

Florina Rodica HARIGA*

The Boundary between Venial and Mortal Sin in Medieval Philosophy Transposed in the Manuscript Paris, BnF, lat. 16408

Abstract: The aim of this article is to highlight the main definitions and differences between types of sin as they are to be understood in medieval philosophy and whether these interpretations may represent a starting point for contemporary endeavours and ideas regarding moral actions. The approach follows the ideas exposed in the manuscript Paris, BnF, lat. 16408 from the 14th century attributed to the Parisian professor Étienne Gaudet and his sources, the mentioned authorities that are traceable as far as Augustine and Thomas Aquinas. The study is based on comparative analysis, paleographical and textual interpretation.

Keywords: sin, evil, medieval notes, Étienne Gaudet, Augustine, Thomas Aquinas, manuscript Paris, BnF, lat. 16408, medieval ethics.

In the 14th century, on a paper support, Étienne Gaudet is writing in a cursive manner some notes of ideas and thoughts that interest him. He is trying to summarize ideas and thoughts that pertain to different authorities in order to use them in his own interest, either as a spark for his own arguments in intellectual debates, or as key guiding points in unfolding his own academic exercises. These notes shall be reunited together later in time as the notebook preserved nowadays in Paris at Bibliothèque nationale de France under the shelf mark lat. 16408.

Étienne Gaudet was born approximately around 1310/5, in a family of academic tradition; around 1335-1340 he arrives in Paris and begins his studies at the Faculty of Arts, after 1340 he continues them at the Faculty of Theology. In 1354 he is a fellow-theologian at the College of Navarre from where he will leave after a few years in order to continue his studies at Sorbonne. He becomes a Doctor of Theology in 1365-1367. After the academic political movements arising in 1386, he will abandon the

* Scientific Researcher, PhD, “Babeş-Bolyai” University of Cluj-Napoca, Romania; email: florina_hariga@yahoo.com

** Acknowledgment: This work was supported by a grant of the Ministry of Education and Research, CNCS/CCCDI – UEFISCDI, project number PN-III-P3-3.6-H2020-2020-0030, „Practica luatului de notițe și caietele studențești ca medii de diseminare academică în Europa medievală”.

university milieu and move to Lille where he will pass away at the ending of the year 1391/the beginning of the year 1392 (Gorochov 1997, 638-639).

Folio 61r from the manuscript lat. 16408 containing Gaudet's notes drew my research attention as the question placed at the beginning of the folio refers to the matter if someone may simultaneously sin in a venial manner and deserve eternal life (*Utrum quis simul possit peccare venialiter et mereri vitam eternam*).

Venial sin and mortal sin both alienate the human being from God as source of good. If venial sin only trespasses against the established connection between man and God, mortal sin annihilates it completely and the effect is damnation. What is the boundary between the two types of sinning? How much may one err at the intentional/ factual level for a venial sin to become mortal? The error has to be understood as consent of the will or of the intellect? These are the main leading questions to investigate the content present inside Gaudet's notes. Hierarchically, venial sin is inferior to mortal sin. In both cases, the moral agent prefers a lesser good to a greater good in a conscious manner. The choice takes place after a conscious act of deliberation. Both will and intellect collaborate into how to actualize this decision. From a temporal point of view, one prefers an immediately lesser good in contrast to a greater good that is more distant in time or that may occur in the afterlife.

An example that may explain better this context is to be found at folio 61r of the manuscript 16408, and it refers to the case of the midwives of the Hebrew people from the Old Testament (Exodus 1) who have mortally sinned by lying in order to save the innocent newborn children from the wrath of the Pharaoh, but received a limited reward *in via* because they have saved the children from death. In this context, lying is judged in comparison to the betrayal followed up by infanticide and is to be found morally acceptable as the minor evil:

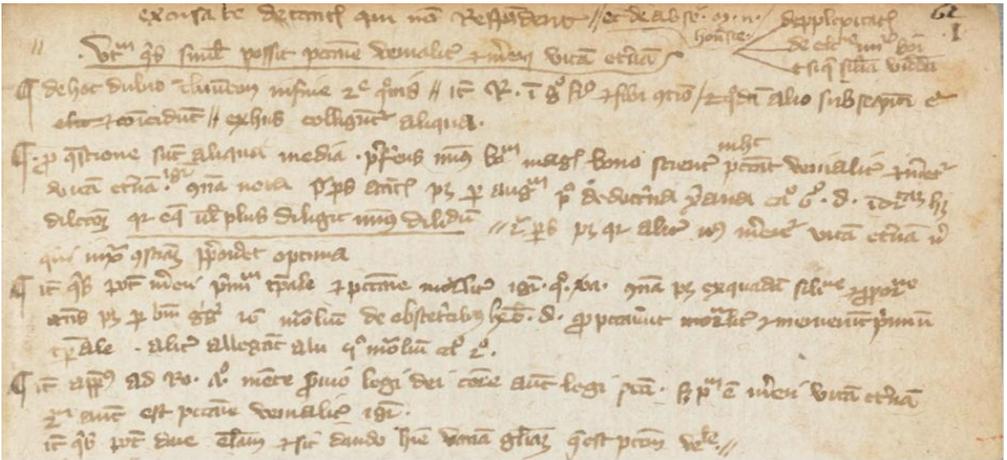
Item quis potest mereri premium temporale et peccare mortaliter, igitur questio vera. Consequentia patet ex quadam similitudine et proportione. Antecedens patet per beatum Gregorium 16 Moralium de obstetricibus Hebreorum dicentem quod peccaverunt mortaliter et meruerunt premium temporale. Aliter allegant alii 5 Moralium capitulo 2.

The mind has to be ordered to serve the law of God, but the body is inclined to be subordinated to the law of sin (Romans 7). If one follows the first order, then the prize is eternal life, if one follows the subordination of the body, what the body dictates, then one is to be found in the situation of sinning venially:

Item Apostolus ad Romanos 7: mente servio legi Dei, corpore autem legi peccati. Sed primum est mereri vitam eternam, secundum autem est peccare venialiter, igitur.

The example transposed by Gaudet is the following one (f. 61r): Who offers charity and in the same time feels vanity about his action, although that person commits a morally good act, an act to be praised for, through the pride over-added to that act, merely only just by means of the intention to feel pride for that good, one is to be found in the context of venial sin:

Item quis potest dare eleemosynam et sic dando habere vanam gloriam que est peccatum veniale.

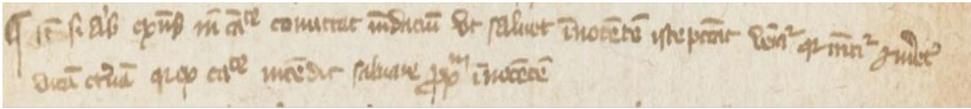


Manuscript Paris, BnF, lat. 16408, f. 61r

From a phenomenological understanding, the intention projected over a moral act is important. An act drained of any venial intention implying egoism, vanity, hidden interests may be considered as morally good and worthy of divine reward. That act is done for itself and for the one benefiting from it. The person initiating it cannot follow or attain an immediately temporal reward, but only the final one in the afterlife as a simple effect of one's action. The fact of attaining a reward *in patria* or *in via* cannot ever constitute the cause of initiating a morally meritorious act. In this sense, I cannot follow the principle of *do ut des* in giving charity or to show to the person receiving it or to the audience watching me the level of my generosity. In the same time, I cannot wait for something in return as I follow the pure intention of helping and doing well to the person that I am having in mind for the act of charity.

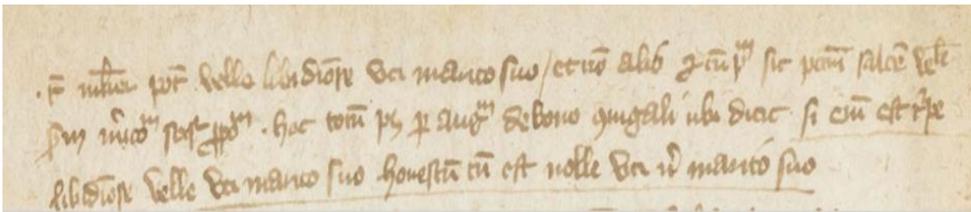
Following the abovementioned example of the midwives, Gaudet notes down the following idea: who tells a lie in order to save an innocent person commits a venial sin for lying, but deserves eternal life due to the love (*caritas*) for his neighbor, due to the intention of helping and saving him. Who does not have the intention of following one’s own interest and immediate wellbeing, and the intention is oriented exclusively towards the good of the other person, he is in the situation of deserving the divine reward:

Item, si aliquis existens in caritate committat mendacium ut salvet innocentem, iste peccat venialiter quia mentitur et meretur vitam eternam quia ex caritate intendit salvare proximum innocentem.



Manuscript Paris, BnF, lat. 16408, f. 61r

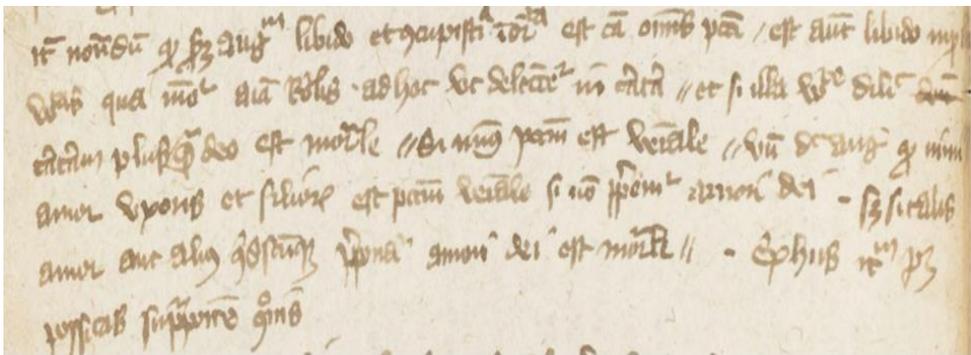
The next case presented at folio 61v refers to a different instantiation of venial sin and remembers conjugal relations. The question discusses the case in which a woman may use her husband in order to satisfy her own sexual desires. If the finality of this action is to attain one’s own pleasure and not procreation, she is in the situation of sinning venially. But, if the experimentation of this pleasure is done by using the legitimate husband and not any other man, thus avoiding adultery, then that act becomes meritorious and it is considered as “divinely approved”. The contextualization of this situation is to be found as a source in Augustine in *De bono coniugali: si enim est turpe libidinose velle uti marito suo, honestum tamen est nolle uti nisi marito suo* as quoted by Gaudet in the manuscript Paris, BnF, lat. 16408.



Manuscript Paris, BnF, lat. 16408, f. 61v

To approach correctly the problem of sinning and moral acts in the Middle Ages is to always take into consideration the divine will. The final choice has to be the aspect or the action that is approved by God, because only in this sense order is preserved in the natural hierarchy of things. To prefer and choose God above all other things and persons to the detriment of one's own will and vanity, even one's own immediate pleasure. If I choose myself to the detriment of God, I am in the situation of sinning venially. If the will prefers the creature, that what is created instead of the Creator, then man is in the situation of sinning mortally. To each thing, to each person one has to give the hierarchically correct due preference. If ones prefer the creature instead of the Creator in a lesser manner, but still the preference remains clearly expressed inclining more towards the creature, then the sin is of a venial character. Augustine clarifies these aspects as it follows: if the love one has for his wife or for the children is placed before the love for God, then the sin is mortal because one trespasses the hierarchy and the natural order. The boundary between the two types of sin remains a question of choice and expressed preference of the human will, of the intensity that is at work in that choice and preference.

Item notandum quod secundum Augustinum libido et concupiscentia inordinata est causa omnis peccati. Est autem libido improba voluntas qua movetur anima rationalis ad hoc ut delectetur in creatura. Et, si illa voluntate diligit creaturam plus quam Deo, est mortale; si minus, peccatum est veniale. Unde dicit Augustinus quod minus amor uxoris et filiorum est peccatum veniale si non preponitur amor Dei. Sed, si talis amor aut alius quicumque preponatur amor Dei, est mortale. Ex hiis item patet possibilitas supraposite conclusionis.



Manuscript Paris, BnF, lat. 16408, f. 61v

Further clarifications to the matter are also argued by Thomas Aquinas in asserting that one who commits a mortal sin loves a created thing more than God, and in committing a venial sin one loves the creature less than God. It is important to investigate Aquinas perspective on sin and evil as he represents one of Gaudet's main sources and he quotes him frequently into his further notes. In this sense, one may understand if Gaudet used as a source of information for his notes only the clearly nominated authorities that are to be found among the folios of the manuscript lat. 16408, such as Augustine, and later on Aquinas, or whether he was also influenced by other readings that are not clearly mentioned among the researched passages, but may be stated later on in other connected folios. Mortal sin, argues Aquinas, leads to eternal damnation, venial sin to a temporal one. Venial sin differs from mortal sin as something imperfect from something perfect, as a child is different from a man (Aquinas, *ST*, Ia IIae, Q. 88, art. 6). In the treatise *Quaestiones disputatae de malo*, Aquinas focuses his own arguments regarding the cause of evil and sin, the role of the will and of the intellect in moral acts, the difference between the evil of sinning and the evil of the punishment for sinning. No act may be accomplished if the agent does not follow a intention for good, even if someone commits an act that may be defined as morally condemnable, the primary intention that determined him to act was to pursue a certain personal or private good, followed by the secondary intention or effect of inflicting evil on someone else who will suffer from that action. Aquinas also uses the case of adultery as an example in asserting that the intention of the person committing adultery is not to damage the other spouse by means of breaking the trust and the matrimonial oath, but to pursue one's own personal satisfaction of senses that leads to an inferior manifestation of good (Aquinas, *Quaestiones disputatae de malo*, q. 1, art. 3, resp.):

Dicendum quod causa mali est bonum, eo modo quo malum causam habere potest. Sciendum est enim, quod malum causam per se habere non potest. Quod quidem tripliciter apparet. Primo quidem, quia illud quod per se causam habet, est intentum a sua causa; quod enim provenit praeter intentionem agentis, non est effectus per se, sed per accidens; sicut effossio sepulcri per accidens est causa inventionis thesauri, cum provenit praeter intentionem fodientis sepulcrum. Malum autem, in quantum huiusmodi, non potest esse intentum, nec aliquo modo volitum vel desideratum; quia omne appetibile habet rationem boni, cui opponitur malum in quantum huiusmodi. Unde videmus quod nullus facit aliquod malum nisi intendens aliquod bonum, ut sibi videtur; sicut adultero bonum videtur quod delectatione sensibili fruatur, et propter hoc adulterium committit. Unde relinquatur quod malum non habeat causam per se.

Good may represent the cause of evil in two ways, as a deficient cause or as a cause by means of an accident. In order to clarify the two situations, Aquinas gives the example of a seed that is deficient by means of a principle that alters it inducing a quality contrary to the quality necessary for the seed to be defined as good. How may this aspect be understood in a clearer way? Good does not cause the evil of the seed in a deficient manner, but the seed is caused by the principle of good as perfect, but becomes bad through a relation of accidental causality¹ (Ibid.). Good is deficient when a defect may be found in the faculty of the will before the wrong choice, because the will chooses accordingly to all that is good and follows good as a motivation for its choice, but the results and the choice become wrong when they become actualised² (Ibid.).

The error of the will does not reflect the aspect of the materialised choice, the act does not engage into the rule of reason and divine laws, on the contrary, the will that errs follows no rule at all and no measure when it chooses to commit a certain act. In Augustine's interpretation, the will is a cause for sin because it is deficient in the sense in which silence or darkness lack words or light, therefore, it may only represent a negation in itself. Aquinas exemplifies by saying that a worker cannot err due to the fact that he has no measure or rule in his work, but, that at a causal level he does not have from the start the necessary skill to execute the engaged work and, in this sense, he commits errors in his work. The first reason why the will errs is that it decides or chooses something without taking into account any kind of rule³ (Ibid.).

In relation to the concept of punishment that follows the sin, one may assert that there are three ways of identifying it and one of them refers to the error, when someone does something wrong and is punished for what he has done. Punishment acts contrary to the will of the agent committing the wrong act who is now suffering on the account of his unjust action. If the will of a person is not oriented towards good in general, it will be surely oriented towards the personal good. When the personal, particular good of a person is missing the will is confronted with the situation in which any kind of pleasure is absent according to Aquinas' statement⁴ (Ibid.).

Aquinas also quotes the authority of Augustine on the matter of punishment and sin.

The punishment differs from sin or error in a triple manner: firstly, sin is the evil of the action that is committed, whereas punishment represents an evil for the one committing it. In a natural way, the evil of action follows after the evil of the one acting (for example, if one has a crooked tibia, one will definitely limp). From a voluntaristic perspective, everything happens reversed, the evil of the person committing the sin, the

punishment, follows after the evil of action, the sin, due to the fact that divine providence educates and ordines error through punishment. Secondly, punishment differs from sin according to what it represents according to the will and contrary to the will, as Augustine claims. Thirdly, sinning represents an action committed by a person, and punishment is passivity, sufferance: *the error is the evil through which we act and the punishment the evil through which we suffer*⁵.

The evil of sinning consists in acting, the evil of punishment in suffering. Evil action is a manifestation of evil, and the one suffering an evil does not impersonate evil through one's sufferance, but lies on the path towards evil as one is moving oriented towards it, as limping reflects that the tibia is submitted to the evil that determines its sufferance and not the defect, for the moment, but stands on the path of what represents the defect. In the same manner, the work in act is better than motion towards act and perfection, and the evil action has more evil into it than the sufferance determined by an evil act. Thus, one may argue that sinning as an evil action represents a greater evil than to suffer from an evil action⁶.

The primary source of Gaudet's notes is to be found in Augustine's works and some passages are worthy to be highlighted in this study. When speaking about sinning and will, Augustine argues that the spirit is subordinated to lust by means of the will or by freedom of decision, because any person submitting to righteousness and is sovereign and conscience of his virtue cannot be found in such a defective state if not by assuming a certain weakness of the will (Augustine, *De libero arbitrio*, I, XI, 21). Committing evil, sinning, means to neglect the eternal aspects in order to prefer the temporal ones, to prefer the lust of the body in detriment of the spiritual aspects and its perfection, in other words, to cherish chaos more than order (Augustine, I, XVI, 34). As above mentioned, that means to disrespect the natural hierarchy imposed by the law of God.

The righteous punishment for sinning is that every person who has sinned should lose the aspect that they did not want to properly use from the beginning: one who knew and was conscientious of what one had to do, but did not act accordingly to that specific moral prescription, should lose the faculty through which one obtains that knowledge, and the one who did not want to commit correct actions should lose the faculty of willing to do good or to repair the evil done when acknowledging it (Augustine, III, VIII, 52).

In a simple and trivial manner, a human being may decide and his freedom manifests in choosing whether one wants white chocolate or black chocolate, but in the state of sin present in the world after the fall of Adam and Eve one is no longer able to choose as one was able to choose in the state of innocence to commit good actions with the help of an absolute free will that has no knowledge of evil. In other words, the initial freedom is no

longer identical as our nowadays freedom. Man's freedom after falling from grace is no longer the same one with the freedom that man had when he was created by God into the state of innocence. This idea cannot be understood in the sense that men have lost their will and the capacity of choosing in general, but that their power of choosing to do what is good and the will of acting according to the principles of good have been altered. Man's will is no longer as free as it was in the moment of his creation due to the fact that man cannot decide in the same manner whether to act correctly from a moral point of view, to choose good and to avoid evil in a conscience manner in his actions (van Woudenberg 2013, 180).

In an Augustinian interpretation, after the original sin, men have a certain freedom to choose what is good in a determined way, because they desire that and possess the necessary will of doing certain aspects, but they do not longer have the capacity of desiring to commit good actions and thus, desire or commit what it is erroneous or evil from a moral point of view. When a moral agent commits an evil act without something external withdrawing him from committing that certain act, the agent has a free and conscientiously oriented will into choosing to commit that certain act. The same aspect is valid for when nothing external is forcing that agent to not do that what he desires to do (Ibid.).

The different instantiations of sinning as described in Gaudet's notes follow the most important sources and authorities circulating in the 14th century. To further observe and study these sources after encountering them between the folios of a manuscript containing personal ideas and notations of a medieval Parisian professor represents a starting point for a better understanding of contemporary nowadays matters to whom nobody holds an exhaustive answer or set of criteria for better moral actions. The examples and study cases offered by the authorities and the personal argumentative structures found in the manuscript Paris, BnF, lat. 16408 are still linked to present day questions about moral actions, good and evil acts, hierarchy of errors, and responsibility for erroring and deliberating when it comes to ethical aspects. In a certain way, 14th century collections of notes and our nowadays philosophically notebooks may be easily mirrored into each other.

Notes

¹ "Contingit autem et malum, quod est defectivum bonum, esse causam mali; sed tamen oportet devenire ad hoc quod prima causa mali non sit malum, sed bonum. Est ergo duplex modus quo malum causatur ex bono. Uno modo bonum est causa mali in quantum est deficiens; alio modo in quantum est per accidens. [...] Sed si quaeratur causa huius defectus quod est malum seminis, erit devenire in aliquod bonum quod est causa mali per accidens, et non in quantum est deficiens. Huius enim defectus qui est in semine, causa est aliquod principium alterans, quod inducit qualitatem contrariam qualitati quae requiritur ad bonam

dispositionem seminis. Cuius alterantis virtus quanto fuerit perfectior, tanto hanc qualitatem contrariam magis inducet, et per consequens defectum seminis consequentem. Unde malum seminis non causatur ex bono in quantum est deficiens; sed causatur ex bono in quantum est perfectum, sed per accidens”.

² “Quae quidem est causa mali secundum utrumque praedictorum modorum, scilicet et per accidens, et in quantum est bonum deficiens. Per accidens quidem, in quantum voluntas fertur in aliquid quod est bonum secundum quid, sed habet coniunctum quod est simpliciter malum; sed ut bonum deficiens, in quantum in voluntate oportet praeconsiderare aliquem defectum ante ipsam electionem deficientem, per quam eligit secundum quid bonum, quod est simpliciter malum; quod sic patet”.

³ “Huiusmodi autem quod est non uti regula praedicta, non oportet aliquam causam quaerere; quia ad hoc sufficit ipsa libertas voluntatis, per quam potest agere vel non agere; et hoc ipsum quod est non attendere actu ad talem regulam in se consideratam, non est malum nec culpa nec poena; quia anima non tenetur nec potest attendere ad huiusmodi regulam semper in actu; sed ex hoc accipit primo rationem culpae, quod sine actuali consideratione regulae procedit ad huiusmodi electionem; sicut artifex non peccat in eo quod non semper tenet mensuram, sed ex hoc quod non tenens mensuram procedit ad incidendum; et similiter culpa voluntatis non est in hoc quod actu non attendit ad regulam rationis vel legis divinae; sed ex hoc quod non habens regulam vel mensuram huiusmodi, procedit ad eligendum; et inde est quod Augustinus dicit in XII de Civit. Dei, quod voluntas est causa peccati in quantum est deficiens; sed illum defectum comparat silentio vel tenebris, quia scilicet defectus ille est negatio sola”.

⁴ “Sunt enim tria de ratione poenae. Quorum unum est quod habet respectum ad culpam; dicitur enim proprie aliquis puniri quando patitur malum pro aliquo quod commisit. Habet autem hoc traditio fidei, quod nullum nocumentum creatura rationalis potuisset incurrere neque quantum ad animam, neque quantum ad corpus, neque quantum ad aliqua exteriora, nisi peccato praecedente vel in persona vel saltem in natura; et sic sequitur quod omnis talis boni privatio, quo uti quis potest ad bene operandum in hominibus, poena dicatur, et pari ratione in Angelis; et sic omne malum rationalis creaturae vel sub culpa vel sub poena continetur. Secundum vero quod pertinet ad rationem poenae, est quod voluntati repugnet. Voluntas enim uniuscuiusque inclinationem habet in proprium bonum; unde privari proprio bono, voluntati repugnat”.

⁵ “Sic ergo tripliciter poena et culpa differunt. Primo quidem, quia culpa est malum ipsius actionis, poena autem est malum agentis. Sed haec duo mala aliter ordinantur in naturalibus et voluntariis; nam in naturalibus ex malo agentis sequitur malum actionis, sicut ex tibia curva sequitur claudicatio; in voluntariis autem e converso, ex malo actionis, quod est culpa, sequitur malum agentis, quod est poena, divina providentia culpam per poenam ordinante. Secundo modo differt poena a culpa per hoc quod est secundum voluntatem et contra voluntatem esse ut patet per auctoritatem Augustini supra inductam. Tertio vero per hoc quod culpa est in agendo, poena vero in patiando, ut patet per Augustinum, in I de libero arbitrio, ubi culpam nominat malum quod agimus, poenam vero malum quod patimur”.

⁶ “Quarta ratio est, quia malum culpae consistit in operari, malum autem poenae in hoc quod est pati, sicut supra dictum est. Quod autem habet operationem malam, ostenditur iam esse malum; quod autem patitur aliquid mali, non per hoc ostenditur malum esse, sed esse quasi in via ad malum; quia quod patitur aliquid, movetur ad illud; sicut ex ipsa claudicatione ostenditur quod tibia iam subiaceat malo, ex hoc vero quod infertur ei passio, nondum subiacet defectui sed est in via ad deficientium. Sicut enim operatio, quae est existentis in actu, est melior quam motus ad actum et perfectionem, ita et malum operationis in se consideratum plus habet de ratione mali quam malum passionis. Et ideo culpa habet plus de ratione mali quam poena”.

References

- Manuscript Paris, BnF, lat. 16408. Repository: Bibliothèque nationale de France. Paris, France.
- S. Aurelii Augustini. 1841. *De libero arbitrio*. In J.-P. Migne, *Patrologiae cursus completus: sive bibliotheca universalis, integra, uniformis, commoda, oeconomica, omnium SS. Patrum, doctorum scriptorumque ecclesiasticorum qui ab aevo apostolico ad usque Innocentii III tempora floruerunt ... [Series Latina, in qua prodeunt Patres, doctores scriptoresque Ecclesiae Latinae, a Tertulliano ad Innocentium III]*, 32. Paris.
- Gorochov, N. 1997. "Le collège de Navarre de sa fondation (1305) au début de XVe siècle (1418)". In *Études d'histoire médiévale*, 1. Paris.
- Thomas de Aquino. 1961-1965. *Summa theologiae*. Ia IIae, Q. 88, art. 6. Biblioteca de autores cristianos. Madrid.
- van Woudenberg, René. 2013. "A brief history of theodicy". In Justin P. McBrayer; Daniel Howard-Snyder (ed.), *The Blackwell Companion to the Problem of Evil*. Chichester: Wiley Blackwell.
- <https://patristica.net/latina/#t032>, last accessed 20.11.2021, 20.33
- http://www.documentacatholicaomnia.eu/04z/z_0354-0430_Augustinus_De_Libero_Arbitrio_MLT.pdf.html, last accessed 20.11.2021
- http://www.documentacatholicaomnia.eu/04z/z_1225-1274_Thomas_Aquinas_Quaestiones_Disputatae_de_Malo_LT.pdf.html, last accessed 20.11.2021
- <https://www.corpusthomicum.org/qdm01.html>, last accessed 20.11.2021