

SUPPLEMENT TO THE THIRD PART, QUESTION 41
Of the Sacrament of Matrimony As Directed to an Office of Nature
(In Four Articles)

In the next place we must consider matrimony. We must treat of it (1) as directed to an office of nature; (2) as a sacrament; (3) as considered absolutely and in itself. Under the first head there are four points of inquiry:

- (1) Whether it is of natural law?
- (2) Whether it is a matter of precept?
- (3) Whether its act is lawful?
- (4) Whether its act can be meritorious?

Whether matrimony is of natural law?

Suppl. q. 41 a. 1

Objection 1. It would seem that matrimony is not natural. Because “the natural law is what nature has taught all animals”. But in other animals the sexes are united without matrimony. Therefore matrimony is not of natural law.

Objection 1. Further, that which is of natural law is found in all men with regard to their every state. But matrimony was not in every state of man, for as Tully says (*De Inv. Rhet.*), “at the beginning men were savages and then no man knew his own children, nor was he bound by any marriage tie,” wherein matrimony consists. Therefore it is not natural.

Objection 3. Further, natural things are the same among all. But matrimony is not in the same way among all, since its practice varies according to the various laws. Therefore it is not natural.

Objection 4. Further, those things without which the intention of nature can be maintained would seem not to be natural. But nature intends the preservation of the species by generation which is possible without matrimony, as in the case of fornicators. Therefore matrimony is not natural.

On the contrary, At the commencement of the *Digests* it is stated: “The union of male and female, which we call matrimony, is of natural law.”

Further, the Philosopher (*Ethic. viii, 12*) says that “man is an animal more inclined by nature to connubial than political society.” But “man is naturally a political and gregarious animal,” as the same author asserts (*Polit. i, 2*). Therefore he is naturally inclined to connubial union, and thus the conjugal union or matrimony is natural.

I answer that, A thing is said to be natural in two ways. First, as resulting of necessity from the principles of nature; thus upward movement is natural to fire. In this way matrimony is not natural, nor are any of those things that come to pass at the intervention or motion of the free-will. Secondly, that is said to be natural to which nature inclines although it comes to pass through the intervention of the free-will; thus acts of virtue and the virtues themselves are called natural; and in this way matrimony is natural, because natural reason inclines thereto in two ways. First, in relation to the principal end of matrimony, namely the good of the offspring. For nature intends not only the begetting of offspring, but also its education and development until it reach the perfect state of man as man, and that is the state of virtue. Hence, accord-

ing to the Philosopher (*Ethic. viii, 11,12*), we derive three things from our parents, namely “existence,” “nourishment,” and “education.” Now a child cannot be brought up and instructed unless it have certain and definite parents, and this would not be the case unless there were a tie between the man and a definite woman and it is in this that matrimony consists. Secondly, in relation to the secondary end of matrimony, which is the mutual services which married persons render one another in household matters. For just as natural reason dictates that men should live together, since one is not self-sufficient in all things concerning life, for which reason man is described as being naturally inclined to political society, so too among those works that are necessary for human life some are becoming to men, others to women. Wherefore nature inculcates that society of man and woman which consists in matrimony. These two reasons are given by the Philosopher (*Ethic. viii, 11,12*).

Reply to Objection 1. Man’s nature inclines to a thing in two ways. In one way, because that thing is becoming to the generic nature, and this is common to all animals; in another way because it is becoming to the nature of the difference, whereby the human species in so far as it is rational overflows the genus; such is an act of prudence or temperance. And just as the generic nature, though one in all animals, yet is not in all in the same way, so neither does it incline in the same way in all, but in a way befitting each one. Accordingly man’s nature inclines to matrimony on the part of the difference, as regards the second reason given above; wherefore the Philosopher (*Ethic. viii, 11,12; Polit. i*) gives this reason in men over other animals; but as regards the first reason it inclines on the part of the genus; wherefore he says that the begetting of offspring is common to all animals. Yet nature does not incline thereto in the same way in all animals; since there are animals whose offspring are able to seek food immediately after birth, or are sufficiently fed by their mother; and in these there is no tie between male and female; whereas in those whose offspring needs the support of both parents, although for a short time, there is a certain tie, as may be seen in certain birds. In man, however, since the child needs the parents’ care for a long time, there is a very great tie between male and female, to which tie even the generic nature inclines.

¹ Digest. I, i, de justitia et jure, 1.

Reply to Objection 2. The assertion of Tully may be true of some particular nation, provided we understand it as referring to the proximate beginning of that nation when it became a nation distinct from others; for that to which natural reason inclines is not realized in all things, and this statement is not universally true, since Holy Writ states that there has been matrimony from the beginning of the human race.

Reply to Objection 3. According to the Philosopher

(Ethic. vii) "human nature is not unchangeable as the Divine nature is." Hence things that are of natural law vary according to the various states and conditions of men; although those which naturally pertain to things Divine nowise vary.

Reply to Objection 4. Nature intends not only being in the offspring, but also perfect being, for which matrimony is necessary, as shown above.

Whether matrimony still comes under a precept?

Suppl. q. 41 a. 2

Objection 1. It would seem that matrimony still comes under a precept. For a precept is binding so long as it is not recalled. But the primary institution of matrimony came under a precept, as stated in the text (Sent. iv, D, 26); nor do we read anywhere that this precept was recalled, but rather that it was confirmed (Mat. 19:6): "What...God hath joined together let no man put asunder." Therefore matrimony still comes under a precept.

Objection 2. Further, the precepts of natural law are binding in respect of all time. Now matrimony is of natural law, as stated above (a. 1). Therefore, etc.

Objection 3. Further, the good of the species is better than the good of the individual, "for the good of the State is more Godlike than the good of one man" (Ethic. i, 2). Now the precept given to the first man concerning the preservation of the good of the individual by the act of the nutritive power is still in force. Much more therefore does the precept concerning matrimony still hold, since it refers to the preservation of the species.

Objection 4. Further, where the reason of an obligation remains the same, the obligation must remain the same. Now the reason why men were bound to marry in olden times was lest the human race should cease to multiply. Since then the result would be the same, if each one were free to abstain from marriage, it would seem that matrimony comes under a precept.

On the contrary, It is written (1 Cor. 7:38): "He that giveth not his virgin in marriage doth better^{*}," namely than he that giveth her in marriage. Therefore the contract of marriage is not now a matter of precept.

Further, no one deserves a reward for breaking a precept. Now a special reward, namely the aureole, is due to virgins[†]. Therefore matrimony does not come under a precept.

I answer that, Nature inclines to a thing in two ways. In one way as to that which is necessary for the perfection

of the individual, and such an obligation is binding on each one, since natural perfections are common to all. In another way it inclines to that which is necessary for the perfection of the community; and since there are many things of this kind, one of which hinders another, such an inclination does not bind each man by way of precept; else each man would be bound to husbandry and building and to such offices as are necessary to the human community; but the inclination of nature is satisfied by the accomplishment of those various offices by various individuals. Accordingly, since the perfection of the human community requires that some should devote themselves to the contemplative life to which marriage is a very great obstacle, the natural inclination to marriage is not binding by way of precept even according to the philosophers. Hence Theophrastus proves that it is not advisable for a wise man to marry, as Jerome relates (Contra Jovin. i).

Reply to Objection 1. This precept has not been recalled, and yet it is not binding on each individual, for the reason given above, except at that time when the paucity of men required each one to betake himself to the begetting of children.

The Replies to objections 2 and 3 are clear from what has been said.

Reply to Objection 4. Human nature has a general inclination to various offices and acts, as already stated. But since it is variously in various subjects, as individualized in this or that one, it inclines one subject more to one of those offices, and another subject more to another, according to the difference of temperament of various individuals. And it is owing to this difference, as well as to Divine providence which governs all, that one person chooses one office such as husbandry, and another person another. And so it is too that some choose the married life and some the contemplative. Wherefore no danger threatens.

Whether the marriage act is always sinful?

Suppl. q. 41 a. 3

Objection 1. It would seem that the marriage act is always sinful. For it is written (1 Cor. 7:29): "That they...who have wives, be as if they had none." But those who are not married do not perform the marriage act. Therefore even those who are married sin in that act.

Objection 2. Further, "Your iniquities have divided between you and your God." Now the marriage act divides

man from God wherefore the people who were to see God (Ex. 19:11) were commanded not to go near their wives (Ex. 19:20); and Jerome says (Ep. ad Ageruch.: Contra Jovini, 18) that in the marriage act "the Holy Ghost touches not the hearts of the prophets." Therefore it is sinful.

Objection 3. Further, that which is shameful in itself can by no means be well done. Now the marriage act is al-

^{*} Vulg.: 'He that giveth his virgin in marriage doth well, and he that giveth her not doth better.' [†] Cf. q. 96, a. 5.

ways connected with concupiscence, which is always shameful. Therefore it is always sinful.

Objection 4. Further, nothing is the object of excuse save sin. Now the marriage act needs to be excused by the marriage blessings, as the Master says (Sent. iv, D, 26). Therefore it is a sin.

Objection 5. Further, things alike in species are judged alike. But marriage intercourse is of the same species as the act of adultery, since its end is the same, namely the human species. Therefore since the act of adultery is a sin, the marriage act is likewise.

Objection 6. Further, excess in the passions corrupts virtue. Now there is always excess of pleasure in the marriage act, so much so that it absorbs the reason which is man's principal good, wherefore the Philosopher says (Ethic. vii, 11) that "in that act it is impossible to understand anything." Therefore the marriage act is always a sin.

On the contrary, It is written (1 Cor. 7:28): "If a virgin marry she hath not sinned," and (1 Tim. 5:14): "I will...that the younger should marry," and "bear children." But there can be no bearing of children without carnal union. Therefore the marriage act is not a sin; else the Apostle would not have approved of it.

Further, no sin is a matter of precept. But the marriage act is a matter of precept (1 Cor. 7:3): "Let the husband render the debt to his life." Therefore it is not a sin.

I answer that, If we suppose the corporeal nature to be created by the good God we cannot hold that those things which pertain to the preservation of the corporeal nature and to which nature inclines, are altogether evil; wherefore, since the inclination to beget an offspring whereby the specific nature is preserved is from nature, it is impossible to maintain that the act of begetting children is altogether unlawful, so that it be impossible to find the mean of virtue therein; unless we suppose, as some are mad enough to assert, that corruptible things were created by an evil god, whence perhaps the opinion mentioned in the text is derived (Sent. iv, D, 26); wherefore this is a most wicked heresy.

Reply to Objection 1. By these words the Apostle did not forbid the marriage act, as neither did he forbid the possession of things when he said (1 Cor. 7:31): "They that use this world" (let them be) "as if they used it not." In each case he forbade enjoyment; which is clear from the way in which

he expresses himself; for he did not say "let them not use it," or "let them not have them," but let them be "as if they used it not" and "as if they had none."

Reply to Objection 2. We are united to God by the habit of grace and by the act of contemplation and love. Therefore whatever severs the former of these unions is always a sin, but not always that which severs the latter, since a lawful occupation about lower things distracts the mind so that it is not fit for actual union with God; and this is especially the case in carnal intercourse wherein the mind is withheld by the intensity of pleasure. For this reason those who have to contemplate Divine things or handle sacred things are enjoined not to have to do with their wives for that particular time; and it is in this sense that the Holy Ghost, as regards the actual revelation of hidden things, did not touch the hearts of the prophets at the time of the marriage act.

Reply to Objection 3. The shamefulness of concupiscence that always accompanies the marriage act is a shamefulness not of guilt, but of punishment inflicted for the first sin, inasmuch as the lower powers and the members do not obey reason. Hence the argument does not prove.

Reply to Objection 4. Properly speaking, a thing is said to be excused when it has some appearance of evil, and yet is not evil, or not as evil as it seems, because some things excuse wholly, others in part. And since the marriage act, by reason of the corruption of concupiscence, has the appearance of an inordinate act, it is wholly excused by the marriage blessing, so as not to be a sin.

Reply to Objection 5. Although they are the same as to their natural species, they differ as to their moral species, which differs in respect of one circumstance, namely intercourse with one's wife and with another than one's wife; just as to kill a man by assault or by justice differentiates the moral species, although the natural species is the same; and yet the one is lawful and the other unlawful.

Reply to Objection 6. The excess of passions that corrupts virtue not only hinders the act of reason, but also destroys the order of reason. The intensity of pleasure in the marriage act does not do this, since, although for the moment man is not being directed, he was previously directed by his reason.

Whether the marriage act is meritorious?

Suppl. q. 41 a. 4

Objection 1. It would seem that the marriage act is not meritorious. For Chrysostom[†] says in his commentary on Matthew: "Although marriage brings no punishment to those who use it, it affords them no meed." Now merit bears a relation to meed. Therefore the marriage act is not meritorious.

Objection 2. Further, to refrain from what is meritorious deserves not praise. Yet virginity whereby one refrains from marriage is praiseworthy. Therefore the marriage act is not meritorious.

Objection 3. Further, he who avails himself of an indulgence granted him, avails himself of a favor received. But a man does not merit by receiving a favor. Therefore the marriage act is not meritorious.

Objection 4. Further, merit like virtue, consists in difficulty. But the marriage act affords not difficulty but pleasure. Therefore it is not meritorious.

Objection 5. Further, that which cannot be done without venial sin is never meritorious, for a man cannot both merit and demerit at the same time. Now there is always a

^{*} "Fruitionem," i.e. enjoyment of a thing sought as one's last end. [†] Hom. i in the Opus Imperfectum, falsely ascribed to St. John Chrysostom.

venial sin in the marriage act, since even the first movement in such like pleasures is a venial sin. Therefore the aforesaid act cannot be meritorious.

On the contrary, Every act whereby a precept is fulfilled is meritorious if it be done from charity. Now such is the marriage act, for it is said (1 Cor. 7:3): "Let the husband render the debt to his wife." Therefore, etc.

Further, every act of virtue is meritorious. Now the aforesaid act is an act of justice, for it is called the rendering of a debt. Therefore it is meritorious.

I answer that, Since no act proceeding from a deliberate will is indifferent, as stated in the Second Book (Sent. ii, D, 40, q. 1, a. 3; Ia IIae, q. 18, a. 9), the marriage act is always either sinful or meritorious in one who is in a state of grace. For if the motive for the marriage act be a virtue, whether of justice that they may render the debt, or of religion, that they may beget children for the worship of God, it is meritorious. But if the motive be lust, yet not excluding the marriage blessings, namely that he would by no means be willing to go to another woman, it is a venial sin; while if

he exclude the marriage blessings, so as to be disposed to act in like manner with any woman, it is a mortal sin. And nature cannot move without being either directed by reason, and thus it will be an act of virtue, or not so directed, and then it will be an act of lust.

Reply to Objection 1. The root of merit, as regards the essential reward, is charity itself; but as regards an accidental reward, the reason for merit consists in the difficulty of an act; and thus the marriage act is not meritorious except in the first way.

Reply to Objection 2. The difficulty required for merit of the accidental reward is a difficulty of labor, but the difficulty required for the essential reward is the difficulty of observing the mean, and this is the difficulty in the marriage act.

Reply to Objection 3. First movements in so far as they are venial sins are movements of the appetite to some inordinate object of pleasure. This is not the case in the marriage act, and consequently the argument does not prove.