, besides at the top, and then the parts of the seed, falling through the womb’s diverse openings, would come together in the whole lower part and be distinct in the top part; and two heads would be formed there although, however, the rest of the matter would only be sufficient for the formation of one person.³⁵

55. Briefly, the clearest sign for discrimination is through act of intellect and will: for, if there are two souls, it is not necessary that one know whatever the other knows, nor that one wants what the other wants; yet rarely or never does it happen that there are two souls without two heads or two principal parts of the head, though not conversely.

56. And if in any way a diversity of intellects in understanding can be detected (for example, that by some sign it were detected that the same thing was known and not known), or if a diversity of wills could be detected (for example, that there was a willing there and a refusing of the same thing), without doubt should one hold that there were two souls there.

57. But this can only be judged about an adult monstrous birth, of the sort posited to have existed in France, possessing two heads, one of which expressed a refusal of that for which the other expressed a willingness; for one wanted to be continent and live soberly and the other to be lascivious and to feast; and when one would go to extremes in eating through its mouth, the other would exclaim it was bloated.³⁶

58. About this monstrous case I say that if certitude can be had, and if there are parts about which it is plain that they belong to distinct persons, each part should have water poured on it separately, with repetition of the form [of baptism] in the singular on each of them. If certitude cannot be had, it is to be baptized, at least on those parts that belong principally to one of them, with the form in the singular; and second those parts are to be washed that do not seem principally to belong to that first one, and this with the form to be observed in those cases where there is doubt, which is set down in *Decretals*

³⁵ Scotus seems to be following an example discussed more fully by Henry of Ghent, *Quodlibet VI q. 14.*

³⁶ The story is in Henry of Ghent, *ibid.*

III tit.42 ch.2, Gregory IX [“Where there is doubt if they have been baptized, let them be baptized with these words, ‘If you are baptized I do not baptize you; but if you are not yet baptized, I baptize you etc.’”].

II. To the Initial Arguments

59. As to the first argument [n.26]: the antecedent is not true when speaking of one baptism, for if the same person baptizes several people, this is by several undergoings of baptism, and so there are several baptisms. And if the intention is to prove the major by speaking of one baptism, I say that the first proof, about many who are sprinkled at once, does not prove this (as is plain in the third member of the distinction [nn.47-49]); nor does the second proof about monstrous births, for if there were two persons in such a monstrous birth, they would have to be baptized individually; and if they were baptized together under this form ‘I baptize you (plural)’, then although the minister would sin without necessity (because a case could not easily be found of a sort that their baptism one by one could not be waited for), yet they would be two baptisms (as was said in the third member of the distinction [nn.47-49]). As to the third proof, about the eucharist, I say that although the priest, by speaking the words once, may consecrate several hosts at once, yet there are several instances of being consecrated there; and it could also be conceded that they would be several hosts or eucharists; similarly, just as there would be several hosts, there would be several consecrated wines.

60. To the second [n.27] I say that in some case several things run together each of which without the other is something in itself (and just as it is something in itself, thus can it remain so as to be something of the whole – just as in that example about the parts of the house). It is not this way in the issue at hand, because neither are the words without the washing anything of the baptism, nor is the washing without the words.

61. And if you say that at least as existing together they [the washing and the words] are something of baptism, and in this way can they yet be from several diverse ministers – this is true if the unity of the efficient cause were not requisite insofar as they constitute a single sign; but unity is requisite because of the ordaining by its principal agent [=God] (not also by its provider [=the Church]) that it is an efficacious sign when it is administered totally by the same minister.

Question Two

Whether the Unity of Baptism Requires the Washing and the Speaking of the Words to be Simultaneous

62. To the second proceeding thus:

It seems that the washing and the speaking of the words do not need to be simultaneous, because the Eucharist is one sacrament and yet between the words of consecration over the bread and the words of consecration over the wine there is a long interval, from the place ‘In like manner’ up to here ‘This is the cup’.

63. To the contrary:

Augustine *On John’s Gospel* tr.80 n.3 [Gratian, *Decretum* p.2 cause 1 q.1 ch.54], “The word reaches the element and it becomes the sacrament.”

I. To the Question

64. As to this question, it is plain that simultaneity is required, and the principal reason is the institution of Christ, who institutes these two as one complete sign for signifying the effect, such that neither would be a sign without the other. But what sort of simultaneity?

A. The Opinion of the Glossator

65. One opinion touches on the chapter *Detrahe*³⁷ [Gratian, *Decretum*, p.2 cause 1 a.1 ch.54], that “the water per se is not the sacrament but when it is conjoined with the word, namely in the last moment of speaking the form.”

66. “And this is true,” says the Glossator, “according to them, to the extent that if in the instant in which the form is ended, and the water becomes the sacrament, the boy were not in the water, namely because before [the minister] said ‘and of the Holy Spirit’ he had raised him from the water, the boy would not be baptized.”

67. Nor yet does it follow that an ass could drink the sacrament, because the gloss touches there on the argument against Gandulphus, who says that the water alone is the sacrament; but for this reason does this not follow against them, because they say the water is the sacrament only in that ultimate instant [n.65].

68. “Nor is it strange,” according to the glossator, “if it begin and cease to be in the same instant^a, since it is possible to find this in other cases according to the law.”

a. [Interpolated text] And if you say that then too an ass, on drinking the water, would drink the sacrament in that ultimate instant [n.67] – I reply that, according to him, it simultaneously begins and ceases to be in the same instant.

69. And he sets down a case from the *Digest* [*Corpus Iuris Civilis*] XLVI ch.4 n.21], and he criticizes the example.³⁸

70. But he sets down another, “in the case of a slave given by a man to his wife so that he may free him, for in the same instant he begins and ceases to have lordship,”³⁹ *Digest*, XXIV ch.1 n.7 sect.9.

71. Another example can be set down, when someone begins and ceases to be a debtor, *Digest* XVI ch.1 n.24.

B. Rejection of the Opinion

³⁷ “Others say that the water begins and ceases to be the sacrament in the same instant, namely in the final moment of speaking the form, ‘I baptize you.’” “‘Take away [detrahe] the word from the water’, that is, take away the form, and it will not be the sacrament of baptism. And note that Gandulphus Bononiensis said that the water itself is the sacrament, namely the element itself...; hence if an ass drink the water it drinks the sacrament. Others say it is impossible that an ass drink the sacrament.”

³⁸ “For if something is owed to me under a condition and I receive what is owed, I have taken it before the existence of the condition; if the condition exist afterwards, it begins and ceases to be owed in the same instant.” The glossator criticizes the case because what the law says is false: the debtor was freed long ago, and the debt was not later owed even for an instant.

³⁹ The Latin here, because of its vagueness, could also be translated to mean “in the case of a slave given by a man to his wife so that she free him, for she begins and ceases to have lordship in the same instant.” But Scotus does not take it this way in his response later [n.76].

72. The above [nn.66-71] can well be ‘Bernardican’ objections and subtleties,⁴⁰ and asinine enough indeed in their fear lest an ass drink the sacrament; for neither in the water before the speaking of the words, nor in the speaking of them, nor in the last instant, nor in brief is the sacrament ever, without words or with, in the water; but the washing is in the water, and no ass can come along to drink that.

73. Neither is the simultaneity of the last instant in speaking the words and of the washing [n.65] necessary, for when the Apostles baptized 3,000 men in one day, *Acts* 2.41, they did not sprinkle [the water] always with the last syllable of the form such that the water then touched the one baptized.

74. Also, as to what the glossator himself adduces [n.67], that some virtue is in the last instant in the water and at the same time ceases to be, it is nothing if one understands the words properly; because when a permanent thing ceases to be it is not; and when it begins to be it is, for it has the first moment of its being and not the last; therefore if it begins and ceases at the same time, it is and is not at the same time.

75. Nor is it necessary that, because of this, virtue remain in the water after the act of baptizing [n.74], because neither is there any virtue in the water when the baptizer is actually using it, as was touched on in d.1 n.323.

76. Nor do the legal concordances [nn.69-71] prove that the same thing begins and ceases simultaneously; but they get their meaning in the way a lord begins to have lordship over a slave (who has been given to his wife) in a way other than he had lordship before, and ceases to have it in the way he had it before; for he had the slave before immediately and now he has him meditately, because now he is the slave of his wife [n.70].

C. Scotus' own Opinion

77. I say therefore that the sort of simultaneity required is the sort that is required in human acts; for Christ refused to bind us to so subtle a simultaneity that scarcely could a man perceive or keep it.

78. Now simultaneity between a man’s deed and his word is when one of them begins before the other has totally finished, and this indifferently, whether the one will have finished before the other or the reverse. For example: if someone say this sentence ‘do this’ and he stroke his beard at the same time, whether he begin his act [of stroking] before the speaking of the words or vice versa (provided however that one of them not be finished before the beginning of the other), it will be said ‘he said this and did this at the same time’.

79. Thus I say that whether the priest immerse first with one immersion (where it belongs to the custom of the country to immerse more than once), and afterwards with a second immersion begin the words, or whether he begin the words and at the saying ‘I baptize you’ he immerse along with the words that follow, the simultaneity is sufficient – provided, in brief, the speaking not finish before the beginning of the washing, nor the washing finish before the beginning of the speaking.

⁴⁰ ‘Bernardican’ because Bernard of Pavia [d.1213], a noted glossator, came up with this and many like glosses on the law; see below n.184.

II. To the Initial Arguments

80. As to the argument, about the Eucharist [n.62]: there is not the sort of unity between the species of bread and of wine as there is in the sacrament of baptism; for the species are not parts of the sort that neither of them signifies without the other; for the species of bread truly contains the body of Christ before the consecration of the blood. But the words here [in baptism] are not anything of baptism without the washing, nor conversely.

Question Three

Whether the Unity of Baptism Requires the Baptizer to be Distinct in Person from the Baptized

81. To the third [n.25] proceeding thus: that the baptizer does not need to be distinguished in person from the baptized:

Because the priest can give himself the Eucharist (it is plain in the mass); therefore, just as he can receive that sacrament from himself, so this sacrament too.

82. To the contrary:

Decretals III tit.42 ch.4, Gregory IX, “Just as, therefore, in carnal generation he who generates carnally is one and he who is carnally generated is another, so too in sacramental generation, whereby offspring are reborn from water and the Holy Spirit, he who spiritually generates should be one and he who is spiritually generated should be another.” “Certainly, when the body exteriorly or the heart interiorly is baptized, it is necessary that on both sides a paternity and a filiation are able to be found, whereby baptizer and baptized may be referred to each other.”

I. To the Question

83. This question is expressly solved in *Decretals* [n.82] for the affirmative side.

84. For this is adduced a figure there and an authority and a fitting reason.

A figure because “to designate it Christ himself wished to be baptized, not by himself, but by John the Baptist” [*Matthew* 3.13.-17].

85. The authority is gathered from the words of the Lord saying to the Apostles: “Go, baptize all peoples in the name of the Father and of the Son and of the Holy Spirit” [*Matthew* 28.19], where he expresses the disciples in one person and the baptized in another.

86. The reason is because it is insinuated there that in baptism a certain spiritual kinship is contracted between generating and generated, “about which the Truth says, ‘You must be born again’” [*John* 3.7].

87. “Just as then in carnal generation, he who generates carnally is one and he who is carnally generated is another, so too in sacramental generation...he who spiritually generates should be one and he who is spiritually generated should be another” [n.82].

II. To the Initial Argument

88. To the argument [n.81] I say that receiving the Eucharist is not a sacrament, but is sacramental eating or perceiving; but baptism itself is a sacrament.

89. And if you argue that at least the priest administers the sacrament of the Eucharist to himself, therefore by parity of reasoning he can administer also the other [baptism to himself] – I reply: to administer the former sacrament is not a sacrament because that former sacrament does not consist in the using; but ‘the sacrament of baptism being administered’ is the sacrament of baptism. And the reason for the diversity is that the sacrament of baptism consists essentially in the using and not in the water (as was said in the preceding question [n.72]); but the Eucharist is something permanent, distinct from the using of the sacrament. So, although someone could be minister in the using of a permanent sacrament and minister of him who receives that use, yet this cannot be in a sacrament that essentially consists in the using.⁴¹ Hereby is plain the answer to the argument, because the case is not alike.

Third Part

About the Intention of the Minister

90. About the third main point [n.9] I ask two questions: first whether due intention for baptizing is required in the minister who baptizes; second what sort of intention.

Question One

Whether in the Minister who Baptizes there is Required the Due Intention to Baptize

91. As to the first [n.90] argument is made that it is not required:

For an instrument does not have an intention (as is plain about an axe); the baptizer does not cleanse save as an instrument; therefore etc.

92. Again, the word and the element [sc. water] alone belong to the essence of baptism; therefore etc.⁴²

93. Again, an infidel can baptize (it is plain in Gratian, *Decretum* part 3, *On Consecration*, d.4 ch.23), and yet an infidel does not intend it, as it seems, because no one wishes that to be done which he does not believe can be done; therefore etc.

⁴¹ This difference between baptism and the Eucharist is real enough, but one might wonder why it entails that one cannot administer baptism to oneself, for one can certainly wash oneself and speak words at the same time. Perhaps the answer is that Scotus does not intend this difference to show that it is altogether impossible to administer baptism to oneself, but rather to show why Christ could reasonably choose not to allow self-baptism but could reasonably choose to allow self-giving of the Eucharist. For the real reason self-baptizing is ruled out is Christ’s decision to rule it out, but this decision is well grounded in the reasons given in nn.84-87. Likewise, Christ could have decided to rule out self-giving of the Eucharist, but the difference of it from baptism as explained in nn.88-89 gave him good reason not to do so.

⁴² These first two arguments were added in the margin, probably by Scotus. They are not answered in the replies to arguments at the end [n.133]. In fact, however, they are basically the same as the objections in nn.113-114, which are answered there in nn.115-132.

94. Again, a drunkard can baptize, according to Augustine, *On John* tr.5 n.18 (and it is in Lombard's text);⁴³ but someone like that is not using reason; therefore, he does not have intention

95. To the contrary is the Master in the text [*Sent.* IV d.6 ch.5 n.1], "As in this sacrament, just as in the others, the form must be kept, so the intention to celebrate it must be kept."

I. To the Question

96. One must say that intention is necessarily required, because otherwise it would not be a human act.

97. But what kind [of human act]?

It is sufficient that the baptizer intend to do what the Church intends, even though he believe this avails nothing.

98. And Christ established this because of the necessity of baptism, lest the infidelity of the ministers harm those who are to be baptized.

A. The Common Opinion and Assessment of It

99. As to this question, the common position is that intention is required.

100. And for this the following sort of congruence is set down [Richard of Middleton *Sent.* IV d.6 princ.1 q.2, Thomas Aquinas, *Sent.* IV d.6 q.1 a.2]: when from two things a third is made, it is necessary that this be done through some third thing that joins them; word and element come together for baptism; therefore, a third thing conjoining them is required. But this thing that does the conjoining cannot be the recipient, because the recipient has the idea of matter and susceptive subject; therefore it must be something in the minister; but such seems only to be intention, because he himself when ministering through his exterior powers (namely the motive power whereby he washes and the expressive power whereby he speaks the words) causes those things as they are distinct.

101. To the contrary: this reasoning does not seem very efficacious, because in a sign that is instituted at will many things come thus together in idea of single sign because of the institutor's act, though there be nothing else because of which the sign have unity. The thing is plain about circles intersecting each other, adorned with green leaves and many other things, to signify vintage [cf. d.1 n.214].

B. Scotus' own Opinion

102. I answer therefore by drawing a different distinction about intention as concerns the object with respect to which it is called intention; for a minister can be said to intend either the act that he exercises or the end for which the act is to be exercised.

103. Intention is more properly spoken of in the second way, because it more properly regards the end on account of which the intention is (it is plain in *Ord.* II d.38 nn.11-12).

⁴³ "Those whom a drunkard has baptized, Christ has baptized. I do not fear a drunkard, because I pay attention to the dove, through which is said to me, 'This is he who baptizes...'" [John 1.33].

104. However it is sometimes taken in the first way, as is plain from Augustine *On the Trinity* IX ch.12 n.18 and frequently elsewhere [XI ch.5 n.9, ch.9 n.16], where he maintains that intention unites intelligence with parent [cf. *Ord.* I d.3 n.413]. In this way too is intention taken in *Physics* 2.5.196b15-22, where an agent by intention is distinguished from a natural agent; an agent by intention is said to be acting ‘on purpose’.

1. About Intention as Regard the Act

105. I say, therefore, that the minister must have intention in the first way, namely with respect to the act that he exercises.

106. And the reason for this is because that intention is required in any man who does something non-fortuitously, or who carries something out in accord with human act, in the proper way of speaking of human act, namely an act which is caused by a man through intellect and will.

107. Now this act which the minister ought to exercise must be a human act and not fortuitous; for it is an act to which God has obligated the minister on the minister’s part, and obligated the receiver on the receiver’s part.

108. The act to which someone is obligated is said to be a human act in him, and not casual or fortuitous, because obligation does not fall on things fortuitous. There is obligation also that a man intend what he is obligated to.

2. About Intention as Regard the End

109. But if we speak about intention in the other way, namely because of what end such an act is to be exercised [n.102], I say that the end is double: one is principal and remote, namely that the one baptized become a son of the Kingdom and receive the grace by which he is worthy of eternal life; the other is the proximate and less principal end, namely that the one baptized become a Christian and member of the Church militant; and someone can intend each end either in universal or in particular.

a. Exposition

110. I say therefore that the intention with respect to the ultimate end is in no way required in the one baptizing, because a pagan in no way intends to order to eternal life him whom he baptizes. However, intention with respect to the proximate end is required, and this either in universal or in particular: in particular, namely if he distinctly intend that the one baptized enter into keeping the Christian law; but in general, if he intend to do as regard him what Christians intend or are accustomed to do as regard their own.

111. Now the reason why this intention is required (and not the one in agreement with the ultimate end) is as follows, namely that God wanted this act exercised by the minister to be in him a human act, and not only so that it would be such in nature (because in this it would not be distinguished from any other bathing using other words). But insofar as it is such a human act, it belongs to him as minister carrying out a sign of God. Now he who has a human act intends the end of the act as it is for him a human act; therefore, the minister intends the proximate end of the act the way the act is imposed on him. But the other end, namely to order the one baptized to eternal life, is not the end of

this act, as it is a human act, to which end he should be ordering the act in order for it to be for him a human act.

112. Now this is reasonable universally in the use of a practical sign. For if some legislator were to institute in his polity the touching of hands as a practical sign of friendship [cf. d.1 n.237], he would not intend that users of this sign would have a human act precisely about it insofar as it is of the sort it is naturally, but about it insofar as it is such an instituted sign. And if he had made disposition to bring together and make to be observed every such sign, he would not be making this to be kept unless a man carried this act out as it is instituted toward such end.

b. Objections

113. An objection is raised against this as follows:

An instrument should not have a proper action because in a proper action it would not be an instrument but the principal agent; and much more should an instrument not have an intention with respect to an end, but it is enough that it be directed by the principal agent, which does intend the end; now the minister is an instrument of God; therefore etc.

114. Again, for a sacrament nothing is *per se* required save as it is a part or the thing of the sacrament; intention is not a part of the sacrament nor anything of it, because it is not anything sensible; nor is it the thing of the sacrament, because the thing of the sacrament is in him who receives the sacrament.

c. Response to the First Objection

115. To the first [n.113] I say that it is one thing to speak of a second cause and another of an instrument properly speaking.

116. For a second cause has in its being at rest a proper form that is for it the reason for acting in its own order, and this in respect of the same effect in respect of which the first cause acts in its order, so that universally a second cause properly taken attains the effect of the principal cause through its own proper form, though in virtue of the prior cause, because it is subordinated to that cause [*supra* d.1 nn.167-171].

117. But an instrument, if it be properly posited as active, either does not attain the effect of the principal agent but only some disposition previous to it – and in this way the quality that does the altering is called instrument of the substance for generating substance; but this is not because in its action of altering it is instrument; rather is it a perfect principle of alteration insofar as it could alter substance *per se* if it existed *per se*; but for this reason alone is it called an instrument with respect to substance, because it is an agent for a certain form that is disposition for substance; hence it would more properly be said to be a disposing agent in contrast to a perfecting agent than something instrumental in contrast to what is principal.

118. Or if the instrument be posited to be active and yet one that attains the term of the principal agent, nevertheless it is in this distinguished from a second cause, namely that it does not in its being at rest have a form that is a principle of acting in its own order, but it only receives form in actual motion and retains it while actually moving.

119. About each of these three, namely a second cause properly stated [n.116], and an instrumental cause that is dispositive [n.117], and an instrumental cause that is active through a form received in actual motion [n.118], it is false that it does not have a proper intention in the way that a natural agent has a natural intention; because each of these three has a proper form which is for it a principle of acting in its own order, and consequently it has a proper intention, because an intention is consequent to a natural active form in this way.

120. In a fourth way a properly active instrument could be posited, just as it is posited in respect of the whole (when being a principle of operation belongs first to a part and only to the whole through the part). And in this way does the Philosopher call ‘organs’ the parts in accordance with which operation belongs to the whole [cf. d.1 n.317].

121. And this instrument in a way has a proper intention, and in a way does not. For the active form of it is also form of the whole, but it is form of the instrument first; it is form of the whole through the part and not first. For the active form of the whole is form of the whole, but it is form of the whole per se and first and form of the part per se and not first.

122. And in the same way about intention. For there is not here the order of virtue to virtue in its being at rest (as in the first member [n.116]), nor the order of effect to effect (as in the second member [n.117]), nor the order of virtue in its coming to be to virtue in its being at rest (as in the third member [n.118]); rather it is the same virtue, but participated diversely in whole and in part. And about this [fourth] member it could be conceded that the instrument does not have an intention different from the principal agent. Yet neither does the part properly have an action different from what the whole agent has through the part, but it has it in a different way, though it has the same action.

123. An example of the first: the sun and a father with respect to the generation of a son. An example of the second: fire and the heat of it that makes disposition for the generation of another fire. An example of the third: illuminated color and the species of color in the air in respect of altering the eye toward the species or the seeing of color. An example of the fourth: the organ of the nutritive power and the whole animal in respect of the act of nutrition.

124. Beside these four, the name ‘instrument’ is more commonly wont to be said of certain other things, as of the instruments of artisans, from which the name of instrument is first drawn, as of an axe and a saw and the like, examples of which are frequently set down [*supra* d.1 nn.18, 48, 318, 320, 328; Aquinas *Sent.* IV d.1 q.1 a.4, q.2 ad 2, *ST* IIIa q.62 a.1; also Richard of Middleton *Sent.* IV d.1 princ. 4 q.3]. But these, as was said above [nn.117-118], are not properly active with regard to the effect, not even the principal effect, if the agent reaches the principal effect through such instruments (as a coin minter reaches the figure to be stamped on the coin, which is his principal term, through some instrument). Nor are they properly active with regard to the disposing form, as if the agent act through such instruments for a preliminary disposition (as he acts with an axe for the cutting of wood preliminary to the form of a chest).

125. But yet an instrument in this way, different from the aforesaid four ways, is a motion, susceptive of a prior effect ordered to a later effect, such that what is received in it has an order to the principal term, just like a nearer effect of a cause to a remoter effect; but it does not have any order of causality properly stated.

126. And about such an instrument [nn.124-125] it could be conceded that an instrument does not have a proper action with respect to the effect, because neither does it have any proper active virtue (neither in its being at rest nor in its coming to be); and therefore it is simply not active, nor consequently does it have intention the way intention belongs to an agent.

127. It is plain, then, how the major premise [of the objection, n.113: "an instrument should not have a proper action"] must be understood of an instrument, because it should be understood in the fifth way [nn.124-125], namely that it is not active but receptive of a prior effect, or in the fourth way, about a part in respect of a whole operating through the part.

128. And the minor [n.113, "the minister is an instrument of God"] is false. This is plain as to the way of whole and part [the fourth way, n.120]. But neither is it true of an instrument in the fifth way stated [nn.124-125]. Rather the minister is a second cause with respect to washing, not however as it is washing but as it is sacramental; and therefore, since the minister is an agent and not a natural one, he has a proper intention, the intention that pertains to a knowing agent.

129. But in respect of the principal effect of baptism, namely grace, the minister can be called an instrument with respect to God, in the way in which a dispositive agent is called an instrument of the perfecting agent (in the second way [n.117]). And such an agent does not have a proper intention in respect of the term of the principal agent, but in respect of his own proper term. And so I concede that the baptizer does not need to have an intention in respect of the ultimate effect of baptism, but he does in respect of baptism.

d. Response to the Second Objection

130. As to the second [n.114], one must say that to baptism belong some things as extrinsic, some things as intrinsic; and I concede that nothing belongs to it intrinsically or to its foundation save what is sensible.

131. However, just as an efficient cause is necessarily required for it as extrinsic cause, so there is necessarily required for it what serves as the principle of acting for such efficient cause. Now the ultimate principle determining an intellectual agent to act is intention, because such an agent is cause by command of will of the acts of the other powers that are subject to command of will.

132. When therefore it is said that nothing belongs to the sacrament unless it be something of the sacrament or the thing of it [n.114], this is true of that which is intrinsic either to the sacrament itself or to what is signified by the sacrament. But intention is intrinsic in neither way; it is, however, required on the part of the agent.

II. To the Initial Arguments

133. To the initial arguments:

To the first [n.93] I say that he who does not have faith about the ultimate end does not intend to order him [sc. the one he baptizes] to the ultimate end through baptism; yet as he believes that he [the one baptized] can be ascribed to the sect of the Christians, whether he believes the sect has value or not, he can intend to ascribe him to that sect, or

he can more generally intend to do through that act what Christians intend to do about them [those baptized].

134. There is an example of this: for I could, believing that Jews are distinguished from others by circumcision, intend to ascribe the child to the sect or the rite of the Jews, and I could intend that I was doing in his regard [sc. by circumcising him] what Jews intend to do in regard to their own when circumcising them, even though I would not be believing that the circumcision availed him for salvation. In this way too, could certain words of invocation, which male or female magi use, be spoken by someone of good faith over the material that others use them over, intending generally to speak them relative to the end for which they speak them.

135. To the second [94] I say that a drunkard is someone accustomed to drunkenness, and he is not always drunk, nor is he always impeded from the use of reason. Therefore, Augustine states the truth, "I do not fear a drunkard," a drunkard insofar as accustomed generally to drunkenness (for he is, for this reason, not always drunk), because his bad custom does not prevent the baptism conferred by him from being good. However not when he is drunk, and I mean by this perfectly drunk, so that his reason is totally impeded, but otherwise, when he is not impeded, able to use reason.

Question Two

What Sort of Intention is Required in the Minister who Baptizes

136. To the second proceeding thus – and argument is made that actual intention is required in the one who baptizes.

Because an effect does not proceed from a first act save by means of a second act; habitual intention is as it were a first act; therefore, an act does not proceed from it without actual intention, which holds the place of a second act.

137. On the contrary:

Intention in a minister is no less sufficient for earning merit than for conferring the sacrament; but actual intention is not required for merit; therefore not here either. The proof of the major is that merit does not have an effect save because of the proper effort of the will of him who merits; but the sacrament does not have effect through the motion of anyone's will but only if no obstacle is put in the way. The proof of the minor is that if actual intention were always required for earning merit, someone distracted in a work he has begun, however perfect the work and with however much perfection begun, would not earn merit because he would not have actual intention.

I. To the Question

138. Here a distinction is commonly drawn between actual and habitual intention, as if these sufficiently divide intention.

139. But it seems that a third member could rationally be added on, and it can be called virtual intention; for he is said to intend actually who has an elicited act with respect to what he intends; he is said to intend habitually who has a habit inclining him to such an act; but there is someone less perfectly intending than in the first way, and more perfectly intending than in the second way; so there is a middle between those members.

140. The proof of the assumption is that, if someone who is intending at the beginning to celebrate mass is afterwards distracted, he does not have actual intention when he is distracted (which is plain because he does not then intend it in act, therefore neither does he will it in act); nor does he have only habitual intention, because someone asleep has such intention; therefore he is disposed in a middle way.

141. And I call this disposition of his ‘virtual intention’, namely because in virtue of some possessed intention he does actually all that he does thereby as by its root, such that this actual intention was the principle directed to all those acts, and he had in himself in virtue the intention proper to each of those acts (as the intention of the end has in itself virtually the intention proper to each thing ordered to the end); and to this extent, while the intention of each thing for the end remains and does not depart from that intention [sc. the intention for the end], the first actual intention remains in all of them virtually.

142. In this way, he who intends to go to Santiago⁴⁴ orders, on the basis of this intention, the many things necessary for that end; but while he is carrying out these ordered things he is not always thinking of St James, or of reverence for him. Yet I say he is always meriting because he has always that first intention virtually, wherein the reason for merit principally was; because either he has an intention for things which are for the end that the first intention is for, or he has some acts following from those intentions, even though accompanying those acts are some acts distracting him both from that first intention and from the intentions proper to the things which are for that end.

143. This was made clear in *Ord.* II dd.4-5 nn.19-20 and in *Ord.* III d.15 n.62, where it was said that perhaps the martyrs in their acts of undergoing martyrdom had only the virtual intention, because the enormity of the pains perhaps absorbed their use of reason; but the suffering of pains was a certain effect derived from the intention of keeping the faith of God, and therefore, while the suffering thus lasted, the intention always lasted virtually, as in its effect.

144. As to the issue at hand, I say that habitual intention alone in the baptizer is not sufficient, because his act is not called a human act on account of it, even though there be a human act conformed to that habit. For if someone have a habit inclining him to desire of health, if he were to go running in no way intending health but play, he is not said to be pursuing health through any human act but incidentally or fortuitously, no more than if he had had no intention for health; therefore habitual intention alone does not suffice with respect to the end of a human act as human.

145. Nor is actual intention always required in the baptizer, because God has not obligated man to what is impossible or too difficult, of which sort is not being distracted, because Augustine *On Free Choice* III ch.25 n.255 [cf. n.78], “It is not in our power what things when seen we are touched by.” Nor even has God obligated the minister more in that act than in the carrying out of the acts of the other sacraments. But in confecting the Eucharist, which is the most excellent sacrament, he did not obligate man not to be distracted but that he who before is intending to celebrate it (though in speaking the words of the sacrament he is distracted) has nevertheless truly confected it.

⁴⁴ Or St. James, which is likely a reference to Santiago de Compostela in North West Spain, which was one of the best-known pilgrimage destinations in Medieval Europe. Those who started on this pilgrimage from Paris (where Scotus lectured on and wrote some of what became the *Ordinatio*) would have to prepare many things for so long a journey on foot. They would typically start from the church of St James, or St-Jacques, in the Latin Quarter of Paris.

146. From these things I conclude that virtual intention is sufficient in the baptizer, that is, that he sometime had actual intention from which comes the act now of baptizing, whether he have or not have in this act some actual intention or other that comes from the former one. But I mean that this act will have come from the former without any contrary motion of will intervening – just as if someone, while dressing for mass, intend to celebrate according to the use of the Roman Church and he therefrom proceed continuously with great distraction, perhaps in accord with some habit left behind in his imagination, he truly does what is necessary for the sacramental act, which is to confect.

147. If it be asked how some effect that now is can be reduced to that first intention as to its cause, if that intention now is not, nor any other intention commanding that act – the answer is it is through a certain virtue impressed on a virtue that moves through an actually intending will; and as long as that impressed virtue remains, the moving virtue moves. The result is that if someone were to intend to go to the place and afterwards on the way think of other things, in the actual volition some actual impression on the motive power was coming to be; and as long as that impression moves toward the willed-for term and the man continues, little by little the impression lessens and at length fails and the man cease from motion. Then it is said that the man does not have the virtual intention save while he has the effect impressed by the actually intending will on the inferior power.

148. But it seems marvelous how the will could be a factive virtue, causing such a form in this organic power; it is also marvelous if it were caused in the place from which it was little by little departing.

149. If can therefore be said that in the sense appetite, or in the imagination, there is some disposition according to which it moves when the act of will commanding them ceases.

150. Or differently to the issue at hand: because whether the will, while actually intending, leaves something behind in the lower powers or not, yet it possesses in orderly way its volitions with respect to the end and with respect to the things that are for the end. And when it will have reached one of them and commanded an act of the corresponding inferior power, that commanded inferior act can remain although neither the first nor the second intention remain; and while the act remains, however much the will is distracted, the virtual intention is said to remain.

II. To the Initial Arguments

151. As to the first argument [n.136], I concede that some act is required for the effect to be, and that that act can be said to be what the external effect is produced by.

152. But if you are looking for some act according to which the operation is that is immanent to the agent, there is no need to grant that there is such an act then remaining when the exterior act is elicited – just as it is manifest that many effects are caused when actual motion of a cause acting through intellect (by which those effects are produced) does not remain.

153. And an example can be posited in natural things, because when a pebble is thrown into water, the first ring is cause of the second ring, and so on; but the first does not always remain as long as the second does, nor the second as long as the third does; so

too universally in the motion of things that are thrown, the first part, and the one locally closer to the mover, is moved before a remote part is.

Fourth Part

About the Repetition of Baptism

154. About the fourth main question [n.9] I ask two things: first about the repetition of baptism; second about the character because of which it is posited as being unrepeatable.

Article One About the Illicitness of Repeating Baptism

Question One *Whether Baptism can be Repeated*

155. As to the first article [n.154] I argue that baptism could be repeated:
Because the Eucharist can be repeated, and yet it is the most excellent sacrament;
therefore etc.

156. To the contrary:

Gratian, *Decretum* part 3 d.4 ch.108, taken from Augustine *Epistle 23* to Maximus, n.2 [it is in Lombard's text, *Sent. IV* d.6 q.2 a.1], "To rebaptize a heretic who has received these signs of sanctity is altogether a sin; but to rebaptize a Catholic is a monstrous crime."

157. Again, Augustine [in fact Ps.-Augustine] *Dialogue of 65 Questions* q.59 to Orosius [also in Gratian *ibid.* ch.29 and Lombard *ibid.*], "For this reason does the Church not rebaptize them (he is speaking of those baptized by heretics), because they have been baptized in the name of the Trinity."

I. To the Question

158. As to the question, all hold as certain that it is not licit to repeat baptism, and that, even if it be repeated in fact, it has no effect. And the authorities of the saints assert this.

A. Reasons of Others against the Repeatability of Baptism, and Rejection of Them

159. Now two reasons are set down for this:

One is [Thomas Aquinas *ST IIIa* q.66 a.9] that Christ baptized, suffered, and died once; and baptism gets its virtue from the passion of Christ, according to the Apostle's remark, "We were baptized in his death" [*Romans 6.3*].

160. But this reason does not prove the conclusion, because penitential confession too has its virtue from the passion of Christ, and absolutely is the first grace only given to an enemy through the merit of a Mediator; and yet confession is repeated.

161. Again, another reason [Aquinas *ibid.*, Bonaventure et al.] is set down, that in baptism a character is impressed that is indelible.

162. But this reason proves the proposed conclusion through something more obscure than the conclusion is. For from the beginning, when baptism was instituted, the fact that it was not licit to repeat it was manifest about it. But that a character is impressed was not known from the first institution of it, nor from the whole of Scripture, nor from many evident authorities of the saints, as will be touched on directly in the questions about character [*infra. n.238*]. And this chiefly seems to be so because, if there had been much treatment of this matter by the saints, the Master of the *Sentences* [Lombard] would have made some mention of it; but he is not found to have said any word about it in the sense in which we use it. For in his whole treatment of baptism [*Sent. IV d.2 ch.2 – d.6*] he names character only once, in the second chapter of this distinction at the end, saying, “Those who have been baptized by heretics, since Christ’s character has been preserved, are not to be rebaptized.” There baptism’s form is called Christ’s character, as is plain from the aforesaid authority of Augustine [n.156], from which the Master infers that statement.

B. Scotus’ own Reason

163. I say, therefore, that the reason for unrepeatability is divine institution, of which there is no other prior cause save the divine will.

164. However, this institution is reasonable.

164. First, from the sickness against which the remedy is principally instituted; for it is principally instituted against original sin, which is not but unique and cannot be repeated.

165. Second, from the principal end for which it exists, namely full remission of punishment and guilt. Now if a man could frequently have such full remission of both of these, there would be great incentive to delinquency; for that which is instituted as remedy for the relapsed, namely penitential confession, is not without a heavy penalty needing to be paid for sin.

166. Next third, because through this sacrament (since it is the beginning and the door through which entrance is made into the Christian law) one is ascribed to the family of Christ and becomes a member of the Church Militant. But although someone who has entered a college could, if he has committed offense after having entered, be reconciled both to the college and to the head of the college, yet he does not frequently enter the college or can frequently be received into it.

II. To the Initial Argument

167. To the argument [n.153] I say that the speaking of the words by which the Eucharist is consecrated is not a sacrament but is a sacramental consecration, and it is not licit to repeat it twice over the same matter; and if it were to be repeated a second time nothing would happen, because it was already done before. And the receiving is not a sacrament, though it is the receiving of a sacrament, as will be plain below [*Ord. IV d.8 q.1 nn.15, 41-42*].

168. Although, therefore, the same person could rather frequently communicate or receive the Eucharist, yet the words of consecration of the Eucharist cannot be frequently spoken over the same matter; nor can the Eucharist be thus repeated, because some matter properly of this sacrament would receive the form of it twice.

Question Two

What the Penalty is for Those who Repeat Baptism

169. Following on from this I ask what the penalty is for those who repeat baptism.

170. I reply:

Baptism can be repeated either by conferring it again, or by receiving it again – and doing it, whether this way or that, in ignorance or knowingly.

171. A distinction can be made about ignorance, because one kind is ignorance of the law and another is ignorance of the fact.

172. But it is not necessary for the issue at hand, because ignorance of the law in the case of this fact, whether in the receiver or the conferrer, does not excuse.

173. For either ignorance can be understood as ignorance of the divine law, which prohibits the repetition of baptism, and it is plain that ignorance of such a precept does not excuse from sin, nor from the penalty to be inflicted by God for sin.

174. Or it is understood as ignorance of the canon law that inflicts the penalty. And this ignorance too does not excuse from incurring the canonical penalty; for when a canonical penalty is added to something that is illicit by divine law (so that it may be the more avoided), knowledge of the canon law is not necessary for the canonical penalty to be incurred; but it is sufficient that one be bound to know the divine precept. And if this precept is transgressed, the transgressor incurs the canonical penalty, even if he not know that a penalty is inflicted by canon law.

175. For when, in this way, someone who strikes a cleric does it against the divine precept about fraternal charity, then even if he not know that excommunication is inflicted by the canon that is about such a deed [Gratian, *Decretum*, p.2 cause 17 q.4 ch.29], yet he would incur excommunication. And he who kills a man, though he not know the canon that punishes a murderer with the punishment of irregularity [*id.* p.1 d.50 ch.7], yet he would be irregular. And there is the same reason in all these cases, because such a person is giving his attention to an illicit thing, about which he should know that it is illicit; and if he not know, in no way should he carry it out until he consult the experts, from whom he could know it was illicit.

176. Thus one only therefore needs, in the issue at hand, to distinguish between knowingly repeating baptism and doing it in ignorance – when speaking about knowledge and ignorance of fact, that is, that it is known or not known that someone has been baptized and is now being baptized again.

177. I say therefore that if repetition is done knowingly in this way, both the recipient and conferrer are irregular, as is contained in Gregory IX, *Decretals*, V tit.9 ch.2.

178. But there is, if it be done publicly or in secret, a difference as far as concerns the fact that dispensation in one of these irregularities is easier than in the other; and dispensation is perhaps through a bishop in one, as the private one, and only through the

Pope in the other, as is plain there [in the *Decretals*]. And this is the understanding if the repetition be done absolutely; for if, because of some plausible doubt, someone, without deceit, use about another the form of that chapter ‘Which cases there is doubt about’ [*Decretals* III tit.42 ch.2; *supra* n.58], he is not irregular.

179. But if the repetition be done in ignorance, it is said⁴⁵ that he who receives it again, though in ignorance, is irregular. It is proved through Gratian, *Decretum* part 3 d.4 ch.117 [cf. n.165], where it is said that “Those who are baptized twice in ignorance do not need to do penance for it, save that they cannot be reduced to order according to the canons unless compelled by a heavy necessity.” And it is plain that this chapter is speaking of ignorance of fact; for if the ignorance were ignorance of law, penance would be necessary. Nor does the additional remark “unless compelled by a heavy necessity” take away the fact that such a person is irregular; for that remark is added for this reason, that in such a necessity dispensation would have to be made for him. This is how the canonists would speak.

180. But it does not seem that, according to reason, it has greater weight as to the one baptized than as to the baptizer; because someone baptizing a second time, not knowing that the person was baptized before, would not be irregular; for no priest is bound to make a strict investigation whether an old woman has baptized a child at home. But now it does not seem that he who, in ignorance, is baptized a second time is more to be punished than he who baptizes but less so, because he seems to be seeking his own salvation, lest it be in doubt.

181. Nor even does the authority of the chapter ‘Those who are baptized twice’ [n.179] seem sufficiently certain; for no one can inflict irregularity on the whole Church save the head of the whole Church; but that chapter, as it is there entitled [sc. in the *Decretum*], is taken from the *Penitential* of Theodore [I ch.10 n.1], who was bishop of Canterbury; therefore, insofar as it from this author it has no strength to inflict a penalty of irregularity.

182. Therefore it is necessary to say [sc. to give universal authority to Theodore’s decision, n.181] that any chapter whatever incorporated in the body of decrees by Gratian is confirmed by the Pope; or it is necessary to say that many chapters placed there [sc. including that from Theodore] do not bind the whole Church. But whence it could be taught that the Pope confirms all the chapters placed and compiled there is not manifest.

183. Nor either is it manifest in the way it is manifest about all the chapters placed in the *Decretals*, for there in the preface Gregory IX, writing to doctors in canon law, bids them to be content with this compilation in the schools and courts. And Boniface VIII, in the preface to the *Sixth Book* [of the *Decretals*] bids that, among the constitutions edited from the time of Gregory IX up to his own time, only those have force that are there inserted.

184. And if you say, “Although Theodore was not able to establish a law, yet he indicated that the Pope established it when he says ‘according to the canons’ [n.179] – I reply: the glossator should add this, because this gloss is necessary; but he put no gloss showing where a canon on this matter was published. And here, as in many other places, the useless occupation of the glossators on canon law appears, who multiply

⁴⁵ This opinion, as here expounded, is put together by Richard of Middleton [*Sent.* IV d.6 princ.4 q.2] from the statements of glossators, “Some say that he who receives baptism a second time, although he be ignorant he was baptized before, is irregular. Hence *Decretum* p.3 d.4 ch.117 etc.”

concordances and authorities for one word, and at their end there is nothing to the purpose – and elsewhere, where there is a word of the greatest weight on which the judgment of the whole chapter depends, they pass over it keeping their feet dry (as is plain about Bernard in many of the *Decretals*, where is put the remark “under threat of anathema;” for example on ‘About Bowmen’ he disputes whether the words express a sentence that is already passed or whether it carries a threat, and he goes backwards and forwards).⁴⁶

185. It could, therefore, be said (however much it helps) that, provided the ignorance of fact is not deceitful but probable, it totally excuses him who receives baptism just as it excuses him who confers it; for universally, a canonical penalty is not incurred unless it is imposed by the one who passed the canons. When therefore the penalty is not found inflicted by the force of the words, one must simply then say that there is no penalty; for the words of penal constitutions are not to be extended but restricted, according to the maxim of law [Boniface *Sixth Book of Decretals* V tit.42 reg.15, “Hatreds are fittingly restricted and favors expanded”].

Article Two About the Character because of which Baptism is Posited as Unrepeatable

Overview of Questions

186. As to the last main point, about character [n.154], I ask three questions: first whether in baptism a character is impressed; second what it is, namely whether it is some absolute form; third where it is, namely whether in the essence of the soul, or in a power and in what power.

Question One *Whether a Character is Impressed in Baptism*

187. As to the first [n.186] argument is made that there is not:

Because circumcision did not impress a character; therefore neither does baptism.

The consequence is plain, because baptism has succeeded to circumcision, and as a remedy against the same sickness; therefore a similar effect belonged to both. The antecedent is plain, because the character of circumcision would have been of the same idea as the character of baptism, and then it would follow that someone circumcised would not have had to be baptized, because two accidents of the same species cannot be in the same thing; the consequent is false, as is plain above d.3 n.131.

⁴⁶ *Decretals of Gregory IX with glosses* V tit.15 ch.1, “Innocent III: The practice of the death-dealing and hateful art of catapultists and bowmen against Christians and Catholics we prohibit from now on under anathema.” Bernard of Pavia in the gloss, “‘Under anathema’: it seems that the canon is of a sentence already passed. Argument: for it matters a great deal whether something is prohibited by a law under anathema...or by a man; and then it seems that he *is* excommunicated. As argument for this: That if a judge say, ‘I command under penalty of excommunication’ or ‘I command under threat of excommunication’ or ‘of anathema’ or ‘under excommunication’ ‘that you do this’, the one who does the contrary *is* not excommunicated but is *to be* excommunicated... And everything is understood similarly when excommunication has been thus passed under a condition, ‘I excommunicate everyone who enters [ecclesiastical] orders secretly’, and then he who does the opposite *is* excommunicated...”

188. Again, faith distinguishes the faithful from the infidel, and charity the son of perdition from the son of the Kingdom (according to Augustine *On the Trinity* XV.18 n.32; cf. *Matthew* 13.38). And these are the most noble things in the soul, and yet they do not impress any distinctive character; therefore, much more does baptism not do so.

189. Again, if a character be impressed, it is not a substance, because it arrives after perfect being does; nor is it a *per se* an accident or one that is necessarily inherent, because it is not caused by the principles of the subject; therefore, it would be an accident *per accidens*. But every such accident is separable and exists contingently; therefore, a character would be separable from the soul, the opposite of which is held by all those [William of Auxerre, Bonaventure, Aquinas, Richard of Middleton] who posit a character in the soul.

190. To the contrary:

Dionysius, *Ecclesiastical Hierarchy* ch.2, says that “to him who comes to baptism a seal of the sacrament is given by the priest” – which is only the character.

191. Again, Damascene *Orthodox Faith* ch.82 says that “through baptism there comes to be in us regeneration and a seal” – by ‘seal’ meaning a character.

192. Again, baptism is an unrepeatable sacrament, from the preceding question [nn.158, 163-166]; therefore, it impresses some indelible effect, because if every effect of it could be destroyed, baptism could be repeated; but it has no indelible effect save character; therefore etc.

I. To the Question

193. Here must be understood that a question ‘whether something is’ presupposes as manifest only what is asserted by the name, as is plain from the question about the definition of a sacrament in general, d.1 nn.181-187.

194. First, then, let the meaning of the name ‘character’, according to which there is here question or discussion of it, be set down; second let inquiry be made about the principal thing, whether anything of this sort is in the soul through reception of baptism.

A. About the Meaning of this Name ‘Character’

195. About the first (by moving from word from word), ‘character’ signifies the same as ‘figure’, and thus is it taken in *Hebrews* 1.3: where we have ‘the figure of his substance’, in Greek is put ‘the character’. And in this way do we call characters the figures by imposition that letters are written in; and in this way we call characters (in chants and the like) certain protracted figures and in this way is ‘the figure of the beast’ in *Revelation* 13.16-17, 14.9 etc., taken to be a figure on the forehead or on the hand, which signifies that the person so marked belongs to the family of the beast.

196. Now more generally ‘character’ is taken for a sign, and in this way baptismal washing can be called a character, because it is a certain sign.

197. The form also of the words in a sacrament can be called a character, as the Master speaks of character in this distinction (as said in the previous question [n.162]).

198. But, setting all these aside, theologians, when speaking of character as we are speaking of it in the issue at hand, commonly conceive by ‘character’ something spiritual impressed by God on the receiver of a non-repeatable sacrament.

199. From this idea of the name some properties of character follow, two of which are common to it and to any form (namely that it is a form assimilating one to someone else who has it, and that it is a form distinguishing one from someone else who does not have it), and others are special, one of which is that it is a sign commemorative of a sacrament received, another is that it is sign conforming one to Christ, whose sacrament is received, and also imposing obligation on one, in the way that he who receives a sacrament is obligated by reception of it.

200. Now from this idea of the name it is plain that character is not grace or any infused virtue (as faith or hope and charity), because such virtues are not always impressed on him who receives an unrepeatable sacrament (as on someone pretending), but character is always impressed.

201. This is also plain from a certain other condition that those who commonly speak about character attribute to it, namely that it is indelible; but these virtues are not indelible, as is plain about someone sinning mortally, in whom the virtues do not remain.

B. About the Impressing on the Soul of Character thus Understood

202. The second main point [n.194] is whether something possessing this idea of the name and of the properties is impressed on the soul of the one baptized.

1. First Opinion: Neither by Natural Reason nor from Things Believed can it be Proved that a Character is Present in the Soul

203. It is said here that there is not [a character in the soul].

204. And the mode of stating it is this: just as nothing real is impressed on other consecrated things that do not receive formal sanctity in their consecration, so since, in the issue at hand, the recipient of the sacrament does not receive formal sanctity, no real form necessarily is impressed on him. The proof of the likeness is that other sanctified things that do not receive formal sanctity are not distinguished from the man as to the act, when from this act he does not receive sanctity. Now the assumption about these other things is plain in the case of a sanctified chalice, because it receives no real form, as well as a dedicated church and blessed water and priestly garments and the like.

a. First Reason

205. Argument for this conclusion:

First as follows: just as, following natural reason, more things are not to be posited whose necessity is not clear from things known by natural reason [*supra* d.1 nn. 294, 300], so about what is believed or the sacraments more things are not to be posited whose necessity does not appear necessary, or needing to be posited, according to the faith. But such a necessity for an impressed form does not appear even according to things that are believed about baptism.

206. The proof of the minor is that neither does Sacred Scripture express that this is necessary in baptism, nor do the saints explicitly express it, nor does it follow evidently from the truth believed about baptism, because the whole truth of baptism consists in the visible sacrament and the invisible effect; and when Augustine specifies the invisible

effect, he commonly calls it grace [e.g. *Sermon* 994, ‘On the day of the Pasch,’ I ch.1 n.1, et al.]

a. Objection

207. Here the response is made that the Saints do sufficiently hand on a tradition about the character in the way we speak of it, as is adduced from Dionysius and Damascene [nn.190-191].

β. Response to the Objection

208. But these authorities seem to be only verbal, and not to the intention of the saints –

209. [Proof that the authorities are only verbal] – for as is evident from looking at the translation and exposition of the Abbot of Vercelli,⁴⁷ Dionysius *Ecclesiastical Hierarchy* ch.2, on the words cited [n.190], where the Abbot says according to that translation: “The divine beatitude receives him [the one baptized], thus drawn upward, to participation in himself, and hands over of his own light to him, as by a certain sign, making him divine and in communion with those who remain in God.” And there follows there, “A holy sign from the hierarch, a seal given to the one who comes forward,” where some add from another translation words of this sort, “To him who comes to baptism is given by the supreme priest a sacred seal.”

210. Likewise he [the one who holds this view, n.190] adduces this from Damascene IV ch.1 as follows, that “through baptism is given to us regeneration and a seal;” by seal, according to them, is understood character. In the same place Damascene says of the three [qualities of the sign of the cross]⁴⁸, “as circumcision was for Israel,” and after it, “and a seal.”

211. [Proof that they are not adduced to the intention of the authors] – These authorities [of Dionysius and Damascene] are not adduced to the intention of the authors:

About the first [n.190] it is clear, because as the plain ground of the text has it, and as Vercelli expounds that part of ch.2, para. 6, Dionysius is making determination about a certain preamble to baptism, namely how, according to the rite of the Greeks in the primitive Church, the one to be baptized was first brought into the Church, and on his head the hierarch put his hand and put a sign on him, commanding the priests to register both him and his reception. That would happen long before the baptizing, as is plain from the procedure of the text there, because determination is made about the act of baptizing in para.17 there, under the letter *R*.

212. Whence too that text of Dionysius in the translation of Vercelli is adduced in truncated form [n.190]. For after premising “and hands over of his own light to him, as by a certain sign...and in communion with those who remain in God etc.” [n.209], he adds about them, “Whose is the holy sign, a seal given by the hierarch to the one who comes forward, and the saving registration by the priests.” ‘Whose’ – I say render

⁴⁷ Abbot Thomas Gallus, who wrote a paraphrase/exposition of this work of Dionysius; the translation is not by him but was mistakenly attributed to him.

⁴⁸ Damascene, *Orthodox Faith*, ch.84, “This cross is given to us as a sign on the forehead, in the way circumcision was given to Israel... This is the helmet and shield and trophy against the devil; these are the seal.”

singulare for singulare,⁴⁹ that is, ‘the holy sign’ of the light handed on, ‘a seal given by the hierarch’, namely the imposition of hands on his head; and that he be in communion with those who are divine the sign is ‘the saving registration of the priests’, namely those who register him and his reception, as received into the communion of Christians. – Now this imposition of hands and registration happened long before baptizing; therefore, in no way can these things said here be understood of any sign impressed in baptism.

213. The authorities from Damascene [nn.191, 210] are very ineptly adduced.

Because a part of one passage is conjoined to a part of another, with a sentence passed over that needs to be continued with the preceding part. For the text of Damascene runs thus: “Through baptism we take up the first fruits of the Holy Spirit,” and it is a verse there; and another verse follows, “and the beginning of a second life becomes regeneration for us,” and then follows at once, “sign and protection and illumination.” Therefore, in no way does he mean to say that through baptism a seal is made for us, but that by baptism we take up ‘the first fruits of the Holy Spirit’ in the first verse, and in another clause that ‘regeneration is the beginning of life and a sign etc.’ Therefore from this authority can be got only that baptism, or regeneration, *is* a sign, and not that *through* baptism a sign is made for us.

214. And the other authority from Damascene [n.210] is of no validity, for he is expressly speaking there of the cross when he says “It is given to us as a sign on the forehead, as circumcision was for Israel; for by it the faithful are distinguished from infidels;” and about the same cross there follows, “This is the helmet and shield and trophy against the devil, and a sign that the ravager not come near us.” He does not mean to say more than that the cross is impressed on us as a sign against the enemy – which is not relevant to the matter in hand.

215. And there is a confirmation of this, because Augustine, who only treated of what baptism was intended for (namely in *On Baptism against the Donatists* VI and *On Baptism of Children* III and *On the Single Baptism* and much in his commentary *On John* and *On the Faith to Peter* [actually by Fulgentius]), would not have kept silent about ‘character’ if it had been an immediate and necessary effect of baptism.

216. And if you say ‘he does not deny it’, I reply: for the matter in hand it is sufficient that he not affirm it, because it is supposed to be a matter for so great investigation that, if character had been a thing proper to baptism, he would have been express about it elsewhere. But as it is, he only distinguishes in baptism the ‘sacrament’, that is, something externally visible, and ‘the thing of the sacrament’, namely grace; nor does he ever say that someone pretending receives any ‘thing of the sacrament’ but only the ‘sacrament’; nor does he ever show that baptism is unrepeatable through such an impressed character.

217. Likewise too in Gratian, *Decretum* p.3 d.4: the authorities of the saints about baptism are collected, and it does not seem likely that none of them would have spoken about character if it had been so necessary an effect of baptism.

⁴⁹ That is, each singly of ‘those who remain in God’ received singly the same ‘holy sign’ or ‘seal’, and this they received long before baptism. Scotus’ point seems to be that the omission of ‘whose’ in the initial citation [n.209] gives the misleading impression that someone baptized receives an additional holy sign or seal. In fact, however, the true meaning is that everyone, those who were in communion before and he who has become so now, received the same sign or seal, and that this sign or seal, in context, was the laying of hands on the head and registration by the priests, and that it all preceded baptism. Hence it can have nothing to do with any sign or seal or ‘character’ impressed at baptism, and only the omission of ‘whose’ could insinuate otherwise.

218. And what seems much to be of weight, the Master of the *Sentences* never spoke about the character according to that understanding,⁵⁰ although however he diligently compiled the authorities of the saints about the matters he deals with.

b. Second Reason

219. Second, argument is given principally in the way following, and it returns to the same truth [n.205; d.1 n.300], namely that a plurality is not to be posited without necessity. And the argument is as follows: nothing in vain is to be posited in the works of God, because “God and nature do nothing in vain” [*On the Heavens* 1.4.271a33]; but a character according to this understanding [nn.198-199], if it be posited, is posited in vain.

220. Proof of the minor: first by comparison with the main effect of baptism, which is grace [n.198]; second by comparison with those effects that are attributed to character, namely to assimilate, to distinguish, etc. [n.199].

221. As to the first [n.220] the argument is as follows:

If [a character] is required as a disposition for grace, either then on the part of what receives or on the part of the agent. Not on the part of what receives, because a soul that does not have sin actually [sc. those just now baptized] is supremely disposed to receive grace; nor on the part of the agent, because the agent [sc. God] is of infinite virtue.

222. And if you say it is required as a permanent disposition for inducing, at some point later in time, an effect that is not induced at once (as for this purpose, that he who has, in pretense, been baptized may afterwards receive the effect of baptism) – against this as before [n.221]: a character is required for that later time (when he receives the ultimate effect of baptism) as a disposition either on the part of what receives or on the part of the agent, and the reasoning stands as before.

223. There is argument specifically for this, that God could, without such a sign, be present to the one baptized to cause the effect of baptism (after the pretense is removed), just as he would have been present in the baptism itself if the one baptized had not before been in pretense. And there is a confirmation, that the effect of baptism is not given to him who is supposed to have the character unless he truly repent; but by true penance, grace would, without such a form, be given.

224. As to the other effects [nn.220, 199] the proof of the point is that the one baptized could, without an inherent form, be assimilated to the baptized and distinguished from the non-baptized through receiving baptism, as is plain in many other cases (because someone professed in religion is assimilated to another who is professed, and distinguished from another who is not professed, not by some other form inherent in him after profession, but because he had such act [of profession] in the past).

225. In the same way about the third effect [in fact the fourth, n.199], namely that the sign is posited as configuring or obligating [the baptized] to Christ; for someone can be obligated to someone, and so be configured to him as to the obligation of configuring, without any inherent form; just as he who does homage to some lord is, after the homage, obliged to him to keep faith and so to a certain configuration, and someone professed is bound by his profession to be conformed or configured to his superior; and yet he who

⁵⁰ Lombard speaks of character in *Sent.* V d.6 ch.2 n.3 and d.24 ch.13 n.1, but not in the sense of its being a necessary effect of the sacrament.

does not do homage or is not professed receives some absolute form to be a sign of configuration.

226. About the fourth effect [the third in n.199], namely that a sign commemorating the sacrament itself is posited, the argument is as follows: either because such a commemorative sign is posited in respect of the sacrament on account of the excellence of the sacrament in itself, or it is posited on account of some relation to others who may recognize from the sign the one signed.

227. Not in the first way, because faith and charity are more excellent than having received baptism, and yet they do not possess any commemorative sign after they have become present within.

228. Not in the second way, because either in comparison to God or to one's neighbor; not as to God, because God would recognize, without any existent sign, him who has received the sacrament; not as to one's neighbor, because either to the blessed in glory (for his greater glory in having the sign), or to the damned in hell (for his greater confusion who does not have such a sign). It is necessary to grant neither, because it is a greater glory for the blessed to have had an act of charity than to have received baptism, and it is a greater confusion for the damned to have fallen from charity than from the reception of baptism; and yet no commemorative sign for charity or a meritorious act is posited in the blessed or in the damned.

229. Now specifically about beatitude the argument is that, if the sign were in the haver of it for special excellence in glory, it would follow that only a priest among all Christians could have such an excellence in glory, because only a priest has all the characters. It would also follow that Christ would lack that excellence of glory, because he is not baptized thus with the baptism of Christ, because the baptism of John did not impress a character; nor was he a priest with the priesthood as it is conferred in priestly ordination, because he was not ordained by anyone; for equal reason neither was he confirmed with sacramental confirmation. It also follows that the holy Patriarchs and the Blessed Mother did not have that excellence in glory.

c. Third Reason

230. Again third, argument is made on the part of the gift in itself:

It does not seem probable that God would confer his gift on anyone who is not only in mortal sin but is mortally sinning in the very act.

231. And the proof of this is: "The works of God are perfect," *Deuteronomy* 32.4, and therefore he cures no one whom he does not cure perfectly; for it is an impious thing to hope for pardon imperfectly from God; therefore, he gives no gift of his to anyone who is then actually sinning mortally. But someone who is pretending while receiving baptism is sinning mortally, because he is doing irreverence to the sacrament; therefore God does not, by virtue of this act in which he is sinning mortally, give him any special gift.

d. Fourth Reason

232. Again, every gift of God given to man either makes him graced or is freely given – understanding the 'making him graced' in this way: either actually or dispositively. Or more briefly it can be said that God gives no gift to anyone save either

for that person's good or for the Church's good. This gift [sc. character] is not a gift freely given or a gift for the Church's good (of which sort is the gift of tongues or other gifts the Apostle speaks of in *II Corinthians* 9.8-14 [also *I Corinthians* 12.4-11]); because it would be of no value save to him only who has it; it is also plain that no effect follows that is useful to the Church. But neither is it a gift that makes to be graced, because by this gift a person is not constituted in any degree of acceptation in respect of God. Nor too is such a gift conferred without grace and charity, because God heals perfectly.

e. Fifth Reason

233. Finally argument is made thus from the mode of being that is posited for character, because it is posited as indelible [n.201] – and this as follows: no form is present in the soul which God cannot destroy, because it is a lesser thing to destroy than to create, or at any rate there is no contradiction involved in saying that 'a form created in the soul is destroyed from the soul'; therefore, if character is indelible, no such form is in the soul of the baptized.

f. Response to the Initial Arguments for the Opposite

234. According to this opinion [nn.203-204], the response to the two authorities [nn.190-191] adduced for the other side of the question is plain, because they are adduced badly and altogether not according to the intention of the authors, as is plain in the first reason for the opinion [nn.205-206, 208-218].

235. As to the reason for the first part introduced [n.192], about indelibility, I reply: the sacrament is not unrepeatable for the reason that it impress an indelible effect, but from divine ordination, as is said in the preceding question [n.163].

The reason can also be taken to the opposite: for a sacrament is more unrepeatable if it impress no form, because whatever form it impress, it could be deleted.

236. But if it is posited to be unrepeatable because it crosses over into the past, then the 'indelible' is preserved simply, because God could not, of his absolute power, make what is past not to have been past.

237. And if you take flight to the impressed form – since any form whatever can be destroyed, unrepeatability is simply not obtained. But if it be said that a past act is sign, since the past cannot be destroyed, that is, cannot not have been, it follows that the reason is simply one of impossibility.

2. Second Opinion: That there is a Character in the Soul can be Proved by the Authority of the Church and Various Elements of Congruence

238. One can say to the question in a second way that although 'there is a character in the soul' cannot be proved by natural reason, either universally (namely because it is necessary to grant that such a form is in the soul even because of the end), or in particular (by experience of some act or condition of an act manifesting that there is such a form in the agent who perceives his act – just as neither can this be proved of grace or charity, on which see *Ord. III* d.26 n.132, d.27 n.66; *Ord. I* d.17 n.126-129) – although, too, it cannot be proved from manifest things believed (whether those that are

explicitly of the substance of the faith, or are contained in Scripture, or are manifestly deduced by the saints from things believed), because there appears no necessary relation of it to such believed things – yet a character can be posited, because neither is it repugnant to the soul itself to have such a form as character is described to be, nor consequently is it repugnant to God to be able to impress such a form on the soul.

239. But in order that it not be posited altogether in vain and without necessity, it is necessary to have some authority on which he may rest who does posit it, and then it will be easy to solve what is objected against it.

240. Now among the authorities of the saints in accord with this signification of ‘character’ that we are speaking about, there do not appear many express authorities, yet some are alleged:

241. Augustine *On Baptism Against the Donatists* VI ch.1 n.1, “It is sufficiently clear that a lamb, which had outside received the lord’s character, is when coming to safety corrected from going astray; however, let one acknowledge the lord’s character on it, since many wolves, who are seen within, impress a character on wolves.”⁵¹

242. *Ibid.* I ch.1 n.2, “Just as someone baptized, if he have departed from unity, does not lose the sacrament of baptism, so someone ordained, if he have departed, does not lose the sacrament of giving baptism; for injury must not be done to any sacrament.”

243. In this authority [n.241] Augustine uses the name ‘character’ several times, but it appears that nothing is to the purpose according to the signification of ‘character’ we are speaking about, because he says that ‘wolves impress a character on wolves’, which is more applicable to the sacrament of baptism than to any effect in the soul. Hence everywhere in this authority the term ‘character’, as to his intention, can be well taken for the effect of baptism, just as was said before [n.162] that the Master took ‘character’, in that definition there, for the form of baptism.

244. In brief, as is contained in Gregory IX, *Decretals* V tit.7 ch.9, ‘About Heretics’, “one must think about the sacraments of the Church the way the Roman Church thinks.”

245. Now the Roman Church seems to think that a character is impressed on the soul in baptism, as Innocent III says [*ibid.* III tit.42 ch.3], ‘About baptism and its effect’, “He who comes in pretense to baptism receives impressed the character of Christianity.” And in the same place near the end, “The sacramental operation does then impress a character, when it does not find the obstacle of a contrary will standing against it.” And if his first authority could be expounded by saying that the ‘character of Christianity’ is baptism itself, yet the second, which says ‘the sacramental operation also impresses a character’ seems to speak expressly of a character as of something impressed on the soul itself, the way we are speaking of it in the issue at hand.

⁵¹ A passage also quoted by Thomas Aquinas *ST* III q.63 a.1, and Richard of Middleton, *Sent.* IV d.5 princ.2 q.3. It reads more in full: “To have...and give and receive the sacrament of baptism is sufficiently clear to the pastors of the Catholic Church diffused through the whole world, by whom afterwards, with the authority of a plenary council at Carthage, the original custom was confirmed: that even a lamb that was going astray outside and had received the lord’s character outside from the deceiving plunderers of it, when coming to the safety of Christian unity, is corrected from going astray, freed from captivity, cured from the wound; yet the lord’s character on it is recognized rather than rejected, since that character is impressed by many, both wolves and on wolves, who are indeed seen inside; however, that they do not belong to the lamb, which is also one from many, is proved by the fruits of their morals.”

246. On account, therefore, of the sole authority of the Church, as much as it helps for the present, one must posit that a character is impressed.

247. For this three congruences are possible.

The first is of this sort: it is congruous that for a perfect form some disposition is posited; grace is a perfect supernatural form; therefore it is congruous that there is for it some preceding supernatural form; such a form is character.

248. Second congruence is that it is congruous that God did not institute empty sacraments, at least for the New Law, which is perfect; therefore, it is congruous that his sacraments be received by no one without truly having some effect; but they do not always have grace, as is plain of someone in pretense; therefore some other effect.

249. The third congruence is that it is congruous that someone received into the family of Christ is distinguished from someone not received by something intrinsic to him; because although Christ could make distinction without such intrinsic thing, yet his distinction would be more perfect, both in itself and in comparison to the whole Church (namely the Church militant and triumphant), if it be done by some abiding intrinsic form than if it not be done so. Now, in the case of one who receives the sacrament, whereby entrance is made into the family of Christ, the distinguishing mark from him who does not receive it, and the mark that remains in him who does receive it, is posited to be a character.

250. Of these three congruences, the third is more reasonable because it is also specific to baptism.

251. The two others have this sort of probability, that if a character is posited, let it be posited in a way of such a sort as those congruences touch on.

252. Namely: according to the first [n.247] a disposition for grace is posited; for it is rational that, when two ordered forms are caused by the same agent in the same subject, this is not on an equality as to causation nor are they equally perfect, because let one be a disposition to the other, and this is not a more perfect to a more imperfect but the converse. Now character and grace are caused by God in baptism, and not on an equality in each way; therefore, since character is more imperfect, it is congruous that it is a disposition to grace, which is more perfect. – But yet this congruence does not prove that one must posit the sort of form as a disposition is, otherwise since in any sacrament whatever grace is conferred, a preceding disposition would be required in any sacrament whatever. However, by applying this reason [the first, n.247] specifically to baptism it gets a greater evidence, because the first sacrament conferring grace is baptism, and consequently in it should more be conferred a disposition to grace than in any other sacrament, because a disposition naturally precedes the form for which it is the disposition; and therefore there is no need that it be impressed thus in later sacraments.

253. But the second reason [n.248] is too universal, or more universal, because it is equally probative about any sacrament, because any sacrament is instituted so as not to be empty. But to posit that in the other sacraments there is some adornment corresponding to a character is altogether superfluous, as was touched on above in d.1 [n.329]. – And a reason can be formed about the other sacraments for the opposite, because the reason is not probative. For if someone who is equally in pretense can receive another sacrament the way someone in pretense receives baptism (which appears probable, because there seems no greater need of a determinate disposition for someone to receive the sacrament of baptism absolutely than for him to receive the sacrament of

penance absolutely, and a recipient of the sacrament of penance absolutely in this respect, that a penitent in pretense receives altogether no invisible effect), then it is not necessary, for the truth of the sacrament, that someone baptized receive any invisible effect.

254. Thus briefly then, let the conclusion be held on account of the authority of the Church previously adduced [n.245]; and the two congruences, one about reception into the family of Christ [n.249] and the other about a disposition needing first to be conferred [n.247], are probable.

3. To the Arguments for the First Opinion

a. To the Argument about the Way of Positing a Character

255. To the arguments for the other opinion.

As to what is touched on first in the way of positing character [n.204], I say that other consecrated things do not receive a form inherent in them because they are not capable of it. But man is capable of grace and of some disposition or other for grace, and so when, because of his own impediment, he does not receive grace, he does yet receive the disposition – and that is a character.

256. And if it is objected: ‘in that respect in which a man does not receive sanctity formally he is not distinguished from those sanctified things that cannot receive sanctity formally (of which sort are a consecrated chalice and the like)’ – I reply: in the negation ‘not receive sanctity formally’ he is not distinguished from them, but he is distinguished from them in that he is capable not only of sanctity formally but of the disposition for it, and those others are not. And if he not reach the ultimate stage [sanctity formally] because of an impediment on his part, yet he does receive the preceding disposition.

b. To the First Reason

257. To the first reason, about the necessity of positing several things [nn.205-206], I say that although this cannot be proved with evident necessity from things believed, yet there is a necessity to posit what the Church posits. And there are the congruences of the sort before adduced [nn.247-249]. Nor is the negative argument valid, ‘if not Augustine nor Dionysius nor Damascene, therefore no one’ [nn.208-218]; for the authority of the Church is sufficient, because Augustine *On the Morals of Manichaeans* [actually *Against the Letter of Manichaeus they call Fundamental ch.5 n.6*] says, “I would not believe the Gospel unless I believed the Church” [more correctly: “But I would not believe the Gospel unless the authority of the Catholic Church moved me”].

c. To the Second Reason

258. To the next reason [nn.219-229], which proceeds from the same middle term, namely that nothing is to be posited in vain, I say that although God could, of his absolute power, cause the grace that is the principle effect of baptism, and could also cause the other proper effects assigned to character, namely to assimilate etc. [nn.220, 199], without the sort of absolute form that is set down as ‘character’, yet he is bound, of his ordained power, to cause those effects congruently to the mediating form, for the reasons already stated [n.247-249].

259. And then in response to the argument: when it is said ‘either it is a disposition on the part of what undergoes or of what acts’ [n.221], I say not on the part of what acts, as if it were a certain agent in the middle between what acts first and what undergoes; for I do not posit the character to have some active virtue with respect to causing grace, but only that God is present to it as to an invisible sign for the causing of the grace that it signifies (on the departure of impediment or inhering obstacle). Character as disposition, then, is on the part of the receiver, because it is a prior form without which the later form is not received; not indeed because it is the idea of what receives in respect of the later form, but because it is present first before the later is – not simply necessarily, but necessarily when compared to the power of the agent that causes both forms.

260. And when it is said further that the effect of baptism could be had through true penance [n.223], I say that, according to that opinion [sc. the opinion that posits character], perfect innocence cannot, of ordained penance, be had without such intrinsic form, to which God is present to cause such innocence.

261. As to what is objected about other effects, namely about distinction and assimilation [n.224], the answer is plain: although absolutely distinction and assimilation could exist through an act that crosses over into the past, yet they exist more perfectly and are more congruent through some form left behind after the act that passes.

262. Likewise to the point about obligating and configuring [n.225], because if a man who receives the homage of another, or a prelate who receives another into profession, could impress some form on the one obligated, he would do this rather than that the other were absolutely obligated to him through a past act. Now God can impress on the soul such a configuring form, that is, a form showing obligation.

263. Now as to what is added about the commemorative sign [n.226], I say that it is commemorative not only because of those in respect of whom it has the idea of a sign that leads to the idea of the one signed (as is argued by the disjunction [n.226]), but it has the idea of commemorative sign because of him who receives it. And yet if it is posited because of others, it would not only be something commemorative in itself of the sacrament, but it would also be a sign leading to it, as another sign is said to be that makes something come to knowledge; it can also be conceded that [it would be a sign making something come to knowledge] in comparison to God and neighbors, whether in beatitude for glory or in damnation for confusion.

264. And as to what is objected, that God could recognize a lamb without a sign [n.228], it is not a problem, because he can also know the lamb with a sign as well. The blessed also and the damned can know the lamb signed which they would not know unsigned, because in beatitude it is for greater glory and in damnation for greater confusion [cf. *Revelation 7.4*, *Ezechiel 9.4-6*].

265. And when objection is raised about faith and charity or about merits [nn.227-228], it will be spoken of in response to the second main argument [n.277].

266. But as to the objections made there [n.229] about Christ and his Mother, that the character is of no advantage to the blessed for glory, they can be solved, because, just as in created nature there are some perfections that are not simply so but are in such a nature, because they are perfections that supply for imperfection, so can it be said about this [character], that it is a perfection supplying for an imperfection, and so does not belong to one [sc. Christ] who is altogether perfect; nor too does it belong to the person

[sc. Mary and the Patriarchs] in whom is another perfection supplying for the imperfection, which is greater than this one is [sc. than character].

d. To the Third Reason

267. To the third reason [n.230] it can be said that God does confer some gift of his on someone sinning mortally, and in the act in which he sins mortally, because he does not want his sacrament, which is truly received by the one sinning, to be vain; and so he wills to cause some effect there, but not the ultimate effect, because the one sinning is not disposed for it.

268. And when you prove that God cures perfectly [n.231], I concede it, when he cures; but he does not then cure, rather he only disposes or prepares for curing, and I concede that he prepares perfectly.

269. And this is reasonable, because although perhaps, in actions of his good pleasure as to private persons, he not confer his gifts pertaining to the salvation of that person save by perfectly healing that person, however in his universal acts, which are concomitant with his universal remedies (of which sort are the sacraments), it is reasonable that he has ordained the causing of some universal effects along with such remedies, but not the ultimate ones, because not all who receive those remedies are suited for this.

e. To the Fourth Reason

270. By this is plain the answer to the fourth reason [n.232]: I concede that [character] is a gift pertaining to the good of the receiver, and not of the Church.

271. And when you say that such gift is not conferred without the other gifts that perfect such a person [n.232] – this can be conceded in the case of special actions about special persons and in a special way; but not about general actions concomitant with general remedies constituted for the whole human race; for he causes them regularly along with the remedies, lest they be vain.

f. To the Fifth Reason

272. As to the fifth [n.233]; although many things are said about the indelibility of character, and although it is not very useful to recite them, I say in brief that there can be no form different from the soul in the soul that God could not, of his absolute power, destroy (as a posterior from a prior), because in this no contradiction can be found. But a character, if it be posited, is indelible in this way, nor can it be destroyed in this way; because neither can it be destroyed by virtue of some creature (as is plain, because the form is supernatural), nor by divine virtue of its ordained power, because God has ordained to destroy no supernatural form save because of some demerit in him who has it; but, with respect to destroying a character, there can be no demeriting cause; for when it is impressed in an act of sinning mortally, nothing can deserve by demerit that the form [of the character] be taken away.

273. Here note, against Thomas [Aquinas, *supra* d.1 n.281, *ST* III q.63 a.5], that one should not posit any supernatural virtue in the sacrament, because that virtue could not be corrupted in the same way he posits the character cannot be destroyed.

II. To the Initial Arguments

274. As to the first initial reason [n.187], the same Thomas [Aquinas, *Sent.* IV d1 q.2 a.4] concedes that circumcision did not impress a character, and then against him is the argument in that question about the efficacy of the sacrament with respect to grace [*supra*, d.1 nn.278-282⁵²]; for he posits that it only has efficacy with respect to grace because it is an instrument with respect to a certain disposition for grace. I say therefore that it can be conceded about circumcision that some character was impressed there just as in baptism; for it was thus the first door of salvation in the Mosaic Law as baptism is in the New Law.

275. And when it is argued [n.187] that then someone circumcised would not need to be baptized, I deny the consequence.

276. As to the proof [*ibid.*] I say that it can be conceded that either the character would be of the same idea as the character of baptism or of another idea. But if it is of the same idea, either the character was not impressed by the baptism received by someone circumcised – just as on a subject, who possesses some sort of form, that sort of form is not impressed again, even by a cause that would be of a nature otherwise to impress such a form; and this for the reason that the subject is not in potency but already in act with respect to this form. Or if another character of the same idea were impressed in baptism, nothing unacceptable follows, at least if character be posited to be a relation, as was said about relations in *Ord.* III d.8 n.24. Or it could be said that the character of circumcision differs from that of baptism as the imperfect from the perfect, in the way that the grace of this [person] differs from the grace of that one, and then in the receiving of baptism a new character would not be impressed on someone previously circumcised, but his first one would be perfected.

277. To the second [n.188] I say that not every perfection in the soul has such a perpetual commemorative sign; but such a sign has that by which he who has the perfection is constituted in some determinate rank in the Church; of this sort are not the virtues (because they are common to all members in any rank) but the sacraments, both the one through which entrance is made into the Church and the others (as the sacraments of confirmation and of ordination), as will be stated in the following question [nn.328-332].

278. To the third [n.189] the answer is plain from the solution of the fifth reason for the preceding opinion [nn.232, 272].

Question Two *Whether the Character is Some Absolute Form*

⁵² The editors of the Quarrachi edition add: “What Scotus says there about the sacraments of the New Law he now applies also to circumcision.”

279. Proceeding thus to the second question [n.186], and argument is made thus, that character is not an absolute form:

Because according to the Philosopher in *Ethics* 2.4.1105b20, “there are three things in the soul, power, passion, and habit.” Character is not a power, as is plain, because it is not naturally in the soul itself; nor is it a passion, because it is an abiding form; nor is it a habit, because a habit is that according to which he who has it can operate well or badly [*Ethics* 2.5.1106a15-17]; character is not a principle of any good or bad operation: not of a good operation because it can stand along with mortal sin; nor of a bad one, as is plain, because it is a gift of God and an effect of a sacrament. Therefore, if the Philosopher’s division sufficiently exhausts absolute form in the soul, the proposed conclusion follows.

280. Again, if it were an absolute form it could only be placed in the genus of quality. This is plain by running through the other genera: for it is not substance, because it comes after the complete being of substance; nor is it quantity, it is plain, because it is a spiritual and incorporeal form; and so on running through the others. But it cannot be posited to be a quality, which is proved by running through the species of quality [cf. *Categories* 4.1b25-29, 8.8b26-10a26].

281. Again, an absolute form has some proper operation, but a character does not have any proper operation, therefore etc.

282. Besides, any accidental absolute form can be eliminated from that in which it is, because it can be eliminated from the subject by the same thing by which it can be impressed on the subject, at least by God, because from the fact it is posterior to the subject there is no contradiction in its not being present in it; a character is simply indelible; therefore etc.

283. To the opposite:

A character is a disposition for grace; but grace is an absolute form; therefore the form also that is a disposition for it will be absolute, for a proper disposition is of the same genus as the form for which it is a disposition.

284. Again, a character is a principle assimilating the one baptized to Christ, or to another who is baptized; but likeness is a unity founded on quality; therefore character is a quality.

I. To the Question

A The Opinion of Thomas Aquinas

285. Here it is said [Thomas Aquinas, *Sent. IV d.4 q.1 a.1*; Richard of Middleton, *Sent. IV d.5 princ.2 q.1*⁵³] that a character is an absolute form.

286. For this are adduced four reasons:

The first is of this sort [Aquinas, *ST IIIa q.63 a.4 ad 1*; Richard, *ibid.*]: change is only toward an absolute form, *Physics* 5.2.225b11; there is change toward a character – as is plain about someone baptized in pretense who receives nothing new in baptism save the character.

287. The second thus [Aquinas, *Sent. IV d.4 q.1 a.1*, Richard, *ibid.*]: a relation cannot be the foundation of a relation, because then there would be a process to infinity;

⁵³ Quarrachi editors: It seems that Scotus gets this view of Aquinas mainly through Richard of Middleton, who embraced it and expounded it at length.

but a character is the foundation of many relations, for it is the foundation of likeness (as was argued [n.199]); and also foundation of the relation that ‘sign’ introduces, because a character is a commemorative sign with respect to the received sacrament; it is also a foundation of conformity and obligation to Christ [n.199].

288. Third thus [Aquinas, *ST* III q.63 a.2, Richard, *ibid.*]: relation is not a power, either active or passive, because it is a principle neither of acting nor of undergoing; but a character is a power, as that the character of baptism is a passive power by which a man becomes capable of the other sacraments, and the character of Order is an active power for many sacred acts in the Church; therefore etc.

289. Fourth thus [Aquinas, *Sent.* IV d.4 q.1 a.4, Richard, *ibid.*]: in every sacrament there is caused in the soul of the one who receives the sacrament some relation for action or undergoing, and yet a character is not impressed in every sacrament; therefore a character is not just such relation, therefore it is some absolute form.

B. Rejection of the Opinion

1. Against him who Holds this Opinion from his own Statements

290. Argument against this:

First against the one who holds this opinion from his own statements, because he contradicts himself:

For he himself says [*Sent.* IV d.4 q.1 a.2, *ST* IIIa q.73 a.2] that this is the definition of a character: “A character is a sign of communion in the faith and in holy order, given by a hierarch,” or that it is “a sign of communion in divine things and the sacred order of the faithful.” In whatever way it is defined, this way or that, he says that ‘sign’ is placed in the definition of character as the genus.⁵⁴

291. From this it is argued that a character cannot be any absolute form, because to the quiddity of an absolute form no respect essentially belongs, because then the quiddity would be for itself and not for itself; nor even can it be said that relation is put there as genus and is not truly a genus because in this way a subject is put in the definition of an accident, but it is plain that a relation is not the subject of an absolute, nor either is it the idea of being receptive.

292. Again, just as ‘more things are not to be posited without necessity’ [n.205, d.1 n.300], so when something is posited precisely because of something else, it is not to be posited more perfectly than is required for that something else, or than could be concluded from that something else, for the further perfection that would be posited would be posited in vain; but there is no necessity that, because of all the things because of which a character is posited, a character should be an absolute perfection; for all those things can also be sufficiently preserved if it is a relative form; therefore superfluously and without reason is it posited to be an absolute form.

293. The minor [sc. ‘there is no necessity that, because of...absolute perfection,’ n.292] will be plain when solving the reasons for the opinion [nn.294ff.].

2. Against the Reasons Brought Forward in the Opinion

a. To the First Reason

⁵⁴ A sign is a relation, because x’s being a sign of y is a relation that x has to y.

294. The first of these reasons takes a false major [sc. ‘change is only toward absolute form’, n.286]. I prove this in two ways: first by reason, second by authority.

295. [By reason] – First thus: a respect cannot come more intrinsically to a foundation than what necessarily follows the foundation when the term is posited, because a respect altogether cannot be in a foundation when the term is bracketed, because then it would not be a respect but an absolute form. Therefore, if some respect can come from without to a foundation, it follows that it does not necessarily follow the foundation, even when the term is posited; therefore, the respect can be new altogether without newness of foundation or of term; so for its new being there can be a change, because it is not a change to anything absolute.

296. But if you say a respect comes extrinsically to a subject but not to a foundation – this is nothing, because intrinsic relations (as similarity, which follows whiteness and the like) can come extrinsically to a subject, because the foundation comes anew to it; so therefore, if these are intrinsic and the others extrinsic, the difference between them will be in relation to the foundation.⁵⁵

297. Again, a natural agent cannot act newly unless something new is posited either in it or in the passive thing undergoes it, or a new relation is posited between them (this is plain, because all things that are related uniformly will have action uniformly, since such agent acts by necessity of nature); therefore if some natural agent has some new action, there will be either some absolute form in the agent before the new action, or some new form in the passive subject, or some new relation of the agent to the passive subject. But neither the first nor the second is necessary, for fire can newly act on wood without the fact that, before the action, the fire or the wood receive a new form, because the first absolute form that the wood receives is there through this action [sc. the form of being ash or cinders is received by the wood through the action of burning]; therefore by this action there is a new relation there of the fire to the wood without any newness of absolute form.

298. This is plain by experiment, because when an active thing is disposed in the same way according to its active form, and the passive thing is disposed in the same way according to its proximate passive potency, if there were some impediment interposed between them, the agent will not act on the passive thing; but when the impediment or obstacle is removed, it will act; therefore a new relation of agent to passive thing is present there without a new absolute form.

299.[By authority] – This is proved from the Philosopher’s intention in *Physics* 5.2.225b11-13, because although he deny being moved is in the genus of ‘to something’, insofar as to the genus ‘to something’ belong relations that arise intrinsically [cf. *Ord. III d.1 n.54*], yet he does not deny that motion or change is in the genus ‘to something’ arising intrinsically, rather he concedes it; for he concedes that motion is properly in the genus ‘where’ [cf. *Ord. III d.1 n.61*], and yet ‘where’ is only a certain respect of the circumscribing body to the located thing or is the circumscribing body.

b. To the Second Reason

⁵⁵ Sc. if intrinsic and extrinsic relations can both come extrinsically to a subject, the difference between them must be in something else and not in the subject directly, which something else will be the foundation.

300. The second reason too [n.287] has a false major, namely that ‘a relation cannot be founded on a relation’, because according to Euclid *Elements of Geometry* V def.4, ‘proportionality is a likeness of two proportions’: therefore on a proportion, which formally states a relation, or on its unity, is founded a likeness.

301. And if you argue that ‘likeness is unity in quality’ *Metaphysics* 5.15.1021a9-12, I say: although in one way ‘what’ is appropriated to the genus of substance, and in the same way ‘same’ and ‘diverse’ (which follow something insofar as ‘what’ is founded on substance), and although ‘equal’ is founded on unity of quantity (taken strictly), ‘like’ on unity of quality – yet taking them in another way ‘what’ is found in every genus, taking the idea of genus very precisely, and ‘what sort of’ is found in every genus (taking form in that genus in the idea of form), and ‘quantity of virtue’ is found in every genus; and so there is found, in this way, in every genus ‘one’, ‘like’, and ‘equal’. For in this way things possessing relations of one species can be said to be alike according to the unity of one relation, just as things possessing one substantial form can be said to be alike according to substance or according to species.

302. And as to what is said [n.262] about the second relation, which is founded on character, namely ‘sign’, I say that if, according to Augustine *On Christian Doctrine* II ch.1 n.1, “a sign is what, besides the knowledge that it brings to the senses, makes something else come to knowledge” (which is true not only of a sensible sign, taking ‘sense’ strictly for bodily sense, but is true also when taking ‘sense’ generally for cognitive power) – therefore, taking ‘sense’ in this other way for cognitive power, I say thus that there is nothing from the knowledge of which one could come to the knowledge of something else (at least as this is from knowledge of a posterior to a prior), without that posterior thing being able to be called a sign. And thus I concede that on a real relation can be founded the relation of sign to something prior; but such relation not only leads to knowledge of itself but also of something else.

303. And in this way, if someone were to see ‘paternity’ in its foundation, it could be a commemorative sign of a past act of generation. And this is the way it is in the matter at hand.

304. And especially is this not unacceptable, because this relation of sign is only a relation of reason – speaking of a sign instituted at will, of which sort is character with respect to the sacrament or the received sign.

305. As to what is added there [n.287] about the relation of conformity or obligation, it is not cogent; for a religious can, by a vow of religion, be obligated to keeping religion, and he who has done homage can, through the act of doing homage, be obligated to his lord, and in these sort of cases universally [there is obligation] through a preceding promise; and yet there is not there any new absolute form on which the obligation is founded, nor perhaps any relation save one of reason. And so the idea of obligation could be abundantly preserved if it were posited to be a relation of reason, just as filiation in a son could be the idea of some relation to the father (as an obligation to natural love), although it would be possible for it to be filiation alone.

306. And to the proof that then there would be a process to infinity in relations [n.287], it is not valid of real relations, because there is an ultimate relation on which another real relation cannot be founded – just as there is an ultimate accident in beings that cannot be a further subject for another accident; and therefore it does not follow that, if an accident can be in an accident, there is a process to infinity in accidents. However, I

readily concede about relations of reason that there can be a process to infinity, because any relation at all, whether real or of reason, can further found another relation of reason.

c. To the Third Reason

307. The third reason [n.288] either equivocates over ‘power’ or contains a false proposition.

For if ‘power’ be taken simply for some act that, without the power, simply could not be obtained, I deny that character is thus a power; for he who is baptized has power simply for no act for which he did not have power when unbaptized, and this whether speaking of an act for which he has power actively or of an act which he receives in some way from another, for in this way someone not baptized could be anointed with chrism just like someone baptized, and he could thus be washed just like someone baptized.

308. But if we speak of the power of ministry, that is, the power by which he is a suitable minister of some principal agent (and without that power he would not be a suitable minister of that principal agent), there is no need that that power be an absolute form, but it is enough in many cases that it be only a relation of reason.

309. The proof of this is according to them [Aquinas, *Sent.* IV d.24 q.3 a.2], because they do not say that the episcopacy is an order beyond the priesthood, and yet a bishop has a ministerial power of a sort that a non-bishop does not have. For he is a suitable minister in an act God assists with, as in the act of ordaining, and God would not assist similarly if someone else, a non-bishop, were to carry out a similar act. Likewise, if an appointed judge pass a sentence, the sentence holds; but it would not have held before, because a sentence passed by its non-judge is null.

310. Nor yet does this judge or that bishop have any real absolute form, nor perhaps a relative form, save only one of reason.

311. For by that relation of reason by which he is appointed judge by the prince, the will of the prince ratifies the sentence passed by him, and wills it be observed; but he does not ratify the sentence of another who has not been appointed judge, nor does he will it to be observed. And so the judge, by that relation to the will of the prince, has in respect of the prince (as principal agent) a ministerial power for suitably carrying out some act ministerially that, without such relation, he could not suitably carry out.

312. And much more could a real relation, were it present, be posited to be this sort of power of suitably carrying out some act ministerially. For it is plain that a son, because he is a son, can have some authority for carrying out some act in his father’s house that a non-son does not have, and again a nephew [can have authority] for some act but an inferior one; and this power, in authority this way or that, of prescribing or commanding, is only kinship or sonship.

313. In this way is the response clear to the powers about which in particular the argument is.

For the power of ordaining and confirming, if it is an active power, is only for ministering suitably in such an act for such a lord, so that the lord himself, operating principally, may assist with the ministerial act in the way he would not assist with such ministry shown by another.

Now the baptismal character, if it is posited to be a passive power, is not simply passive, either as being receptive or as being the idea of receiving, for nothing absolutely

can the soul of someone baptized receive that the soul of someone not baptized cannot receive; but the character is a certain power, relative by way of congruity, from the principal such agent disposing it to act on a passive subject possessing such form and not on any other passive subject.

314. Now such an idea, relative by way of congruity in respect of some principal agent acting voluntarily, can be a relation alone, just as when someone disposes to do something to someone because he is son or kin, and does not want to cause anything similar to one who does not have such relationship.

d. To the Fourth Reason

315. The fourth reason [n.289] destroys the first. For if in the other sacraments there were caused universally a new relation to the action or undergoing of the sacrament and not a character, then there is a new relation there without a new absolute, unless you imagine [Aquinas, *Sent. IV d.1 q.1 a4; cf. supra d.1 n.279*] that in any other one there is posited some absolute corresponding to character, as for instance some ornament. But if that ornament is a supernatural form it will be indelible in the way that the character is indelible, because it will not be able to have a demeritorious cause. And then it seems to be a fiction: why could it not be said to be a character, since it is a form prior to the principal effect of the sacrament, and an indelible form? Why also will that ornament not be able to have an effect (when pretense ceases) on the other sacraments, as is posited of character in the sacraments that imprint a character?

316. I respond, therefore, that the reason proves nothing save that character is not a relation to the action or undergoing of the sacrament any more than if it were an absolute form. The proof that it is not any absolute form is that in the other sacraments, according to them [Aquinas, *Sent. IV d.1 q.1 a.1, ST IIIa q.63 a.2*], some absolute form is impressed but a character is not. And thereby can it be said that in any other sacrament there is not impressed any relation that remains after the act; but a character, if it is a relation, remains after the act of baptism received; indeed it remains always.

e. Conclusion

C. Two Doubts as to the Question

318. But there remain two doubts: first about the proximate foundation of the relation; the other, how the characters of diverse sacraments can be distinguished from each other.

1. About the First Doubt

319. About the first, it may seem to someone [Aquinas, *Metaphysics 5 lect.17*] that the act of reception of the sacrament, when it crosses over into the past, would be the proximate foundation or the proximate idea of founding the relation [n.317].

320. But that is false, especially in the matter at issue, because the idea of founding and the relation are in the same proximate subject (the reception of the sacrament and the character). Even if they be in the same supposit, yet not in the same

proximate subject; because the reception of baptism was in the supposit according to the body, the character according to the soul.

321. Now it is generally false here and in other cases, for two reasons;

First, because non-being cannot be the foundation or idea of founding any real relation, because neither can it be the term. For on this account, ‘relation of reason’ is reckoned a contradiction, because it has a negation as foundation or term [cf. Scotus, *Praedicamenta*, q.25 nn.22-24]; an act crossing over into the past, after it has crossed over, is simply not; therefore after it has crossed over, no new relation is founded on it.

322. The fact, second, is plain because to an immutable term and on an altogether immutable foundation a relation cannot be founded unless it simply necessarily inheres in the foundation – hence if some essence of a creature were simply immutable, its relation to God would be simply immutable; therefore if character state some relation to God (about whom it is plain that he is an immutable foundation), and it is founded on an act as it is past, and the past act as past is simply necessary (insofar as it cannot by absolute divine power be non-past), it follows that that real relation would be altogether immutable, even when speaking of God’s absolute power. But this is unacceptable, because there would be some real relation, different from its foundation, that God could not by his absolute power eliminate from its foundation, as eliminating a posterior from a prior.

323. And these last two proofs [nn.321-322] prove that paternity is not founded on ‘having generated’.

324. And if you bring against this the remark in *Metaphysics* 5.15.1021a21-25 [“‘father’ is so called by the fact he generates”], I reply that an act could be the cause in the coming to be of the relation (and indeed, when the cause was, then the relation was coming to be present), but it is not a cause of the relation’s being present, just as it does not remain while the relation does; but a foundation is not only cause of coming to be present but also of being present.

325. What then is the foundation of paternity?

I say that the proximate foundation is the very generative power, not when speaking of the respect that power of itself states, but of the absolute that is denominated by the respect.

326. I say therefore, by way of similarity to the matter at hand, that if character is a real relation, its proximate foundation is the bare soul itself (but whether a power or the essence will be discussed in the following question [nn.371-372]); because a respect that arises extrinsically can be founded on a foundation whose principles it in no way leaves, nor need its proximate foundation be in any way determined for it by its own proper idea (because then the respect would not arise extrinsically), but is only determined for it by the very agent; so it is in the matter at hand.

2. About the Second Doubt

327. To the second doubt [n.318] I say that just as, if character were reckoned an absolute form, characters would be said to be distinguished from each other formally, so, if they be posited to be those respects, although they could be distinguished extrinsically from what is extrinsic, yet they are distinguished from each other formally.

328. But if you ask, ‘why then are there only three characters?’⁵⁶ I say (because I will not make special mention of this in the matter about confirmation or of orders) that this is plain in these polities that are worldly. For no one has a determinate rank in the family of a king because he eats or drinks, or because after an offense the lord is reconciled to him, or because he multiplies persons in the polity; for these common acts can exist in everyone in any rank at all; but someone has a rank when he is received into the family of the lord, another when he advances further and is constituted a soldier for defending the republic, another when he is constituted a superior under the lord for constituting others in determinate ranks in his family – as for instance an official general or immediate under the lord, to whom is committed a general authority for receiving others into the family of the lord.

329. And therefore if a name were imposed that signified rank in the family or dignity or bailiwick, someone would not be said to have rank or dignity because coming to the dining table or married or returning to grace after an offense; but he who was taken up from the people into the family of the lord would be said to have a rank, and he a further rank who would be constituted in the family for defending the house, and he a further rank in the family who would be constituted as superintendent for receiving others into the family and instructing an inferior.

330. So is it in the issue at hand; three sacraments (namely eucharist for spiritual nourishment, matrimony for bodily procreation, penance for reconciliation⁵⁷) constitute someone in no definite rank in the Church; rather they can be common to every member of the Church in any rank whatever.

331. But the first rank in the Church and the most universal is to be received into the family of Christ, which happens in baptism; the second special one is to be constituted a soldier for the defense of the Christian faith, which happens in confirmation; the third is to be constituted a father and pastor for introducing others into the Church and for instructing and directing others in the Church, which happens in orders.

332. And just as in the polity [n.328] it is not fitting for the three dignities to be repeated, namely reception into the family, promotion to the military, and superintendence as to doctrine, but nutrition and procreation and reconciliation [n.329] can well be repeated, – so in the issue at hand, it is not proper for the three orders to be repeated, but the others are repeated; and in those that are not to be repeated an unrepeatable rank is acquired and a character said to be conferred; not in the ones that are not to be repeated.

D. Scotus' own Opinion

333. To the question it can be said that, just as it cannot be proved that any real form is impressed in the reception of baptism that is other than grace and the virtues (and this neither by natural reason nor by reason evident from manifest things believed), so it cannot be proved that a character, if a real form is posited, is an absolute form, real or relational; for both views can be saved: that it is a relational form (as was already shown

⁵⁶ Namely the characters of the sacraments of baptism, confirmation, and holy orders.

⁵⁷ Scotus oddly does not mention here the fourth sacrament of the seven, namely extreme unction or the sacrament of the sick, perhaps because it is implied under the sacrament of penance.

[nn.290-292]), or that it is an absolute form (if it is posited it cannot be evidently disproved).

334. For certain things are rationally enough to be conceded about character, if it be posited to exist: as that it is a simple form, spiritual and impressed by God on anyone who receives a non-repeatable sacrament; and that by divine institution it efficaciously signifies the grace of the sacrament; and that it disposes for it (as was made clear in the preceding question [n.259], because it is in the same receptive subject and from the same agent, and is a prior and more imperfect form); and that it is indelible, since it does not have a corruptive demeritorious cause; and that it is a commemorative cause with respect to the reception of the sacrament that went before, and a configuring sign, that is, a sign signifying the soul's obligation to Christ; that it is also a sign making one like another who has received the sacrament, and distinguishing one from another who has not received it. All these things, which are seen to be rationally conceded about character (if it be posited to be a real form) can be preserved if it is posited to be a real respect in the way aforesaid [n.333], or if it is a real absolute form. But if it is posited to be a real respective form, it was said before [n.326] how the above things will be preserved and of what sort the respect is, that it is a respect that arrives extrinsically. But if it is posited to be an absolute form, it is necessary to say that it belongs to the genus of quality, and it is not necessary to determine how all the above conditions agree with it, because it is sufficiently clear.

E. Doubt as to Scotus' own Opinion

335. But then there is a doubt as to what species of quality it should be put in.⁵⁸

1. Consideration of the Diverse Opinions or Solutions a. About the First Solution

336. It is said [Richard of Middleton] that because it is a supernatural quality it is not necessary for it to be put in the genus of quality (which is proved through the Philosopher *Metaphysics* 10.10.1058b11-12, "Corruptible and incorruptible differ by more than genus"); natural and supernatural differ more than corruptible and incorruptible, because corruptible and incorruptible are contained under a single member of the division, namely natural; therefore much more do natural and supernatural differ more than in genus.

337. To the contrary:

Faith, hope, and charity are certain supernatural things, and yet they are conceded [Bonaventure, William of Ware, Peter of Tarentaise] to be properly in the genus of quality.

338. This same thing appears in another way, because natural and supernatural are not conditions save in comparison to the agent; but comparison to an agent does not vary something as to its being in a genus, because something is put in a genus by its formal proper quiddity, relation to an agent being bracketed.

⁵⁸ On the four kinds of quality, see Aristotle *Categories* 8.8b26-10a26. The first kind is habits and dispositions; the second natural capacities and incapacities (healthy, sickly, hardness, softness); the third kind is the sensible qualities (sweet, bitter, black, white etc.); the fourth kind is figure and shape.

339. Nor is the statement of the Philosopher in the *Metaphysics* [n.336] compelling, because he is speaking of physical genus, for in this way no two things are of the same genus unless they are mutually changeable; but the same logical genus can well contain many things that do not belong to the same physical genus⁵⁹ – it is plain about corporeal and incorporeal substance, and corporeal and spiritual quality.

b. About Other Possible Solutions

340. In another way it is said [Richard of Middleton, William of Ware, Peter of Tarentaise] that, according as it is a principle of configuring, it can be put in the fourth species; according as it is a principle of assimilating, it can be put in the third species; and as it is a power, in the second species; and as it is a disposition for grace, in the first as a disposition but, insofar as it is immovably permanent, in the same species as a habit.

341. But this is not valid, because although it could have many properties according to which it is assimilated to the forms of the diverse species of quality, yet it cannot in itself be so many quidditatively; for it is in itself only one quiddity simply; therefore it will be in only one species.

342. However this statement [n.340] could have some probability about one other opinion, because in truth the division of quality into four species is not properly of a genus into species but is only according to diverse modes agreeing with diverse qualities. And perhaps to the same quality in itself in its essence there could belong several modes that are posited as proper to diverse qualities.

c. About another Peculiar Possible Solution

343. In another way it is said [opinion reported and rejected by Bonaventure and Aquinas] that it is in the fourth species of quality, because it is a certain spiritual figure.

344. But this is nothing, because nothing is placed in a genus through metaphorical properties, otherwise Christ would truly be in the genus of inanimate substance (for he is metaphorically called ‘rock’ [*I Corinthians 10.4*]), and in the genus of irrational animal (because he is said metaphorically to be a ‘lion’ [*Revelation 5.5*]), and in the genus of quality (because he is said to be ‘light’, “I am the light of the world,” [*John 8.12*]). But from metaphors is to be collected the proper condition of a thing in itself, and according to this condition must it be placed in genus and species; for in this way could ‘intelligible species’ be put in the fourth species of quality, because it configures the soul to the very subject [sc. of thought].

2. Scotus’ own Solution

345. I respond, therefore, that if character be posited as an absolute accident, it can be put in the second species of quality or also in the first.

346. And neither of these can be evidently disproved.

For if it is argued [Bonaventure] that character is not a power because it is supernatural and that to the second species belongs only natural power – this is a nothing,

⁵⁹ An interesting remark that can usefully be used to understand Scotus’ notorious claim that ‘being’ is a univocal concept; for it can thus be a univocal concept logically while an analogical one physically or really.

because although the Philosopher was only speaking of natural power by way of exemplification, however⁶⁰ a spiritual power, if it is absolute and accidental and spiritual, can well be reckoned to belong to the same intermediate genus, under quality, as natural power, just as also supernatural habit is reckoned to belong to the same intermediate genus as natural habit.

347. Also if it be posited to be the first species, as a habit, because it is movable with difficulty – this cannot be disproved.

348. Even if it be argued against this [Aquinus, *Sent.* IV d.4 q.1 a.1] that it is a supernatural power, therefore not a habit (and the consequence is proved by way of likeness, because a natural power is not a natural habit); and second, because it is a disposition for grace therefore it is not a habit; and third, because every habit disposes to acting well or badly (*Ethics* 2.5.1106a15-17), but character does not; fourth, because every habit disposes to facility of action (*Ethics* 2) – these are not probative:

349. Not the first [n.347] because a supernatural power, that is, a supernatural form, movable with difficulty can well be a principle of acting or of resisting what is corruptive of it, and thus have the idea of supernatural power. Nor is the likeness [n.348] valid, because a natural habit states a certain induced facility over and above the natural power, because a natural power is that whereby we are naturally able to do the acts we can do; but a supernatural power can be an immovable spiritual form, and to this extent can be called a habit, yet it is a principle whereby we can do such spiritual or supernatural act.

350. The second [n.348] is not compelling, because one habit can well be the disposition for another habit, just as, according to those who distinguish the habit of the principle from the habit of the conclusion, the habit of the principle disposes to the habit of the conclusion; neither is a disposition, as distinguished from a habit, for this reason in the first species, for it is a quality easily movable, by contrast with a habit.

351. Third, about acting well or badly [n.348], this is not necessary, because there can be an indifferent habit; for thus, from frequent acting absolutely, an aptitude is acquired for acting by such action with neither goodness nor badness, just as neither was or is the generative act of such sort, namely bad or good. And this is clear: for someone, who is frequently considering a geometrical conclusion, can have an extensive aptitude for considering a conclusion in that science, and the habit there is not good or bad, just as neither is the act from which it was being generated. And so can it be in a supernatural habit.

352. And if you say [Aquinus, *Sent.* IV d.4 q.1 a.3 ad 1] that a supernatural habit is not such, because it is given for the perfection of the receiver – I reply that this sort of supernatural habit can be a disposing for a good act, though it not be the proximate or sufficient principle elicitive of it; and in this way infused faith is not a sufficient principle of eliciting an act of believing, nor infused charity of eliciting an act of loving, but they incline (when the other necessary things concur) so that a good act be elicited. I say thus that some supernatural habit can incline rather remotely and imperfectly to a good act; and such is character posited to be, as first and very remotely disposing to good acts.

353. The fourth [n.348], about facility, has no validity, because it is not true save of an acquired habit; for an infused habit does not bestow facility for act, as is plain in a

⁶⁰ The Vatican editor's punctuation of the Latin here, which seems misleading, has been altered in the translation.

recent convert for whom it is not easy after conversion to elicit good acts but difficult, until from a frequency of good acts he will have acquired some acquired virtue.

II. To the Initial Arguments on Both Sides

354. To the arguments for both sides:

To the first [n.279]: if it be posited to be an absolute form, it can be called either a power or a habit, according to the two ways already stated [nn.346-347].

355. To the second [n.280], it is plain what species of quality it would be put in and how [nn.336-345].

356. To the next [n.281]: quantity is an absolute form, and yet it is not posited to be active. Therefore, it is necessary to explain that it has an operation with respect to which it is a sufficient principle, or that it in some way is disposed to operation. And so I concede in the issue at hand that this form is a remote disposition for good operation.

357. As to the fourth [n.282] the answer is plain from the end of the preceding question [n.272].

358. To the first argument for the opposite [n.283]: it is not unacceptable for some relation to make disposition for an absolute form, speaking of disposition not in respect of a natural agent nor of a disposition that is the idea of a receptive subject, but of a suitable disposition in respect of a supernatural agent, that is, a disposition by which he who has it is suitably of a nature to be acted on by such supernatural agent; because also in this way a relation can be a disposition in respect of any voluntary agent – just as when someone willingly has a son as suitable object of some action, but someone foreign to such relation, although equal in everything absolute, does not have [such relation] for suitable object of action.

359. To the next about likeness [n.284], it is plain how a likeness is not only founded on quality as it is a distinct genus, but as the idea of it is found generally in all forms; for in this way someone mentally crucified can be said to be like Christ bodily crucified, and the like.

Question Three

Whether Character is in the Essence of the Soul or in Some Power of It

360. Proceeding thus to the last point [n.195], and argument is made that character is not in the essence of the soul as in the proximate subject.

Because a disposition and the form for which it disposes have the same proximate subject; a character is a proximate disposition for faith, but faith is in the intellect.

361. To the contrary:

From the same major [n.360] together with this minor, that character is a proximate disposition for grace; but grace is in the essence of the soul, because it is its first and second life [sc. natural life and spiritual life]; it follows therefore that character (which is spiritual life) is in the essence of the soul.

I. To the Question

A. Opinion of Thomas Aquinas

1. Exposition of the Opinion

362. There is here an opinion [Aquinas, *Sent.* IV d.4 q.1 a.3⁶¹] that just as grace is in the essence of the soul, so a power for grace is in the power of the soul; but character is a power or disposition proximate to grace; therefore, it is in the power of the soul as in its proximate subject. But it is not in every power of the soul, because then it would not be a single form; therefore, it is in a single power, and it is more reasonable to posit that it is in the intellect.

363. The reason for this is that character is for configuring the created trinity to the Uncreated Trinity; but the created trinity, or the ‘image’, consists principally in the intellect, because from it, as from the root, arises the will.

2. Rejection of the Opinion

364. On the contrary, because a disposition for form should never be put in a receptive subject that is posterior to form (this is plain by running through individual forms and their dispositions [cf. Averroes *Sufficientia* I ch.10]); but character is a disposition for grace, as you concede [n.362], and grace is in the essence of the soul for you [n.362, *ST* I-IIa q.110 a.4]; therefore character cannot be in any receptive subject posterior to the essence of the soul; but, for you, a power is posterior to the essence of the soul, because it is an accident [Aquinas, *Sent.* I d.3 q.4 a.2].

365. Nor is the stated reason or the consequence valid whereby it is said, ‘grace is in the essence of the soul, therefore a power of disposition for grace is in a power of the soul’ [n.362]; rather the opposite follows, namely that the receptive subject itself of grace is the receptive subject of the disposition, or at any rate the disposition cannot be in any subject posterior to that in which the form is.

366. This is also plain in other things, because a supernatural habit is not in a natural habit, but in the natural power in which is the natural habit, and this for the reason that a natural power is prior to both habits.

367. Again, his proof by which it is proved that grace is in the essence of the soul immediately [n.362] is not probative, because a natural perfection is present in someone before a supernatural power is, for a natural and intrinsic perfection follows at once the nature of what is perfectible by it; although it be an accident according to him [n.364], yet it is an intrinsic perfection of the soul itself; therefore the power is naturally in the soul before grace is, and consequently it could have the idea of receptive subject.

368. Nor is the argument about life [n.362 fn., 361] probative, because spiritual life is first in the soul as it is joinable to God; hence, according to Augustine *City of God* XIX chs.16, 18, God is for this reason said to be the life of the soul, because the life of the soul is only in its conjunction with God as with its object; but the soul is not joinable to God in idea of object save through a power.

369. As to what he afterwards adds about the will, that it arises from the intellect [n.363], I ask: either the intellect has to the will only the priority of generation or origin, and in this way perfection in the intellect with respect to the will is not proved but rather

⁶¹ “Just as grace, which is the principle of spiritual life, is in the essence of the soul as in a subject, so character too, which is a spiritual power, is in the natural power of the soul as in a subject, and not in the essence of the soul...save through the intermediary of the power of the soul.”

imperfection is, because universally the more imperfect things precede the more perfect things in order of generation, *Metaphysics* 9.8.1050a4-5 [Aquinas, *Metaphysics* 9 *lectio* 8, Scotus *Ord.* I d.5 n.130]; but if you mean that the intellect is prior or root with respect to the will as eminently or virtually containing the will, this is refuted from what has been said [here *supra*], because what is ordered to another as prior in origin does not contain the other eminently or virtually; but an act of intellect is ordered essentially to an act of will

370. And if you deny this, dispute about it has to be in the material on beatitude, below [*Ord.* IV d.49 p.1 qq.4-5].

B. Scotus' own Opinion

371. I say therefore to the question, taking as supposed what was said in *Ord.* II d.26 nn.24-26, namely that grace is the same as charity and is consequently first in the power, namely in the will, and further, along with these, that a disposition for form is in the same receptive subject as the form, and that character, if it be posited to exist, is suitably posited to be a disposition for sacramental grace (as was shown in the solution of the preceding question about character in its first congruence [n.247]) – therefore it is fitting to put character formally in the will.

372.⁶² And there is a confirmation for this, that if character is a sign or foundation for the obligation of the soul to God [n.334], it is reasonable that it be put in the power to which first belongs being obligated or being the idea of obligating. But such is the will, because through its act precisely does anyone principally obligate himself; for the things that concur there on the part of the intellect or another power in man are only certain preambles for firmness of willing, which is proposing or vowed reasonably or certain signs manifesting that the willing is firm.

II. To the Initial Argument

373. As to the argument for the opposite side [n.360], it is plain that character is not the proximate disposition for faith as it is faith, but it is a disposition for the perfection that principally conforms the whole soul to God, and this is grace, which is the same as charity and is in the will, as was said [n.371].

III. To the Reason for Thomas Aquinas' Position

374. To the reason for the other position [of Aquinas, n.363]: although it badly prove that character is in a power of the soul [n.369], yet I concede this because of the other antecedent that he accepts [n.362], namely that the form for which it disposes is in a power, and I concede that it is in one power and in that power which is more principal in the Image and in whose configuring consists principally the whole configuring of the soul or of the Image to the Trinity.

⁶² From here to the end of the question the Vatican editors do not number the paragraphs. I have added numbers on my own account.

Summation of the Distinctions about Baptism
On a Twofold Exhaustive Definition of Baptism

1. From what has been said from distinction 3 up to here, a single idea [or definition] of baptism can be collected, which expresses all the things that are simply necessary for the idea of baptism; for if the relation of sign (which baptism imports [d.3 n.10]) is posited to be founded on the washing as on the total foundation, having however a relation to the words and the other things concomitant [d.3 n.17], the following sort of idea can be assigned of baptism itself:

2. “Baptism is the washing of a man a wayfarer, actually or virtually consenting, or never by use of free choice dissenting, carried out in flowing elemental water by another who is at the same doing the washing and speaking certain words (words designating the act and the receiver with invocation of the Trinity), and intending both in the washing and in the speaking to do what Christ instituted should be done or that the Christian Church intends to do.”

3. Now the particulars of this idea are plain as follows:

‘Washing’ in distinction 3 question 3 [nn.98-105] (I do not say ‘pouring’ or ‘aspersion’ nor ‘immersion’), and this neither thrice nor once because whatever way suffices for the truth of the sacrament; but the minister is bound to keep the manner of the Church in which he baptizes.

4. ‘Of a man’ according to his whole body or the principal part of it, or any other part in case of necessity; this is plain in distinction 4 [nn.50-52].

5. ‘In some way consenting’ is plain from the same distinction [d.4 nn.63-82]. And perhaps, according to the common opinion, habitual consent is not sufficient without virtual consent. Likewise, that he who does not have use of reason is simply capable of the sacrament without having any disposition; and yet that he who does have use of reason and does not have the disposition is in no way capable of it does not seem probable, because no simply necessarily required disposition seems to be altogether required and not required because of the use and non-use of reason.

6. ‘Carried out in water etc.’, this is plain in distinction 3 question 3 [nn.101-113].

7. And by the fact it is called ‘elemental’ water is excluded every mixed liquid that is equivocally called water (as rose water).

8. And by the fact it is called ‘flowing’ water is excluded congealed water (if it remains water), or any sort of water mixed by addition of gross bodies so that it cannot wash anything.

9. ‘Carried out by another’, this is plain in distinction 6 [nn.63-82], and likewise the things that follow, ‘washing and speaking at the same time’.

10. And as to what is added ‘certain words etc.’, that appears in distinction 3 question 2 [nn.41-81].

11. And what is added at the end, ‘in one having the intention etc.’ is plain in distinction 6 [nn.160-167].

12. And thus we have both the receiver and the necessary conditions in the receiver, because a man a wayfarer in some way consenting; we have also the conferrer and the conditions necessary on his part, namely that he be someone washing and speaking words, and this at the same time, and with due intention. We also have the matter, which is the washing in elemental water. We have the form, because we have

certain words expressing the act and the receiver with invocation of the Trinity. We have what pertains to the formal idea of baptism, namely that by divine institution it efficaciously signifies. We have the correlative, because we have the washing of the soul from sin.

13. And if it be posited that the relation, which baptism imports, is not founded on the washing as on total foundation but on the washing and the words as on one foundation instituted for signifying one effect [d.3 n.16], then this sort of idea of baptism can be reckoned complete:

“Baptism is the sacrament of washing the soul from sin, consisting in the washing of a man a wayfarer in some way consenting, or never by use of free choice dissenting, carried out in flowing elemental water, with speaking of words designating, with invocation of the Trinity, the act and the receiver, by another who is as minister at the same time washing and speaking the words, and intending to do what the Christian Church does.”

14. And then there is the same exposition of the particulars of this idea as there were also of the first [nn.2-11], save that in this one [n.13] is put first what pertains to the formal idea of baptism, when it is said to be a ‘sacrament’ and when the correlative of it is said to be ‘of washing’, and after that the things that belong to the foundation, when it is said ‘consisting in etc.’

15. Nor is there a difference save that the total foundation of the relation is not posited in both ways the same principally, because posited either through the instituted washing alone or through both, namely the washing and the words, as one integrated sign – instituted indeed principally for signifying the principal thing that this sign signifies, so that the soul may be washed from sin, and this by God three and one, in whose name baptism is done.

To whom be glory for ages of ages. Amen.

Seventh Distinction

Division of the Text

1. “Now about the sacrament of confirmation” [Lombard, *Sent.* IV d.7 ch.1].
2. After the Master has dealt with the first sacrament, namely baptism, he here deals with the second, namely the sacrament of confirmation.
3. And it is divided into two parts, namely into the preface and the treatise, which beings there, “For the form.”
4. And the treatise is divided into five parts: for first he determines about the form of the sacrament; second about the minister (there, “This sacrament by others”); third about the effect (there, “Now the virtue”); fourth about a certain condition in the receiver and the conferrer, pertaining to reverence for the sacrament (there, “by those fasting”); fifth and last about the unrepeatability of this sacrament (there, “Nor should it be repeated”).

Introduction

About the Idea or Definition of Confirmation

5. About this distinction many things can be asked, proportionally to those that were asked about baptism.

6. But I preface a certain idea of this sacrament, from which the solution to many of the questions is plain.

I. Statement of the Definition

7. And on the supposition that the total foundation of the relation (which relation is formal in this sacrament) is an anointing determined by many other requisite conditions, the following idea can be assigned to it:

“Confirmation or the sacrament of confirmation is the anointing of a man a wayfarer, in some way consenting or having never used free choice, put on the forehead in the shape of a cross, with blessed chrism, and this by a suitable minister with due intention in the anointing, speaking certain words, efficaciously signifying by divine institution the anointing of the soul by strengthening grace for confessing with confidence the faith of Christ.”

II. Explanation of the Definition

8. It is plain here what the matter of this sacrament is (but because a distinction about the matter could be drawn just as was drawn in the case of the matter of baptism, in distinction 3 [nn.99-104]), that the proximate matter (namely the visible thing which is concurrent in the foundation) is the anointing in the shape of a cross done on the forehead with sanctified chrism; but the remote matter is the chrism composed of olive oil and balsam and specially sanctified by the bishop, or by someone else to whom such sanctification will be able to be committed.

9. The form is of this sort: “I sign or seal you with the sign of the cross and I confirm you with the chrism of salvation or sanctification in the name of the Father and of the Son and of the Holy Spirit. Amen.”

10. The receiver is man a wayfarer in some way consenting, which is to be understood just as it was about baptism, as is plain in distinction 4 [nn.63-82]. But this receiver is only a receiver as to a determinate part, for which reason ‘on the forehead’ is added [n.7].

11. Now the minister is the bishop or someone else to whom it will be able to be committed; therefore is it said in general ‘by a suitable minister’. On the part of the minister is required simultaneity in doing both acts, namely the act of anointing and of speaking the form, and due intention – all which things must be understood in the way expounded of the minister in baptism, in distinction 6 [nn.26-153].

12. The words that are added ‘efficaciously signifying etc.’ state that which is formal in this sacrament.

13. And what is added at the end, ‘the interior anointing [sc. of the soul]’, signifies what is correlative in the relation that is formal in this sacrament.

III. Objections against the Definition

14. And if, first, it is objected [William of Melitona, Bonaventure] against the matter and form together, that Christ did not thus institute it (as is plain in *John* 20.22, when he breathed on them and gave the disciples the Holy Spirit, and *Acts* 2.3 when after the sending of the Holy Spirit they were confirmed with tongues of fire), and the Apostles too did not use this sort of form or matter (as is plain in *Acts* [8.17, 19.6]) but used the imposition of hands;

15. And if it is also objected [William of Melitona] specifically against the matter that it does not have to be consecrated chrism, because neither is consecrated water necessary in baptism, for any water is enough;

16. If it is objected third [Richard of Middleton] that an ordinary priest can confer this sacrament, according to Gratian *Decretum* p.1 d.95 ch.1, and it is in the text [Lombard, *Sent.* IV d.7 ch.2 n.1-2], where Gregory the Great writes to Bishop Januarius, “It has reached us that certain people have been scandalized by the fact that we have prohibited priests from anointing with chrism those who have been baptized.” And there follows, “If any are distressed about this matter, we concede that, where bishops are lacking, priests too should anoint the baptized with chrism on the forehead.”

IV. Response to the Objections

A. To the First Objection

17. To the first of these [n.14] it must be said that Christ did not tie his power to the sacraments [Lombard, *Sent.* IV d.4 ch.4 n.10]. And so he himself, whether on earth or existing in heaven after his ascension, was able to confirm the Apostles without such matter and such form. Also he was able to make dispensation for the Apostles in the primitive Church, and especially when there were some perceptible signs in the confirmation conferred by them, as commonly the descent of the Holy Spirit on the confirmed and the gift of tongues.

18. But however, when such miracles ceased, ministers had to keep this matter and this form. For the supposition is that it was instituted by God, though the time and manner of this institution is not read in Scripture, perhaps because the historiographers did not take Scripture up to that time. For they did not take it beyond the time of the Apostles, nor even up to several years before their death; for in the whole time of the Apostles the gift of tongues perhaps remained in the sacrament of confirmation.

19. Nor is it improbable that many things were handed on by the authority of the Church through the Apostles that are not read in Scripture, as Damascene says [*Orthodox Faith* ch.86], where, speaking of the adoration of images, he says, “Truly this tradition was handed on to us, how to adore the cross facing east, and many other things like these.”

B. To the Second Objection

20. To the second [n.15] one must say that Christ by touch of his most pure flesh consecrated all water for the use of baptism, but not thus did he touch the determinate matter of confirmation; and therefore a special sanctification is required. And this is more reasonable here than there, because baptism is a sacrament of necessity and can therefore

be conferred by any minister; and it is reasonable that it is done in non-consecrated water, otherwise suitable matter could not be common and the salvation of many would be impeded.

C. To the Third Objection

1. First Way of Speaking and its Rejection

21. As to the third objection [n.16] there are four ways of speaking [about it]:

First that the Pope conceded that priests could anoint on the forehead with oil but not with chrism [Hugh of St. Victor, Albert the Great].

22. But this is against the text of the letter, as is plain in the same place in the afore cited chapter [n.16].

23. Again he conceded this because some were scandalized for its being taken away; but if he had conceded it to be done with oil alone, as if showing it were done with chrism, it would be pretense and against the truth of doctrine, just as if blessed bread were permitted to be given in place of the Eucharist.

2. Second Way of Speaking and its Rejection

24. The second way of speaking is that he conceded it, or rather permitted it, for a time to avoid scandal [Albert the Great, Thomas Aquinas].

25. But this is a nothing, because “it is more useful for scandal to be permitted to arise than for truth to be abandoned” [Gregory IX, *Decretals* V tit.41 ch.3].

26. Again, Gregory [the Great] would have sinned mortally in making this concession if he had conceded *de facto* what he could not have conceded *de iure*; and he would have given priests an occasion for sinning mortally, namely for doing what it was not licit for them to do.

3. Third Way of Speaking and its Proof by Authorities

27. There can be two other probable ways of speaking.⁶³

One is this, that in the primitive Church there was no difference between priests and bishops.

28. This is proved through two authorities from Jerome, which are set down in Gratian, *Decretum* p.1 d.95 ch.5.

a. First Authority and the Weighing of It

29. The first of these is in the chapter ‘Once’ (the second in the following chapter [n.37]), and it is titled ‘Jerome, *On the Epistle to Titus* [1.5]’: “Once,” he says, “the priest was the same as he who was bishop: they [sc. the faithful] were ruled by the common council of the priests of the Church until, by a diabolical instinct, passions arose and it was said in their meals [*I Corinthians* 1.12, cf. also 1.11, 31; 3.3; 5.8], ‘I am of Paul, and I of Apollos’. But after each thought those whom he was baptizing to be his own and not

⁶³ This third way and the fourth [n.44], contra the Vatican editors who think the third way is divided into two ways; but the two ways are really two authorities [n.28] proving the same way.

Christ's, a decree in the whole world was made so that one of the priests might be set up as superior and the seeds of schisms be taken away." And a little later, "Just as the priests know that they are, by the custom of the Church, subjected to him who has been set up over them, so let the bishops know that more by custom than by the truth of our Lord's dispensation are they greater than the priests, and that they must rule the Church in common."

30. Again, Jerome, *To the Priest Evangelius* [Epistle 46 n.1], and it is in *Decretum* "We have read" [Gratian, p.1 d.93 ch.24], "Since the Apostle clearly teaches that the bishops are the same as those who are priests," which he proves there by many authorities. And below, "At Alexandria from Mark the Evangelist up to the bishops Heraclas and Dionysius the priests used always to choose one from among themselves and place him at a higher rank, whom they called bishop [literally = 'overseer'], in the way an army may, if it do, appoint a general, and the deacons may choose from themselves one whom they know to be industrious and title him archdeacon. For what does a bishop do that, apart from ordination, a priest does not do?" The response of the Gloss there [*Gloss on Decretum*, p.1 d.93 ch.24]: "In 'ordination' are understood the other things that are not done save by bishops." But this is explained as "not done licitly." For that these things may absolutely be done [sc. by priests] is proved by the preceding gloss, where there is disputation about that in which the preferment is made to be, whether in office or in name; and at the end the gloss says, "the preferment is made as to administration and certain sacraments that are now appropriated to bishops."

31. From this a twofold argument is made:

First thus: if such a preferment of bishops over priests was made after the Apostles, then it was not so from the beginning of the Church.

32. Again [second], if now these things [n.30] are made proper to someone, then they were before not proper from the beginning.

33. I reply: if from the beginning there was some act proper to a bishop (as Jerome says: what can a bishop do that, besides consecration, a priest cannot do?; the gloss understands the other things through 'consecration' [n.30]), it follows that there was from the beginning a difference between bishops and priests. And then the authorities do not prove the opposite but are to be explained as the Gloss does [*ibid.* n.30], namely that perhaps "the names were synonymous and the administration (that is the governance of the Church) was common."

34. But not, however, was all dispensing of the sacraments common. This is proved in Gratian, *Decretum* p.1 d.21 ch.2, "In place of the Apostles bishops arose;" but "the priests bore the pattern of the seventy-two disciples" [*Luke* 10.1-24]. Therefore, the distinction between bishop and simple priest was made by Christ.

35. To the contrary:

Was not Philip, and Stephen and the others of the seventy-two disciples, deacons and not priests?

36. Again: "I left you in Crete" for this, that you might ordain "priests" [*Titus* 1.5]; so a non-bishop could not do this.⁶⁴

⁶⁴ The point seems to be that if, as n.34 says, the bishops were those who took the place of the Apostles after their death, then Titus, who was not an Apostle but lived in the time of the Apostles, could not have been a bishop. Yet he was ordaining priests, which requires a bishop's power. Therefore he was a bishop. Therefore it cannot be that bishops were those who succeeded to the Apostles after their death.

b. Second Authority and the Weighing of It

37. This is also proved by the following chapter [n.29, Gratian, *Decretum* p.1 d.95 ch.6; taken from Ps.Jerome *On the Seven Orders of the Church* ch.6], and it is founded on the word of Paul to Timothy [*I Timothy* 4.14], “Do not neglect the grace given to you by the imposition of the hands of the priest,” where he does not draw a distinction, “since priests are also called bishops, according to what is said to a bishop ‘Do not neglect the grace given to you etc.’ and elsewhere [*Acts* 20.17, 28] ‘[Paul] to the elders: He who placed you bishops to rule his Church’.” These the words of Jerome.

38 Paul does not distinguish, therefore, the priest from the bishop, because he does not say that confirmation was given by the bishop alone, but he speaks of the priesthood.

39. Nor too in *Acts* is a distinction of priests from the Apostles, who were bishops, read of.

40. And if this is true, then to give confirmation could have belonged to every priest from his office, just as also to a bishop, because there was not, from first institution, another rank in the Church.

41. However afterwards, because of necessity, priests were multiplied and episcopal power as to some things was drawn away from them, and to the greater priests alone, who are called bishops, were certain things reserved, and ‘to confirm’ was such an act.

42. If this is true, Gregory [n.16] was well able to give the priests subject to Bishop Januarius license to confirm, because in this he did not concede an unfitting power to them but revoked a prohibition previously imposed on them.

43. If against this you object [Gandulphus Bononiensis, Alexander of Hales, William of Melitona, Thomas Aquinas] that according to these views, since in the primitive Church others besides the Apostles are not read to have confirmed, if then any of the priests was a a bishop, or equal to them as to this act, then it was, of their office, owed to bishops alone – I reply that either none other than the Apostles were priests, because the Apostles were then able to suffice, or if others were priests they deferred to the Apostles in this act, because of the evident manifestation of the Holy Spirt that used to happen in the conferring of this sacrament, so that it might be received with greater devotion because of the excellence of the ministers, and might be received in greater reverence.

4. Fourth Way of Speaking

44. The fourth way of speaking is that, if from the beginning confirming was not licit for a common priest, the Pope was able to make any priest of the region a bishop as to this act, not however by conferring on him simply the episcopal rank, nor conferring it on him as to other acts; and then any of them truly gave confirmation as a bishop as to this act. And the reason for conferring this rank on any priest as to this act could have been avoiding the scandal of the people.

V. On the Effect of Confirmation

45. Now the remote matter, namely the chrism, has a likeness to the effect of this sacrament. For oil has a luster, and it is supreme over other liquids, and it is the matter proper for burning. By the first it signifies chastity or purity, by the other two it signifies charity. Balsam, which has a good odor, signifies good report, according to the verse of *II Corinthians* 2.15, "We are to God the good odor of Christ." With balsam too are the bodies of the dead embalmed lest they putrefy; therefore it signifies incorruptibility.

46. Through this matter, then, namely chrism made of oil and balsam, is signified that the one confirmed must have purity and charity and good report, since without these the confirmation of the Christian faith will not be much authentic.

Question One

Whether the Sacrament of Confirmation is Necessary for Salvation

47. About this distinction some brief questions can be asked. First whether this sacrament is necessary for salvation.

48. That it is:

Gratian, *Decretum* p.3 d.5 ch.1, "All the faithful must, after baptism, receive the Holy Spirit by imposition of the hands of the bishops, so that they may be found to be full Christians." From this the proposed conclusion is obtained, because everyone is bound to be a full Christian.

49. To the contrary:

In baptism grace is given; therefore by it one is a child of the Kingdom; and so it suffices for salvation.

I. To the Question

50. I reply: it is not simply necessary, according to that verse at the end of *Mark* 16.16, "Who will have believed and been baptized will be saved;" and Gratian, *Decretum* p.3 d.5 ch.2, where is contained that someone baptized is saved by baptism alone. However, confirmation is necessary for an adult, in such way, however, that he not contemn it, as said in *Decretum ibid.*, where the gloss says [Gregory IX, *Decretals V* tit.39 ch.43], "he is not a full Christian who contemns it."

II. To the Initial Argument

51. To the argument [n.48] I say that it is speaking of an adult who must receive, that is, not contemn it, and at a suitable time receive it in fact. For he would be judged contemptuous if, when opportunity has in every way been offered, it were not received.

Question Two

Whether the Sacrament of Confirmation is of more Dignity than Baptism

52. Second the question is asked whether it is of more dignity than baptism.

53. That it is so is seen in the text [Lombard, *Sent. IV* d.7 ch.4 n.1].

54. Again in Gratian, *Decretum* p.3 d.5 ch.5, it is plain that this sacrament is preferred to baptism.

55. To the contrary:

Baptism destroys guilt and punishment without penance; this one does not; therefore etc.

I. To the Question

56. I reply: when something includes or presupposes something else, the things can be compared either according to what precisely belongs to each or according to what the second posits on the presupposition of the first.

57. And indeed the second comparison is not *per se*, because thus does a second universally exceed a first (just as two goods exceed one of them). But the first comparison is *per se*, because it accords with the precise ideas of the compared things.

58. And in this way I say that baptism is a nobler sacrament, speaking of the nobility of a sacrament relative to the principal end of the sacrament, which is the conferring of grace; for baptism is conferred for a greater grace and for more effects simply noble than confirmation is. However, when speaking according to the other comparison, confirmation adds much to baptism.

59. Confirmation can also be said to be nobler in a certain respect, namely by reason of the minister, because it is conferred by a nobler minister – but this is not simply because of its nobility but because of the greater necessity of baptism. Baptism is allowed to more ministers, confirmation only to special ones.

II. To the Initial Argument for the Other Side

60. From this last point, about nobility in a certain respect, the answer to the argument for the opposite [n.55] is plain.

Question Three

Whether the Sacrament of Confirmation could be Repeated

61. Third the question is asked whether this sacrament could be repeated.

62. It seems that it could:

Because the sickness that it is against is repeated; because someone can after confirmation again become cowardly; therefore the remedy against this sickness can be repeated.

63. To the contrary:

The master in the text [Lombard *Sent.* IV d.7 ch.5 nn.1-2].

64. Gratian, *Decretum* p.3 d.5 ch.8.

I. To the Question

65. I reply: this sacrament should not be so repeated that it is done knowingly, because he who repeats it knowingly sins mortally; but neither can it be so repeated that it have, when iterated, its proper efficacy.

66. The principal reason is divine institution.

67. There is a congruity, because someone is by this sacrament instituted in a determinate rank in the Church, namely in the rank of a warrior; and a sacrament that puts one in a determinate rank is not repeated.

68. And next to this is adduced another congruence, that it impresses an indelible effect, namely a character.

II. To the Initial Argument

69. To the argument [n.62]: the sickness as what this cure is against is not repeated, though it could be repeated in another way.

Question Four

Whether there is any Penalty for those who Repeat the Sacrament of Confirmation

70. Further the question is asked whether there is a penalty for those who repeat this sacrament.

71. I reply:

The canonists say just what was said about the repetition of baptism, distinction 6 [nn.177-179].

72. They prove this by argument from similarity, through Gratian *Decretum* p.3 d.5 chs.8-9, Gregory IX, *Decretals* I tit.16 ch.1, and the gloss I tit.16 ch.1.

73. But I say in another way that universally no canonical penalty that is not inflicted by the Pope establishing the law is incurred by that law.

74. Nor is anyone bound to such penalty on account of the arguments of those who expound the Canons, whether by similarity or by contrary sense; because the glossators can expound the law that is established but cannot by their expositions establish a new law.

75. Hence Innocent IV, who however was Pope, although he had, in expounding the *Canon Law*, produced a large work,⁶⁵ when he was asked by others what force he wanted the tractate to have, said that he did not wish it to be authentic but only magisterial.

76. So since there is not found in *Canon Law* expressly a punishment of irregularity inflicted for repetition of confirmation, it follows that *ipso facto* punishment is not incurred.

77. And this is most of all apparent because penal constitutions are to be restricted not amplified [Boniface VIII, *Decretals* book 6, V tit. 12, "It is becoming for hatreds to be restricted, and favors to be amplified"]; and if the legislator had wanted to have such punishment inflicted for repetition of confirmation as of baptism, he could have expressed it here just as there.

78. And it is also confirmed by the chapter in Gratian, *Decretum*, p.3 d.5 ch.8, where no punishment is inflicted on a bishop doing a confirmation again, but not on the receiver either, save that "to serve God most religiously, in regular or clerical habit, has been decreed by the sole God." Now this does not intimate a penalty of irregularity, but

⁶⁵ *Commentary on the Five Books of the Decretals*: "Innocent IV composed this book not so that he would be credited...he did not want these his glosses to make law."

rather the opposite, namely exercise of the clerical office, for in the execution of [clerical] orders, and especially in the consecration of the Eucharist, a cleric most religiously serves his God.

To whom be glory for ages of ages. Amen.