

SEX AND MARRIAGE IN THE SENTENCES OF PETER LOMBARD

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Scholastic theology first saw the light of day among the masters in the twelfth-century schools of Europe. Chief among the masters of theology was Peter Lombard, whose Sentences became the textbook in the universities of Europe until the 16th century. This article studies the theology of sex and marriage in Book 4 of the Sentences against the background of the long and difficult road marriage travelled from a familial and secular event to the sacramental world of the church.

SEX AND MARRIAGE DOMINATE headlines and media coverage, even when the subject is health-care reform. This fact calls for a long, hard look, one that involves millennia, history, and documents. The axial moment for all three is the early twelfth century.

Why the twelfth century? It was the century that saw population growth in the European countryside, expansion of the cities, international trade, and the renaissance of learning in Europe, a renaissance marked by flourishing cathedral schools, especially those in northern Europe, where the century's early Scholastics distinguished themselves as masters of liberal arts, philosophy, and theology, creating a seismic shift of both method and emphasis in education and research with which we still live.

PROLEGOMENA¹

Chief among theologians of the twelfth century is Peter Lombard, known as the “Master of the *Sentences*.” Born in Lombardy in Northern Italy

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¹ For Peter's life and work see: *Prolegomena* to Peter Lombard, *Sententiae in IV libris distinctae*, 3rd ed., 2 vols., Spicilegium Bonaventurianum 4 and 5, ed. Ignatius Brady, O.F.M. (Grottaferrata [Rome]: Editiones Collegii S. Bonaventurae ad

about 1100, Peter studied at the cathedral school of Rheims, moving to Paris in 1136, there to study with Master Hugh at the Abbey of St. Victor, whose *Concerning the Sacraments of the Christian Faith* shaped his thinking and interests.² Soon thereafter Peter entered the ranks of the celebrated masters in the city's schools, who inspired the renaissance of learning and invented systematic theology in the West—among them, Abelard (d. 1143), Gilbert of Poitiers (d. 1154), and Peter's mentor, Hugh of St. Victor (d. 1142). Indeed, by 1141, Peter's commentaries on the Pauline epistles and the Psalms had become instant classics, and in that same year he was elected canon of the Cathedral of Notre Dame, thereby bringing his magisterial distinction to its school, which, decades later, would provide the theology faculty of the newly chartered University of Paris (1200). During his career at the cathedral's school he composed the four books of the *Sentences*, his crowning achievement, publishing the second and final edition in 1158, the year he also was consecrated bishop of Paris largely because of his distinction as "Master of the *Sentences*."³

In spite of the fact that Peter died the following year, the *Sentences* lived on. Several decades after the founding of the University of Paris, the *Sentences* became the text for the magisterial lectures in theology until the *Summa theologiae* of Thomas Aquinas replaced the *Sentences* in the 16th century.⁴

Claras Aquas, 1971) 1:1–45; Marcia L. Colish, *Peter Lombard*, 2 vols. (New York: Brill, 1994) 1:15–32; Philipp W. Rosemann, *Peter Lombard* (New York: Oxford, 2004); and Rosemann, *The Story of a Great Medieval Book: Peter Lombard's Sentences* (Peterborough, Ont.: Broadview, 2007).

² Hugh of St. Victor, *De sacramentis christiane fidei*, PL 176.174–618, trans. Roy J. Deferrari as *The Sacraments of the Christian Faith* (Cambridge, Mass: Medieval Academy of America, 1951).

³ Peter Lombard, *Sententiae in IV libris distinctae* 2: 233. Regarding the Brady edition of the *Sententiae*, vol. 1 is in 2 parts: Pt. 1, *Prolegomena* (hereafter, Brady, *Proleg.*); Pt. 2, *Liber I et II*; vol. 2 comprises *Liber III* and *IV*. For a more detailed background account of Peter and the *Sentences*, see my "The Sacramental World in the *Sentences* of Peter Lombard," *Theological Studies* 69 (2008) 557–82. Unless otherwise noted, all translations are mine.

⁴ The first regent master to use the *Sentences* as the text was Alexander of Hales in the 1230s (Brady, *Proleg.* 144). Aquinas's earliest publication (1256) was his commentary on the *Sentences*, for which see *Scriptum super libros Sententiarum*, ed. Pierre Mandonnet, O.P., and Marie-Fabien Moos, O.P., 4 vols. (Paris: Lethielleux, 1929–47); and for Aquinas as a *baccalaureus Sententiarum*, see Jean-Pierre Torrell, O.P., *Saint Thomas Aquinas*, vol.1, *The Person and His Work*, trans. Robert Royal (Washington: Catholic University of America, 1996) 39–45. For the history of the *Sentences* and the commentaries and their elaboration on it from its final edition in 1158 to 1511 when Luther completed his term as lecturer on the *Sentences*, see Rosemann, *Great Medieval Book* 13–183.

Although Peter and his magisterial colleagues invented systematic theology,⁵ they had a long line of patristic and medieval predecessors, whose opinions (*sententiae*) had been collected and handed down over the centuries in the form of *florilegia* on a wide range of doctrinal, philosophical, legal, liturgical, and practical subjects with Scripture as the focus. Consternation arose, however, when the authorities disagreed about biblical teaching, doctrine, and practice. By the early twelfth century, Peter and his colleagues had become increasingly aware of the considerable discord in the sentence collections, which raised serious questions (*quaestiones*) about how to interpret the opinions expressed. Enter logic, semantics, and reasoned argument, coupled with appeal to past authorities and their sentences. The result was a systematic theology that sought to illumine the subject at hand, offering reasoned argument for agreement or disagreement with the authorities cited in the sentence collections and with each other—in short, Scholastic theology.

An inevitable result was a series of texts (*summae*) based on the sentences and divided into separate books devoted to specific themes. The largest was that of Peter's Parisian contemporary, Robert Pullen (d. 1146): eight books, the first devoted to God, creator and triune, followed by books on creation, Christology, sin and its sources, and reprises on penance, the Eucharist, and eschatology.⁶ The most influential volume, published in two editions (1155–1158), was the *summa* of the "Master of the *Sentences*." Peter divided his treatment into four books. The first explores the doctrine of God; the second, creation; the third, Christology; and the fourth, the sacraments and eschatology.⁷ Each book was subdivided into themes (later, distinctions [*distinctiones*]), chapters (*capitula*) within each theme/distinction, and articles (*rubricae*) dealing with related issues within a given chapter.

⁵ See Colish, *Peter Lombard* 1:33–90; on the twelfth century's theological enterprise, see Marcia L. Colish, *Medieval Foundations of the Western Intellectual Tradition, 400–1400* (New Haven: Yale University, 1997) 274–88. Rosemann observes that "prior to the rise of Scholasticism, the paradigmatic medieval style of reading had been contemplative and ruminative . . . through words, to the Word" (*Great Medieval Book* 25). For a personalist approach, exemplified by marriage as friendship, see Anne Marie Mayeski, "'Like a Boat Is Marriage': Aelred on Marriage as a Christian Way of Life," *Theological Studies* 70 (2009) 92–108.

⁶ See Colish, *Peter Lombard* 1:68–72; and Robert Pullen, *Sententiarum libri octo* (PL 186), cited in Colish, *ibid.* 68 n. 60.

⁷ For translations, see *Peter Lombard: The Sentences*, 4 vols.; Book 1, *The Mystery of the Trinity*; Book 2, *On Creation*; Book 3, *On the Incarnation of the Word*; Book 4, *The Doctrine of the Signs*; trans. Giulio Silano (Toronto: Pontifical Institute of Medieval Studies, 2007, 2008, 2008, 2010 respectively).

The subject of my study, however, is book 4 of the *Sentences*, largely devoted to the first definitive theology of the sacraments.⁸ Peter opens the book with a definition of sacraments as sacred signs that cause what they signify: “[The] sign of the grace of God and the form of invisible grace, in as much as it bears the likeness of this grace and is its cause. The sacraments, therefore, were instituted not only for the sake of signifying, but also for sanctifying.”⁹ The definition encouraged most early Scholastics to accept seven sacraments: baptism, confirmation, Eucharist, penance, extreme unction, orders, and marriage.

MARRIAGE IN THE FIRST MILLENIUM

Among the seven sacraments, marriage was foremost on the minds of our twelfth-century masters, the subject of often sharp debate; indeed, Peter devoted almost half of the distinctions on the sacraments to marriage (26–42). The reason lies in the complex process by which Christian marriage in the West came to be differentiated from its non-Christian origins during the first millennium.¹⁰ Under Roman law and

⁸ *Liber IV* is devoted to the sacraments (distinctions 1–42) and to eschatology (distinctions 43–50). Subsequent citations from the *Sentences*, Book IV, will read as follows: *In IV. Sent.* d. (distinction) c. (chapter) a. (article), and text (page[s]). Although Peter Lombard’s teacher, Hugh of St. Victor, was the first to define sacraments properly speaking (*De sacramentis* 1, 9, 2: PL 176.317D) Peter adds clarity by specifying causality, for which see below, n. 9.

⁹ *In IV. Sent.* d. 1, c. 4, a. 2, 233: Sacramentum enim proprie dicitur, quod ita signum est gratiae Dei et invisibilis gratiae forma, ut ipsius imaginem gerat et causa existat. Non igitur significandi tantum gratia sacramenta instituta sunt, sed et sanctificandi.

¹⁰ For what follows see Philip Lyndon Reynolds, *Marriage in the Western Church: The Christianization of Marriage during the Patristic Medieval Periods* (New York: Brill, 1994) 1–412 (the patristic period through Augustine and the nuptial process); Susan Tregiari, *Roman Marriage, Iusti Coniuges, from the time of Cicero to the Time of Ulpian* (New York: Oxford University, 1991); Judith E. Grubbs, “Marriage,” in *Late Antiquity: A Guide to the Postclassical World*, ed. G. W. Bowersock, Peter Brown, and Oleg Grabar (Cambridge, Mass.: Harvard University, 1999) 563–65; Peter Brown, *The Rise of Western Christendom: Triumph and Diversity, AD 200–1000*, 2nd ed. (Oxford: Blackwell, 2003); John K. Leonard, “Rites of Marriage in the Western Middle Ages,” in *Medieval Liturgy: A Book of Essays*, ed. Lizette Larson-Miller (New York: Garland, 1997) 165–202; Mark Searle and Kenneth W. Stevenson, *Documents of the Marriage Liturgy* (Collegeville, Minn.: Liturgical, 1992); Colish, *Peter Lombard* 2:628–98 (the twelfth century); Mayeski, “Like a Boat Is Marriage” 92–108; Joseph Martos, “Marriage,” in *Perspectives on Marriage: A Reader*, ed. Kieran Scott and Michael Warren (New York: Oxford University, 1993) 30–56 (early Roman to the Reformation periods).

the Western European codes shaped by it, marriage was a domestic event that involved a relationship in which a man and a woman consent to live together and raise a family as his posterity.¹¹ Mutual consent was fundamental, from which a series of legal derivations flowed, among them, marital affection and respect (*affectio maritalis*) as the essence of a true marriage (*matrimonium iustum*), status and the freedom to marry, legitimacy of offspring, dowry and its uses, spousal authority, and the like.¹² Coupled with consent, these derivations ensured a true marriage in the Roman and early medieval worlds, whether for Pagans, Jews, or Christians.

With the Constantinian settlement, the Latin Fathers—Ambrose (d. 397), Jerome (d. 420), and Augustine (d. 430)—reflecting on Roman law in the light of Scripture, saw Christian marriage as a compact based on mutual consent that establishes a bond (*vinculum*) composed of three elements defining the essence of marriage (*affectio maritalis*): the spouses become one person; each spouse owes the other the conjugal debt; and their marriage is indissoluble.¹³ Far more than a contract, mutual consent among Christians formed a permanent bond. Indeed, in a world where divorce and remarriage were both legal and frequent for Roman citizens of all religious persuasions, indissolubility emerged as distinctive of Christian marriage; thus “pledge” (the original meaning of *sacramentum*) became “bond.”¹⁴

Local custom, however, whether Roman, Celtic, Germanic, Scandinavian, Jewish, or Christian, provided ways of getting married. Although people married validly solely on the basis of marital affection and its defining elements, customarily marriage was a family event subject to negotiation, initiated by a solemn agreement involving dowry and betrothal (*sponsalia*), and completed when the woman’s father or guardian (*paterfamilias* or *tutor*) handed her over to her intended spouse, who led her to his residence (*domumductio*), a process often solemnized with nuptial blessings and

¹¹ Reynolds, *Marriage in the Western Church* 40–42; Leonard, “Rites of Marriage” 167. Brown (*Rise of Western Christendom* 37–141) recounts the Christianization of the empire in the West and the empire’s gradual displacement by the barbarian settlers in Western Europe and the British Isles.

¹² See Leonard, “Rites of Marriage” 168–95 for the details.

¹³ The principal biblical texts for the Latin Fathers were the account of the creation of Adam and Eve in Eden (Gen 2–3), Noah and his sons (Gen 9:1), Abraham and Sarah (Gen 18:9; 21:1–7), the nuptial blessings in the Book of Tobit (7:13–15; 8:7–10; 9:10–12), Jesus on marriage and divorce (Mt 5:31; 19:1–9), Paul in 1 Cor 7:25–40, and Ephesians on marriage, signifying the union of Christ and the church (Eph 5:21–33). For a detailed discussion of the Matthean exception on divorce treated in the Fathers, and on Augustine and marriage as a sacred sign, see Reynolds, *Marriage in the Western Church* 173–226, 281–311.

¹⁴ Reynolds, *Marriage in the Western Church* 43.

completed with consummation.¹⁵ For Pagans the blessings invoked the local gods, especially the household gods (*lares*); for Jews the blessings invoked Yahweh and the covenant, with benedictions specified in the Talmud; for Christians the blessings invoked Christ in the church, with biblical imagery drawn from biblical patterns found in the account of Adam and Eve in Genesis, in the Book of Tobit, and in the New Testament.¹⁶ Whatever the ways of getting married, however, marriage long remained a secular familial event. Indeed, the earliest description of a Christian nuptial liturgy in the West is reflected in a fifth-century ode about the marriage of a cleric, a lector whose father was a bishop (regulations about a nuptial liturgy originated for clerical marriages rather than for the marriages of laity, at least in the West).¹⁷ In fact, neither the ancient nor the early medieval church required a priestly blessing or any other liturgical form for a valid marriage.

Although Byzantine Emperor Leo VI (866–912) ruled that the nuptial liturgy was necessary for validity in the East, marriage in the West only gradually moved from home to church, with priests gradually assuming the responsibility that traditionally rested with the heads of families. Well into the eleventh century, Christians who married solely according to the customs and laws of their familial and secular world were considered validly married.¹⁸ Early in the century, however, the amalgamation of ecclesiastical rites and the Gallican/Anglo-Saxon domestic blessing tradition, coupled with the long legal tradition of marital consent and the familial and public character of marriage, produced a new form of marriage: church marriage (*matrimonium in facie ecclesiae*), in which a priest meets the couple at the church door, leads couple and witnesses into church for Mass and nuptial blessing, blesses the bed chamber, then blesses the bread or wine after Mass for the festal banquet in remembrance of Cana.¹⁹ Although the rites could and did vary from place to place and from century to century, by the eleventh century marriage had indeed moved from home to church.

¹⁵ Thus, *ibid.* 314–85. For marriage in the Roman imperial period, see Carolyn Osiek and David L. Balch, *Families in the New Testament World: Households and House Churches* (Louisville: Westminster John Knox, 1997) 60–64; in classical Judaism, see Devora E. Weisberg, *Levirate Marriage and the Family in Ancient Judaism* (Waltham, Mass.: Brandeis University, 2009) 45–96. An important study of related material in the period from Paul through Augustine is Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University, 1988).

¹⁶ For the biblical texts see n. 13 above; for the texts of the marriage liturgy from the beginning to the present, including Tobit and the Jewish rites based on the Talmud, see Searle and Stephenson, *Documents of the Marriage Liturgy* 20–54.

¹⁷ For the ode see *ibid.*, esp. 30–39; for the extension to all Christians see *ibid.* 30.

¹⁸ See Reynolds, *Marriage in the Western Church* xix–xx.

¹⁹ See Leonard, “Rites of Marriage” 189–90.

THE TWELFTH CENTURY

As a result of the reforms of Pope Gregory VII (1073–1085), which sought to assert the independence of the ecclesiastical world from the secular, Christian marriage soon found itself not only in church but also increasingly under ecclesiastical jurisdiction. Instead of civil law, marriage became the province of canon law newly emergent at the University of Bologna under the scrutiny of its canon lawyers, especially Gratian.²⁰ Not surprisingly, marriage was also the subject of scrutiny among early Scholastics like Peter, who, bemused by the plethora of sacred signs in the church, sought to determine how marriage in their secular world fit into their sacramental world, how it was understood among the authorities who preceded them, and how it should be considered in the present.²¹ As a result, their theology of marriage exhibits a juridical tone rather than the pastoral tone found in monastic thinkers and writers like Aelred of Rievaulx (d.1167) and his personalist view of marriage as friendship of the highest order.²²

The most important and lasting influence on the early Scholastics, however, is Augustine, the only Church Father to write extensively and in detail about sex and marriage. Shaped by the experiences of a troubled youth, his years as a Manichean, and as a student of the pervasive Stoicism and Neoplatonism of his day with their negative view of matter and flesh,²³ Augustine developed his teaching on the benefits of marriage in response to the continuing success of two controversies. The first was with a group led by a Roman monk, Jovinian, numbering among its members the celebrated Jerome, who radically devalued marriage in defense of celibacy, putting special emphasis on the equality of marriage and celibacy.²⁴ In

²⁰ For a discussion of the recovery of Roman law at the University of Bologna, the rise of canon law, Gratian, and his celebrated *Decretum*, see Anders Winroth, *The Making of Gratian's Decretum* (New York: Cambridge University, 2000).

²¹ For a detailed discussion of the early Scholastics and canonists on marriage, including Peter, see Colish, *Peter Lombard* 2:628–98.

²² See Mayeski, “‘Like a Boat Is Marriage’” 92–108.

²³ On Stoicism and the Latin Fathers, see Marcia L. Colish, *The Stoic Tradition from Antiquity to the Early Middle Ages*, vol. 2, *Stoicism in Christian Latin Thought through the Sixth Century* (Leiden: Brill, 1985) esp. 142–238 (on Augustine); on Augustine's exposure to Neoplatonism, see Peter Brown, *Augustine of Hippo: A Biography*, new ed. with epilogue (Berkeley: University of California, 2000) 79–107.

²⁴ See David G. Hunter, “Jovinian,” in *Augustine Through the Ages: An Encyclopedia* (hereafter *ATAE*), ed. Alan D. Fitzgerald et al. (Grand Rapids, Mich.: Eerdmans, 1999) 475–76; and Hunter, “Resistance to the Virginal Ideal in Late Fourth-Century Rome: The Case of Jovinian,” *Theological Studies* 48 (1987) 45–64. Among the opponents were Jerome and Ambrose, who radically devalued marriage in their defense of celibacy, and exalted celibate Christians as the true “brides of Christ.” For the devaluation of marriage and the exalting of continence, see Brown, *Body and Society*, esp. 343–427 on Ambrose, Jerome, and Augustine.

response, Augustine developed the view of marriage that has shaped Christian thought about sex and marriage for centuries. On the one hand, Augustine argued that marriage is a beneficial social institution needed for the continuation of the human race and for the benefit of society as indicated in the traditional benefits of marriage: Instituted in Eden before the fall, marriage offered three traditional benefits: mutual fidelity (*fides*), offspring (*proles*), and a sacred sign (*sacramentum*).²⁵ By mutual fidelity Augustine meant the commitment to have sex only with one's spouse, properly relieving what he considered the "diseased state" (*morbus*) of sexual desire (*concupiscentia*);²⁶ by offspring, he meant having and raising children as the necessary condition for the bonding and friendly association of humankind (*societas amicalis*);²⁷ and by a sacred sign, he meant Christian marriage as a bond (*vinculum*) that signifies the indissoluble union between Christ and the church described in Paul's

²⁵ Augustine, *De nuptiis et concupiscentia* (hereafter *De nupt. et concup.*) 1.11.12 (PL 44.420). For a detailed study of Augustine and sacrament in marriage, see Reynolds, *Marriage in the Western Church* 280–330; and Brown, *Body and Society* 387–427; for the texts, including commentary, see Elizabeth A. Clark, ed., *St. Augustine on Marriage and Sexuality* (Washington: Catholic University, 1996).

²⁶ Augustine, who held that concupiscentia is most dramatically experienced and expressed in sex, says that "finding ourselves lying in this diseased state (*in hoc morbo*) we might search for the medicine (*medicinam*) of grace" (*De nupt. et concup.* 1.29.32 [PL 44.431–32]). For sex and marriage in Augustine's works see Brown, *Body and Society* 387–427; and the following studies in *ATAE*: Peter Burnell, "Concupiscentia" 224–27; David G. Hunter, "Marriage" 535–37; Gerald Bonner, "*Nuptiis et Concupiscentia, De*" 592; Paul Rigby, "Original Sin" 607–14; Eugene TeSelle, "Pelagius and Pelagianism" 633–40. For a collection of, and commentary on, the relevant texts, see Clark, *St. Augustine on Marriage and Sexuality*.

²⁷ Augustine concluded that, although in the early centuries the good of marriage was to have and raise children for the survival and increase of the human race, thereby permitting multiple marriages among the patriarchs and divorce among the people, in his day, with the survival and increase now accomplished, the purpose was the necessary condition for human friendship, the human community—*societas amicalis*—a good in itself which would permit the earthly and heavenly cities to intersect (Hunter, "Marriage," *ATAE* 536; and Hunter, "*Bono Conjugale, De*," *ATAE* 110, citing Augustine, *De bono conjugale* (hereafter *De bono conj.*) 13.55, 18.21, 19.22). For a detailed study of marriage as friendship, see Meyeski, "Like a Boat Is Marriage" 99, quoting the abbot: "How beautiful it is that the second human being was taken from the side of the first, so that nature might teach that human beings are equal, and that there is in human affairs neither a superior nor an inferior, a characteristic of true friendship. Hence, nature from the very beginning implanted the desire for friendship and charity in the human heart."

letter to the Ephesians 5:32.²⁸ On the other hand, Augustine argued that marriage serves to restrain and focus sexual desire, a dangerous and destructive human energy capable of tearing society apart, an argument that he developed in the second controversy.

This second controversy, which occupied the latter years of Augustine's life (411–430), was with Pelagius and his followers.²⁹ As ascetics deeply concerned with the need of widespread moral reform, the Pelagians held that Adam's sin did not affect the natural abilities of subsequent humans, that the human will is free to choose good as well as evil, and that the doctrine of original sin is baneful. The controversy centered on the effect of the first sin on human sexual desire (*libido carnale*). As Augustine saw it, Adam's sin—the founding moment of “fallen” time—resulted in a threefold inheritance for all of Adam's descendants: ignorance, concupiscence, and death, all handed down by procreation, specifically by the male seed. Front and center for Augustine was concupiscence, which denoted moral weakness coupled with turbulent and unruly desires. Nowhere is it more clearly resident than in the genital organs, and nowhere more dramatically expressed than in intercourse, either within or outside marriage. Indeed, in one of his sermons during the Pelagian controversy, Augustine, reminding his congregation that Adam and Eve, in eating the forbidden fruit, were ashamed and covered their genitals with fig leaves (Gen 3:6–7), exclaimed, “That's the place [*Ecce unde*]! That's the place from which the first sin is passed

²⁸ *Mysterion* in the Greek text of 5:32 was often translated into Latin by *sacramentum*, as is the case in the Vulgate and doubtless in Augustine's *Vetus Latina*, mentioned in *De doctrina Christiana* 2.16 (Corpus Scriptorum Ecclesiasticorum Latinorum [hereafter CSEL] 32). For detailed discussion of Ephesians and marriage in the patristic and early medieval periods see Reynolds, *Marriage in the Western Church* 280–311. Prior to the early Scholastics, the term *sacramentum* was applied to marriage primarily because of Paul in Ephesians 5:32, which for Augustine and his successors meant the indissoluble union between Christ and the church as the model or sacred sign, thereby ruling out divorce. In this Augustine has in mind the root meaning of *sacramentum* as the military oath that the fully trained legionary (*miles*) took, after which his name, distinguishing physical traits, the names of his references, and the governor's name were inscribed on the records of the unit and at headquarters—the symbol of the fact that he was a recruit no longer; on this induction see Roy W. Davies, *Service in the Roman Army*, ed. David Breeze and Valeri A. Maxfield (New York: Columbia University, 1989) 3–23.

²⁹ See Eugene TeSelle, “Pelagius and Pelagianism,” *ATAE* 633–40. For studies on Augustine and concupiscence, see above n. 26, and Elizabeth A. Clark, “Vitiating Seeds and Holy Vessels,” in *Ascetic Piety and Women's Faith: Essays on Late Ancient Christianity* (Lewiston, N.Y.: Edwin Mellen, 1986) 291–349. In *Augustine of Hippo* 340–99, Brown explores the Pelagian controversy and its social, geographical, ecclesiastical, and theological settings in valuable detail.

on.”³⁰ Philip Reynolds, in his detailed study of marriage during the patristic and early medieval periods, concludes, “Like Jerome, Augustine believes that marriage normally involves something vile, and that marriage is good only inasmuch as it prevents something even worse.”³¹

MARRIAGE IN THE *SENTENCES*

As will be evident in Peter’s treatment of marriage, Augustine’s ambivalence about sex and marriage was taken up by the twelfth-century masters, not only because Augustine was the only Church Father to write extensively on sex and marriage, but also because up to Peter’s time, there were some 16 extensive collections of Augustine’s opinions on important subjects, especially sex and marriage, the earliest being the *Liber sententiae* of Prosper of Aquitaine (fl. ca. 420–450); from Peter’s time on, the collections became innumerable.³² In addition, some 15,000 manuscripts of Augustine’s works could be found in the libraries of medieval Europe. As a result, the *Sentences*, deeply beholden to Augustine, conveyed Augustine’s ambivalence about sex and marriage to countless generations because the *Sentences* prevailed for so long as the text in systematic theology.

Nonetheless, the *Sentences* record the issues of the day, many of them about matters of both substance and procedure concerning marriage, issues that reflect regional differences, the juridical tone of an emerging canon law, and the resounding debates among the twelfth-century masters treated systematically in 17 distinctions covering almost 200 pages of text in book 4.³³

- Marriage as a sacrament (d. 26)
- Whether consent or carnal union establishes a marriage (dd. 27–30)
- The benefits of, and offences against, marriage (dd. 31–32)
- Those legally qualified to marry (dd. 33–34, 36)
- Marital rights (d. 35)
- Marriage, holy orders, and religious vows (dd. 37–38)
- Marriage and disparity of cult (d. 39)
- Marriage, consanguinity, affinity, and spiritual kinship (dd. 40–42).

MARRIAGE AS A SACRAMENT

At the outset (d. 26) Peter proposes his theology of marriage, which embraces the institution of, and reason for, marriage (c. 1), the twofold

³⁰ *Sermo* 151.5 (PL 38.814–19).

³¹ Reynolds, *Marriage in the Western Church* 272–73.

³² Joseph Lienhard, *Florilegia*, *ATAE* 370–71.

³³ For a discussion of marriage and the debates about it among the early Scholastics, see Colish, *Peter Lombard* 2:628–98.

institution of marriage (c. 2), marriage as a precept and concession (c. 3), marriage as a remedy for concupiscence (c. 4), the benefits of marriage (c. 5), the inner reality of the sacrament, and whether consent or sexual union establishes the sacrament (c. 6).

Citing Genesis 2:23–24 about the creation of Eve from Adam’s rib and reflecting the Augustinian consensus of his colleagues, Peter holds that the institution of marriage was twofold: “The first was instituted in Paradise prior to sin as a duty [*officium*], when marriages would be undefiled [Heb 13:4] and from which [couples] would conceive without passion and bring forth without pain; the second was instituted outside Paradise after sin as a remedy [*remedium*] to avoid illicit passion.”³⁴ Commenting on Augustine’s *On the Literal Commentary on Genesis* and *On Marriage and Concupiscence*, Peter concludes:

If the first humans had not sinned, they and their descendants would have had intercourse without the call of the flesh and the heat of lust, and their intercourse would be good and capable of reward as a good work. Since the sin, however, the deadly law of concupiscence [*letalitatis concupiscentiae lex*] dwells in our members without which, because of the sin, the union of flesh does not take place, intercourse is blameworthy and evil [*reprehensibilis est et malus*], unless excused through the benefits [*excusetur per bona*] of marriage.³⁵

Further, before the Fall, marriage embodied the mandate (*praeceptum*), “Increase and multiply” (Gen 1:28), which remained after the Fall until the multiplication of the human race had been accomplished. Once accomplished by the patriarchs, however, marriage was understood as a concession [*indulgentia*] in the form of permission [*permissio*]. “In the New Testament,” Peter explains, “it is by permission about lesser goods and evils, that is, permitted as a remedy [*remedium*]. Intercourse, which happens because of incontinence, is among the lesser evils, that is, among the venial sins [*venialiabus*], . . . [therefore] it is tolerated, in so far as it is not prohibited.”³⁶

³⁴ *In IV. Sent.* d. 26, c. 2, a. 1, 416.

³⁵ *In IV. Sent.* d. 26, c. 2, a. 3, 417. Augustine’s works on which Peter comments are *De Genesi ad litteram* IX, c. 7, n. 12 (PL 34.397; CSEL 28.271s, 280); and *De nupt. et concup.* 1.14–16.16–18 (PL 44.423–424).

³⁶ *In IV. Sent.* d. 26, c. 4, 418–19: “However, indulgence is received in different ways, namely, through allowance [*pro concessione*], through relaxation [*pro remissione*], and through yielding [*pro permissione*].” Once multiplication was complete, the patriarchs were allowed to continue marrying: thus, the “Old Law.” In the “New Law,” marriage is allowed to continue, but with reluctance because of concupiscence, through a yielding. Pope Gregory I (d. 604), also deeply influenced by Augustine, specified that if marital intercourse were admixed with any pleasure, the law of marriage has been transgressed, venially to be sure, but transgressed (*Pastoral Rule* 3.27; PL 77.102).

Even so, Peter argues that marriage is good despite the rigorists of his day who condemned it altogether.³⁷ That it is good is established from the fact that the Lord instituted it among our first parents (Gen 2:24), that Christ was present at the wedding in Cana where he changed the water into wine (Jn 2:2–10), that he also prohibited a husband from sending his wife away, save for fornication (Mt 9:9), and that Paul said that a young woman does not sin if she marries (1 Cor 7:28). Further, Augustine had proposed three benefits of marriage: in addition to fidelity and offspring, marriage is a sacrament. “Therefore,” Peter concludes, “marriage is truly good. Otherwise it would not be a sacrament: for a sacrament is a sacred sign.”³⁸

Granted that marriage was instituted as a mandate-become-remedy, that it has three distinctive benefits, and that both Christ and Paul affirmed its goodness, a persistent question arises: In what sense is marriage a sacred sign? Peter’s response reflects a long-standing consensus based on a passage in Ephesians: “Since, therefore, marriage is a sacrament, it is at once a sacred sign and the sign of a sacred reality [*sacrae rei*], namely, of the union of Christ and the church, just as the Apostle says” [5:25–33].³⁹ Although marriage was recognized as a type or figure of the union between Christ and the church as early as Tertullian (ca. 160–ca. 225), the consensus acquired solidity in Augustine’s threefold conviction about marriage as a sacred sign: first that marriage is indissoluble, an attribute that makes it a sacred condition; second, that marriage signifies the indissoluble union between Christ and the church; and third, that marriage, because of its indissolubility, is analogous to baptism.⁴⁰

³⁷ *In IV. Sent.* d. 26, c. 5, a. 1, 419. Peter calls them *Tatiani*, the traditional term for the rigorist schools of early Christians known as “Encratites” (the Greek, *enkrateia*, means “continence”). According to Irenaeus, these tendencies came together in the doctrine of his second-century contemporary Tatian, whom he considered the “patriarch of the Encratites” (*Adv. Haer.* 2. 28.1). Peter has in mind the Cathari, who became widely known in twelfth-century southern France (Languedoc) as Albigensians, appear in legislation of Lateran III (1179) and became the object of an abortive crusade in 1181; see Wakefield and Evans, *Heresies of the High Middle Ages* 29–50.

³⁸ *In IV. Sent.* d. 26, c. 5, a. 2, 419.

³⁹ *In IV. Sent.* d. 26, c. 5, a. 1, 419.

⁴⁰ On Tertullian and marriage as figure of the union, see his *Adversus Marcionem* 5:18, and *De monogamia* 5:7; Reynolds, *Marriage in the Western Church* 288; and Brown, *Body and Society* 77–82. For Augustine and sacrament in marriage, see Reynolds 280–311, esp. 309, for what Augustine means by “sacrament” in marriage; Cutrone, “Sacraments (Sacrament as a Sacred Sign),” *ATAE* 741–42; and Owen M. Phelan, *The Formation of Christian Europe: Baptism under the Carolingians* (Ph.D. diss., University of Notre Dame, 2005) 17–40, devoted to *sacramentum* as it develops from the early period, especially Augustine through the Carolingians.

Thus, when Peter says that marriage is at once a sacred sign and the sign of that sacred reality (*sacrae rei*)—the union of Christ and the church—does he mean that marriage is a sacred sign in that it points to and should reflect that union, or a sign that is sacred because it both signifies and conveys to the couple the indissoluble union of Christ and the church? Given the considerable ambiguity in Augustine’s use of *sacramentum*, Marcia Colish, in her analysis of Peter on marriage, concludes: “As a sacrament, marriage is for Peter a mere Augustinian sign, not a sign that effects what it signifies, or a spiritual or physical medium of grace.”⁴¹ Yet, when Augustine speaks of sacrament in relation to marriage, he appears to have more in mind than a “mere” sign. As we have just seen, Augustine’s understanding of marriage is threefold: as indissoluble, marriage is a sacred condition; there is a symbolic relation between marriage and Christ’s union with the church; and, as indissoluble, marriage is analogous to baptism.⁴² Indissolubility and the baptismal analogy appear to be the key: Just as baptism makes the initiate a member of the church united indissolubly to Christ, so marriage signifies an indissoluble bond in the married couple, which, as in baptism, no one can dissolve. In short, marriage is a sacred sign, because of which “something happens,” namely, the indissoluble union between Christ and the church.

Given Augustine’s understanding of marriage as sacred sign in which this indissoluble union takes place, Peter’s conclusion that the union of Christ and the church is the inner reality conveyed is best understood: “Since therefore marriage is a sacrament, it is at once a sacred sign and the sign of a sacred reality (*sacrae rei*), namely, of the union of Christ and the church, just as the Apostle says.”⁴³ Although he does not use causal language here as in his definition of sacraments properly speaking, nonetheless, Peter includes marriage among those seven sacred signs, each of which qualifies as “a sign of the grace of God and the form of invisible grace in that it bears its image and is its cause,” adding that the sacraments were instituted “not only for the sake of signifying grace, but also to sanctify.”⁴⁴ Marriage at once signifies the indissoluble union between Christ and the church and conveys that union to the recipients, who are also its ministers. Colish is correct, however, in holding that Peter does not then consider the

⁴¹ Colish, *Peter Lombard* 2:695.

⁴² Reynolds, *Marriage in the Western Church* 309, and 280–311, a chapter devoted to Augustine on the sacrament in marriage.

⁴³ *In IV. Sent.* d. 26, c. 6, a. 1, 419.

⁴⁴ *In IV. Sent.* d. 1, c. 4, a. 2, 233. In his first three chapters, Peter cites Augustine’s view of a sacrament as a sacred sign in *De civitate Dei* 5 (PL 41:282; CSEL 40–1; Corpus Christianorum: Series Latina [hereafter, CCL] 47:277); *De doctrina Christiana* II, 1.1. (PL 34:35; CSEL 80:33; CCL 32:32); and *Epist.* 98 (*Ad Bonifatium episc.*) 9 (PL 33:364; CSEL 34–2:531); Peter then defines sacrament properly speaking in *In IV. Sent.* d. 1, c. 4, a.2, 233.

pastoral role of the sacrament in sanctifying the couple for the living out of their married life, a point Marie Anne Mayeski makes about the early Scholastics generally in her study of Peter's Cistercian contemporary, Aelred of Rievaulx (d. 1167), and his deeply pastoral understanding of marriage as a Christian state of life.⁴⁵

CONSENT, CONSUMMATION, AND THE SACRAMENT

Peter then turns to issues more juridical than pastoral, reflecting the fact that ecclesiastical jurisdiction had displaced secular jurisdiction in marital matters. As a result he turns immediately to the burning question of his day: At what point in the rite of matrimony is the sacred inner reality conveyed? Some argued, citing Augustine and Pope Leo I (440–461), that since “outside of sexual intercourse marriage does not contain within it the sacrament of Christ and the church . . . there has been no marital mystery”⁴⁶—that is, consummation is the moment of conveyance. Thus enters the sharpest debate of the century about marriage, which occupies Peter's following four distinctions (27–30), namely, whether consent or consummation establishes a marriage, a debate made all the sharper by the diversity of the issues involved and the prominence of the authorities cited by each side (sometimes the same authorities, e.g., Augustine).⁴⁷

Consummationists

The “consummationists,” primarily Gratian and the canonists at the University of Bologna, grounded their case on an argument advanced four centuries earlier by Hincmar, Archbishop of Rheims (845–882). Faced with a request for his advice about a complex marital problem between two highly placed Carolingians, Hincmar was the first to define the sacramental role of intercourse in marriage. Basing himself on both Augustine and Pope Leo I, as later consummationists also would, he responded: “The true union of legitimate marriage occurs when, between free persons of equal rank, and with paternal consent, a free woman who has been legitimately endowed [provided with a dowry] and honored by public nuptials, is joined to a man by sexual intercourse. It is then that marriage contains the sacred sign [*sacramentum*] of Christ and the church, and that woman, in whom it is

⁴⁵ Colish, *Peter Lombard* 2:695; Mayeski, “‘Like a Boat Is Marriage’” 97–108.

⁴⁶ Leo, *Epist. 167 (ad Rusticum Narbonensis episcopum)* inquiry 4 (PL 54:1204B–1205A); Augustine writes: “Marriage has not been perfected without sexual intercourse,” *In libro de soliloquiis* 2.19.17 (PL 32.878). Peter does not identify those who argued thus, but it is clear from what follows that they were the consummationists, some of whom may have been his Parisian colleagues.

⁴⁷ For a detailed discussion of the issues of debate between the consummationists and consentists, see Colish, *Peter Lombard* 2:630–59.

proved that there has been both sexual union and the nuptial mystery, is known to attain to matrimony.”⁴⁸

Although Hincmar’s immediate concern is the problem of the unconsummated marriage of the daughter of a Carolingian count, he reflects the fact that the formation of the marriage bond customarily was the extended process that began with negotiations leading to formal betrothal (*sponsalia*) in the home of the future bride, eventually concluding with nuptials in church, transfer of the bride to the home of the groom (*transductio/domumductio*), and consummation. Thus, he concludes, the daughter of the count was not married: no consummation.

Following Hincmar, the Bologna canonists held that it is neither consent nor the nuptial blessing that makes the sacrament, but consummation. Where sexual intercourse has not taken place, a marriage does not yet exist, because neither betrothal nor consent adequately symbolizes the union of Christ and the church.⁴⁹ Although the canonists agreed that consent forms that aspect of the union between Christ and the church, which is love, they insisted that, apart from sexual union (*permixtio sexuum*), consent does not form the union by which the members of the church are united to the head through his taking on flesh (*per susceptionem carnis*).⁵⁰

Consentists

The “consentists” were mainly Parisian masters with Peter as their head. Imbued with the long-standing conviction about marital consent in Roman law, they insisted that consent makes a marriage, not consummation. Mindful that marriages are still family events, and often the result of alliances negotiated between families about power, property, and status, especially among the well-born, Peter then defines who can marry and to what they consent, arguing: “Marriage or matrimony is the union of a man and a woman, legally qualified persons living a life together (*individuum consuetudinem*),” adding that the bond remains between them while they are alive, so that it is not lawful for either to have intercourse with someone else, and, further, that each show the other what each is for the other.”⁵¹

⁴⁸ Hincmar, *Epist.* 136, *Monumenta Germaniae Historica Epist.* 8 (*Epist. Kar. Aevi* 6) 93.16–20, cited in Reynolds, *Marriage in the Western Church* 356. Requested to consider the status of the marriage between Stephen of Auvergne and the daughter of Raymond of Toulouse, an extremely complex situation, Hincmar responded with a speculative treatise in the form of a letter. For the complexities and the history, both prior and post, see Reynolds, *Marriage in the Western Church* 328–61, esp. 353–61.

⁴⁹ *In IV. Sent.* d. 27, c. 5, aa. 1–2, 424.

⁵⁰ *In IV. Sent.* d. 26, c. 6, a. 4, 421.

⁵¹ *In IV. Sent.* d. 27, c. 2, 422.

Peter spells out the meaning of “life together” because of a series of situations arising from ecclesiastical jurisdiction, the most prominent being the apparently frequent cases of a wife who seeks to enter a convent, or a husband, a monastery, and of a wife or a husband who seeks to avoid sexual intimacy for extended periods of prayer.⁵² The reason for these cases stems from what Peter Brown, in his study of the rise of Western Christendom, has called the “New Monasticism,” brought to an emerging Europe by the celebrated Irish Abbot Columbanus (d. 615) and his followers. The movement led to a widespread and centuries-long penitential mentality in the West, involving the “tariffed” penances of the penitentials, coupled with a preoccupation with death and life beyond, and with the sense that marriage immerses one in the turbulent sea of worldly concerns, specifically, the transitory but demanding challenges of making a living and raising a family in the increasingly urban and mercantile world of Western Europe.⁵³

Having defined what marriage is, Peter turns repeatedly to what makes (*efficit*)⁵⁴ the sacrament, namely, consent to the marital union expressed in words or clear signs about the present: “‘I accept you as my husband and I accept you as my wife,’ makes a marriage.”⁵⁵ Thus, with consent marriage begins to exist; the couple, who minister the sacrament to each other, are now truly husband and wife.

Consummationists and consentists, however, had to deal with telling objections. For the consummationists, for instance, a serious problem proved to be how to distinguish marriage from concubinage (*contubernium*), lawful according to Roman jurisprudence, tolerated in the church for centuries, and dramatized by Augustine’s 15-year union with the unnamed mother of his son, Adeodatus. Although there was a tendency in the church to see concubinage and marriage in the same light, concubinage eventually came

⁵² *In IV. Sent.* d.27, cc. 1–10, 419–31. For the background and history of marital continence among Christians in the first five centuries, see Brown, *Body and Society*. In the first several centuries, it was primarily mature, married couples with established households and families that sought mutual continence.

⁵³ For a discussion of the “New Monasticism,” see Brown, *Rise of Western Christendom* 248–66; and for the penances assigned in the penitentials, see John T. McNeill and Helena M. Gamer, *Medieval Handbooks of Penance: A Translation of the Principal Libri Poenitentiales*, Records of Civilization, Sources, and Studies 29 (New York: Farrar, Straus, & Giroux, 1979). The penances are “tariffed” in the sense that the penitential books consist of lists of offenses with the kinds and periods of penance assigned.

⁵⁴ *In IV. Sent.* d. 27, c.3, 422. Peter uses forms of the verb *efficere*, signifying that the couple’s consent is the ministerial or instrumental cause of the sacrament. Eventually the verb will be replaced by *conficere*, often simply transliterated “confect,” as the technical theological term for what forms, establishes, or brings about a sacrament, namely, institution, matter, form, intention, and ministerial empowerment.

⁵⁵ *Ibid.*

to be seen as a form of fornication. Yet Augustine, taught by his own experience, wondered years later whether a man and a woman not legally joined but living together under an agreement not to have sexual relations with anyone else are married. He answered, “Perhaps: but only if they had resolved to maintain until death the good faith which they had promised themselves even though this union did not rest on the desire to have children.”⁵⁶ In any case, toleration in Roman law and ecclesiastical practice, which survived into the high Middle Ages, provided a solution to the problem of celibacy for clerics in the rural villages and towns so isolated and yet so important to medieval life, and, at the same time, solved the serious problem of inheritance and church property: Children of concubinage were illegitimate and could not, therefore, inherit.⁵⁷ There was also the delicate issue about the marriage of Joseph and Mary. Although the consummationists could and did cite Augustine, who held that their marriage possessed and fulfilled the three benefits of marriage—fidelity, progeny, and sacrament—they had to concede that the marriage of Joseph and Mary was not a union brought to sacramental fulfillment by consummation; it was an imperfect marriage, because it reflected the union of Christ and church imperfectly.⁵⁸ Finally, there was a persistent practical problem: proving nonconsummation of a marriage for the purpose of a declaration of invalidity. Since it would have to be by judicial process, it could not be carried out apart from invading the personal privacy of the couple and without the testimony of witnesses, some of whom might be less than objective.

The consentists, however, were far from problem-free. They could easily respond that the marriage of Joseph and Mary was an integral sacrament because law and custom, together with papal and patristic authorities, had insisted for centuries that consent made a marriage, including the marriage of Joseph and Mary, which was indeed a perfect union. Nonetheless, an equally difficult scriptural question arose in relation to the mandate in Genesis to increase and multiply. How could consent alone carry out the mandate? In response, Peter distinguishes between mandate (*praceptum*) and concession (*indulgentia*): after the Fall, Adam and his descendants, including Noah, were bound by the mandate to increase and multiply until the multiplication was accomplished by the time of the patriarchs. Once

⁵⁶ Augustine, *De bono conj.* 5.5, cited in Brown, *Augustine of Hippo* 80. Augustine composed the work about the benefits of marriage in 401 as a response to Jovinian and others who held with special emphasis that the celibate and married lives were equal, and to Jerome, whose *Adversus Jovinianum* was considered an excessive denunciation of marriage.

⁵⁷ Reynolds, *Marriage in the Western Church* 315.

⁵⁸ *In IV. Sent.* d. 27, c. 6, a. 3, 421. On patristic disputes, including the dispute between Augustine and Julian of Eclanum, about the marriage of Mary and Joseph, see Reynolds, *Marriage in the Western Church* 256, 339–47.

accomplished, propagation was a matter of concession. Citing Paul, who in his concern about sexual immorality among his Corinthians recommends celibacy, concedes that “it is better to marry than to be aflame with passion” (1 Cor 7:1–9), Peter echoes Augustine and argues that there “is permission in the New Testament about lesser goods and evils. Marriage is about the lesser goods and does not merit the palm [reward] but is a remedy (*remedium*). Intercourse, which takes place due to incontinence, is among the lesser evils, that is, among the lesser sins (*venialibus*). Marriage is allowed (*indulgetur*), that is, conceded (*conceditur*); indeed intercourse of this type [incontinent] is permitted (*permittitur*), that is, it is tolerated (*toleratur*), in so far as it is not prohibited.”⁵⁹

Even more imponderable, at least since the time of Augustine, was the passage from Ephesians about marriage as signifying the union between Christ and the church (Eph 5:31–32). How could consent make a marriage, if marriage embodies the incarnate union of Christ and the church? Peter offers a solution by distinguishing between the spiritual union established by spousal consent and the physical union established by intercourse.⁶⁰ Thus, although the consummationists hold that consent does not embody the physical union of Christ and the church, Peter replies that consent embodies “that union of Christ and the church which is love, though not that union which is in conformity with nature. Therefore, there exists in this marriage an image (*typus*) of the union between Christ and the church, but only by which the church is united to Christ through love, not of that by which the members are united to the head through [his] assumption of flesh (*per susceptionem carnis*).”⁶¹ The consummationists, however, continue to insist: an imperfect union, because no complete union.

⁵⁹ *In IV. Sent.* d. 26, c. 4, 418–19. Peter, like Augustine, has in mind Paul’s comment in 1 Corinthians 7:1–9, esp. 3–6, about conjugal rights and depriving each other briefly for prayer, adding in vs. 6, “Come back together again, lest Satan tempt you because of your lack of self-control [*incontinentiam*]. This I say by way of concession [*indulgentiam*], not as a command (*Collectanea in Epist. D. Pauli.—in Ep. I ad Cor.*; PL191:1587D–1589D). In his gloss on vs. 6, Peter comments: “And, therefore, one who acts differently does not sin—that is, one who is continent; but one who acts in this way [incontinently] sins, since there is some fault there, but light [*levis*]. On account of this kind of sin, it is necessary to pray to the Lord daily and frequently and to say: *Forgive us our debts*, and so forth. Therefore the Apostle does not command, but permits [coming back together again]” (ibid. 1588D–1589A). Pope Gregory I (d. 604) specified that if marital intercourse were admixed with any pleasure, the law of marriage has been transgressed, venially to be sure, but transgressed (*Pastoral Rule* 3.27; PL 77.102).

⁶⁰ *In IV. Sent.* d. 27, c. 6, a. 1, 420.

⁶¹ *In IV. Sent.* d. 27, c. 6, a. 4, 421.

ISSUES RELATED TO CONSENT AND CONSUMMATION

With the theology of the sacrament established, Peter then explores related juridical issues, substantive and practical, that arise and must be faced by both consentists and consummationists, among them, betrothal solemnized by oath, what belongs to the integrity of the sacrament as opposed to its honor, clandestine marriages, force, fear and conjugal consent, error that voids consent, the kind of consent between Joseph and Mary, and the purpose (*causa finalis*) of marriage—all significant issues of the day, both sacred and civil, requiring not only an acute theological mind but also an acute “civilian” mind.

Solemn Betrothal

Customarily betrothed couples were spoken of as husband and wife, especially if betrothal included a solemn oath. This occasioned a question: Did the oath (*sacramentum*) make the betrothal a marriage? If so, a problem followed: In the case of a broken engagement, when the former fiancé (often in search of a “better marriage”) took a different woman as his bride, was the marriage invalid and, therefore, adulterous? Peter emphasizes again that consent about the present alone makes a marriage, whereas betrothal, including any oath associated with it, is consent about the future, and, therefore, not a marriage. In contrast, he observes about the former fiancé and the “other” woman: a marriage exists for both parties and cannot be dissolved.”⁶²

The Essence of the Sacrament

Peter then considers what pertains to the essence (*ad substantiam*) of the sacrament as distinct from what pertains to its honor and solemnity (*ad honorem et solemnitatem*). Although consent “alone suffices for contracting marriage, certain elements pertain to its honor and solemnity, like the parental handing over [of the bride], the blessing of the priest, and the like. Even without them, however, the marriage takes place lawfully, according to its effect (*virtutem*), but not according to what is appropriate for the sacrament (*ad honestatem sacramenti*).”⁶³ Such is the case even in clandestine marriage as long as the couple’s consent, however secret, is expressed in words about the present. Should the couple later separate, he notes, the church cannot insist that they remain as a married couple, if there were no witnesses to what was done in secret, since what the couple contracted secretly must be expressed voluntarily in the light of

⁶² *In IV. Sent.* d. 28, c.1, aa. 1–4, 431–433.

⁶³ *In IV. Sent.* d. 28, c. 2, a. 1, 433.

day, thereby providing the church the chance to judge whether there was a marriage or not.⁶⁴ Peter then treats four related problems: what marital consent is really about, why woman was formed from the side of man, force and consent, and the kinds of error that void consent.

Consent to Companionship

Marital consent, Peter writes, is not about intercourse nor about cohabitation. If it were about intercourse, then Mary and Joseph were not married; if cohabitation, then brother and sister or father and daughter living together would be a marriage. Rather, it is “consent to a marital relationship (*coniugalis societatis*) expressed by words according to the present tense, as when a man says, ‘I accept you as my,’ not ruler, not maid, but ‘wife.’”⁶⁵ This distinction leads Peter to consider again the account of the creation of woman in Genesis 2:21–23 and to draw a surprising conclusion, given the patriarchalism of his world and his sources:

If woman were formed from the highest part, as from the head, it would seem that she was created for the purpose of domination (*ad dominationem*), but if from the lower, as from the feet, it would seem for the purpose of subjection to servitude (*ad servitutem subicienda*). But neither for domination nor servitude, she was taken from the middle, that is, from the side, since she was taken for the purpose of marital relationship (*ad coniugalem societatem*).⁶⁶

Consent, therefore, is not to carnal intercourse or living together, but to a marital union, which means that husband and wife are companions in a relationship of equals.

Force, Fear, Error, and Consent

Next Peter turns to forced consent. Given the continuing influence of family in arranging marriages, two prominent influences affected consent. Peter expresses concern about force, fear, and consent, especially in familial negotiations where property and status were concerned. The *paterfamilias* or *tutor* (guardian) often exerted influence—sometimes excessive—especially on the bride-to-be. Peter cites two classic examples from the time of Pope Urban II (1088–1099). The first involved Sanctius, King of Aragon, his niece, and an important military man; the second, the daughter of the Italian prince of Jordan (1078–1091) and the son of an important Italian count. About the royal niece, Urban instructs the king, “If she utterly

⁶⁴ *In IV. Sent.* d. 28, c. 2, a. 2, 434.

⁶⁵ *In IV. Sent.* d. 28, c. 3, a. 2, 435.

⁶⁶ *In IV. Sent.* d. 28, c. 4, a.1, 435. Aelred of Rievaulx makes a similar point, for which see Mayeski, “Like a Boat Is Marriage,” 98–99, where she cites the text from his *Opera ascetica*.

refused this man, as is reported, and persists with the same determination of will . . . in no way are you to compel her to be united in marriage with this man.”⁶⁷ About the second—the prince who had betrothed his daughter to the count apparently under pressure and with regret—Urban notes that, although neither the laws nor the canons approve such betrothals, “if the prince, with the agreement of his daughter, wished to complete what he had started, we comply.”⁶⁸ Peter then cites the Justinian code: “Betrothals, just as marriages, happen through the consent of those making the contract, and therefore, just as in marriages, so also in betrothals, the daughter must give [her] consent to the family, which consent may be understood, if she is not opposed to the will of the father.”⁶⁹ Urban seems to be suggesting “understood consent” as a diplomatic way to resolve a delicate problem between royals. Nonetheless, Peter holds that force and fear nullify consent.

In addition, errors about the identity or status affected consent. Given that marriages were often complex affairs between families, often not above duplicity, Peter then considers the extent to which errors about person, prosperity, character, and status void consent. An error about person means that in place of the betrothed another is substituted; an error about prosperity, that the intended spouse is thought to be wealthy but is actually poor; an error about character, that an evil person is thought to be good; and finally, an error about status, that a slave is thought to be free, or a woman of low birth is thought to be noble.⁷⁰ Although errors about prosperity and character do not void consent, errors about person and status do. Thus, if the identity of the spouse presented differs from the spouse sought (for instance, a brother or sister is substituted)—not infrequent in a culture where the intended bride and groom might never have even met—such an error voids marital consent. Similarly, if the actual status of the person differs from that presented by, and expected of, the intended spouse, specifically, the betrothed is discovered to be slave-born or of low birth, such an error also voids marital consent. Equality of rank and the status problem were not minor in Peter’s feudal world. The slave-born were numerous in the West, the result of warfare among and between the barbarian tribes as Europe gradually emerged. Slave traders and the

⁶⁷ *In IV. Sent.* d. 29, c. 1, a. 1, 436.

⁶⁸ *In IV. Sent.* d. 29, c. 1, a. 2, 436.

⁶⁹ *In IV. Sent.* d. 29, c. 1, a. 4, 437: *Digesta seu pandectae* XIII, tit. 1, *lex* 7. Justinian (527–565), within a few months of becoming emperor, tried to restate the whole of Roman law in a manageable form and in Latin. Divided into 3 volumes, it was promulgated as the exclusive source of imperial laws, titled *Codex justinianus*, and eventually *Codex juris civilis*. From the eleventh century on it was the basis of legal education and administration throughout Europe, sparking the revival of legal studies at the emergent university of Bologna and the development of canon law.

⁷⁰ *In IV. Sent.* d. 30, c. 1, aa. 1–5, 437–39.

slave trade brought about the forcible transfer of whole populations. Even more populous were people of low birth. In the medieval world they were peasants, artisans, and other workers, who both populated and made prosperous the vast estates of their feudal betters: they were those of “low birth” in an emerging urban world. Given the recovery of the Justinian Code at Bologna in Peter’s day, with its statutes about the marriages of slaves, the slave-born, and people of low birth, it is hardly surprising that errors about social status, however frequent, would invalidate consent.

Errors about consent prompted Peter to comment again on the marriage of Joseph and Mary, still an important issue in the twelfth century, one that prompted the First Lateran Council (1123) to reaffirm Mary’s perpetual virginity. For Peter and some of his colleagues, Mary’s commitment to virginity in Matthew (1:18–25) and Luke (1:26–38), seemed to some an error of status in respect to their marriage, since there was no consent to intercourse. Peter defends their virginal marriage as consensual since both understood that the Holy Spirit wished them to preserve virginity.⁷¹ Then, citing Augustine, he adds that their marriage was perfect, because it fulfilled the benefits of marriage: fidelity, in that there was no adultery; offspring, in that it was the Lord himself; and sacrament, in that their union was spiritual, for “in sinful flesh [union] cannot take place without the shameful concupiscence of flesh that happens from sin, without which he who would be without sin wished to be conceived.”⁷²

The Purposes of Marriage

Peter concludes his treatment of issues related to marital consent with a consideration of what he calls the “final cause of marriage” (*causa finalis*) as distinct from consent, which for him is its “efficient cause” (*causa efficiens*)—terms that would become a permanent part of the terminology of subsequent sacramental theology. He concedes that though there are worthy purposes for marriage (e.g., reconciliation of enemies and the restoration of peace), less worthy purposes (like the beauty of a woman, status, and wealth) far more often impel people to enter into marriage. Since the beginning of creation, however, the primary purpose or final cause of marriage, as Peter, his colleagues, and his predecessors saw it, is the procreation of offspring (Gen 1:28), to which has been added a secondary purpose, the avoidance of fornication (1 Cor 7:2). About the other reasons why people marry, both worthy and unworthy, even evil, he

⁷¹ See *In IV. Sent.* d. 30, c. 2, a. 1, 439; and on Mary’s virginity, Lateran I, can. 3 (Mansi 10:1152).

⁷² *In IV. Sent.* d. 30, c. 2, a. 4, 440. The passage from Augustine is *De nupt. et concup.* 1.11.13 (PL 44.421; CSEL 42.225).

concludes that nevertheless “the marriage is good, since an evil life or someone’s perverse intention does not defile the sacrament.”⁷³

About other marital evils, Peter considers them in relation to the three traditional benefits (*bona*) of marriage that can atone for intercourse: fidelity, offspring, and sacrament, noting that they are not present in every marriage.⁷⁴ Even so, the marriage “is not thereby reduced to nothing (*ad nihiletur*).”⁷⁵ Fidelity is not present in marriages where one or both spouses have intercourse with someone else. The blessing of offspring is sometimes absent for morally good reasons: some observe continence by a mutual vow, and others, because of impotence or age. Yet for others the blessing of offspring is absent for worldly reasons, prominent among them: couples who have children yet raise them for the purpose of family succession and heirs; Peter adds that there are couples who have marital intercourse “not for the sake of children but for the appeasing of passion (*libidinis*).”⁷⁶

Contraception and Abortion

Enter a special category of couples, whom Peter considers “not spouses but fornicators . . . those who procure poisons for sterility (*venena sterilitatis*),”⁷⁷ terms he took from the following celebrated passage in Augustine’s *On Marriage and Concupiscence*, which Peter then cites *in extenso*:

Sometimes (*Aliquando*) this lustful cruelty, or cruel lust, comes to this, that they [the spouses] even procure poisons for sterility (*venena sterilitatis*) and, if these do not work, in some way kill or expel the fetus conceived in the womb, preferring their offspring to die before it lives; or if it was alive in the uterus, preferring it to be killed before it is born. Assuredly, if both husband and wife are like this, they are not a married couple; and if they were like this from the beginning, they have not come together through marriage, but more through debauchery (*stuprum*). If they are not both like this, I venture to say: either she is somehow a harlot for her husband, or he is an adulterer for his wife.⁷⁸

In short, the couple engages in artificial contraception. In his detailed historical study of contraception, John Noonan observes about this

⁷³ In IV. Sent. d. 30, c. 4, a. 1, 442. Peter reflects here Augustine’s insistence in the Donatist controversy that neither the validity nor the effectiveness of the sacrament depend on the holiness of the minister, since the minister is an instrumental cause of its effect—in this case, the couple is the minister each for the other. For the Donatist controversy, Augustine’s role in it, and the early church in North Africa, see Robert A. Markus, “Donatus, Donatism,” *ATAE* 284–87.

⁷⁴ In IV. Sent. d. 31, cc. 1–8, 442–51. For Augustine on the benefits (*bona*) see above, pp. 11–14.

⁷⁵ In IV. Sent. d. 31, c. 2, a. 4, 443.

⁷⁶ (76) In IV. Sent. d. 31, c. 2, a. 5, 444.

⁷⁷ In IV. Sent. d. 31, c. 3, 445. Peter addresses the problem of artificial contraception and abortion in this chapter and the next (c. 4, 445–46).

⁷⁸ Augustine, *De nupt. et concup.* 1.15.17 (PL 44.423s; CSEL 42.230).

passage: “Under the heading *Aliquando*, it was to become the medieval locus classicus on contraception,” adding:

Lombard’s work made *Aliquando* familiar to every student of theology, as Gratian’s [*Decretum*] made it known to every student of canon law. If Augustine is the most important single authority on contraception, and if a single statement of his is to be taken as the epitome of his doctrine, then the use of *Aliquando* by Gratian and Lombard is the most important teaching on contraception in the Middle Ages.⁷⁹

Precisely what Augustine’s “poisons for sterility” means in Peter’s *Sentences* and Gratian’s *Decretum* is difficult to know, because the phrase is a product of what Noonan calls “the convention of vagueness,” the purpose of which “is not to disclose ways of sin unknown to the innocent.”⁸⁰ As found in Augustine, the term seems to refer to medicinal mixtures of natural substances, often plant leaves and roots mixed with liquid, perhaps wine, taken for temporary sterility, though frequently the result was permanent sterility, and sometimes, as Augustine notes, abortion.⁸¹

Instead of describing the “poisons” used in his day, Peter turns immediately to consider abortion, specifically, whether those who procure an abortion are murderers (*homicidae*). He adopts the opinions of Augustine and Jerome who agree “that those who procure abortion when the infant is formed and has a soul are murderers.”⁸² Peter explains further, citing Augustine again: “The soul is given to an already formed body; it is not begotten in the conception of the body when the seed has been intromitted. . . . First, it is necessary for the dwelling to be built, then for the inhabitant to be brought in.”⁸³ Then, citing Jerome, he adds, “The seeds are formed in the uterus gradually, and it is not considered homicide for the length of time it takes until the scattered elements (*elementa confecta*) receive their members and appearance.”⁸⁴ Thus, Peter concludes, “An infant is the subject of homicide at that point when it has been formed and has a soul.”⁸⁵ About the point in pregnancy when infusion of the soul takes place, Jerome, Augustine, and Peter are not specific. Noonan, however, suggests that the point of infusion

⁷⁹ John T. Noonan Jr., *Contraception: A History of Its Treatment by the Catholic Theologians and Canonists* (New York: New American Library, 1965) 172, 214.

⁸⁰ *Ibid.* 223, 272. See *In IV. Sent.* d. 31, c. 3, 445.

⁸¹ See Noonan, *Contraception* 24–33, where he discusses the forms of contraception in the Roman empire.

⁸² *In IV. Sent.* d. 31, c. 4, aa. 2–3, 445–46.

⁸³ *Ibid.* Augustine is commenting on Exodus 21:22–23, where the issue is laws concerning personal injury, namely, the miscarriage resulting from an injury inflicted on a slave woman: *Quaestiones in Heptateuchum* II, q. 80 (PL 34.626; CSEL 28–2; CCL 33.111).

⁸⁴ Jerome, *Epist.* 121, c. 4 (PL 22.1015; CSEL 56.16). The letter is also cited by Noonan, *Contraception* 118; on ensoulment, see 116–19.

⁸⁵ *In IV. Sent.* d. 31, c. 4, a. 2, 445.

“appears to be the forty-day period set by Aristotle for males and the eighty-day period for females suggested by Leviticus.”⁸⁶ In any case, prior to infusion, aborting the fetus is not homicide, whereas after infusion it is. About the “when” of infusion, or to put it in the terms of our contemporary debate, at what point in pregnancy there is a human being and the subject of human rights, Peter does not go beyond Augustine and Jerome.

FURTHER MARITAL ISSUES

In the distinctions that follow, Peter discusses a series of sometimes complex juridical issues related to marriage: the payment of the carnal debt (d. 32); the difference of the marriage laws in the Old Law and the New (d. 33); those legally qualified to marry, including those unable to have intercourse (d. 34), divorce and adultery (d. 35); the grounds for separation (d. 36); marriage, clerics, and those under solemn vows (dd. 37–38); disparity of cult (d. 39); and consanguinity, affinity, and spiritual kinship (dd. 40–42). Space permits only the briefest account of his treatment here. It should be noted, however, that the Master continues to address himself to the burning issues of his day, some of which continue to burn.

About the right of both husband and wife to intercourse (d. 32), Peter repeats his insistence that neither may remain continent without consent of the other, yet notes that there are times when couples should refrain from intercourse, among them feast days that call for a procession and fast days; further, that weddings are not to be celebrated during the Christmas season, Lent, and the Easter octave.

The difference between the marriage laws of the Old and New Laws (d. 33) concerns the many wives and concubines permissible in the former, and the fidelity required in the latter. Multiple marriages, concubines, and even incest were permitted as a result of the Fall, so that the patriarchs could adequately populate the world. Once accomplished and in the fullness of time, the law of marriage was restored to its institution in Paradise, a permanent bond for the perfection of life and true understanding. Indeed, in this new age, as we later learn (d. 37), virginity and continence are preferred.⁸⁷

⁸⁶ Noonan, *Contraception* 118; on the early Christian meaning of homicide, see 116–19. About Leviticus 12:1–5, which is concerned with postpartum purification, Noonan notes that “a woman must spend forty days in becoming purified if she has given birth to a boy, eighty days if she has given birth to a girl” (117).

⁸⁷ Peter does not advert to canon 7 of Lateran II (1139), which designates the marriage of clerics in major orders as both illegal and invalid. Among the Scholastics the debate that followed was about whether such marriages were a matter of divine or ecclesiastical law; the favored view was that they were a matter of ecclesiastical law: Aquinas, *Summa theologiae* 2–2, q. 88, a.11. As a result and on the grounds that what the church can enact, it can repeal, the history of clerical celibacy continues to be marked by dispensations and debate.

Peter's discussion includes those fully qualified to marry, the unqualified, and those in-between. The fully qualified are those for whom there is no impediment preventing lawful marriage. The unqualified are those with an impediment: a vow of continence, holy orders, consanguinity and affinity, disparity of cult, natural frigidity, or some similar condition. The in-betweens—neither entirely qualified nor entirely unqualified—are those frigid other than by reason of nature, the insane, and those married to spouses guilty of prior incest with a member of the family.

Peter then turns to additional complex issues that arise, among them marriage and slavery (d. 36), marriage for subdeacons, deacons, priests, and those under solemn vows (dd. 37–38); disparity of cult (d. 39); and consanguinity (d. 40); affinity (d. 41); and spiritual kinship, i.e., godparents (d. 42). All these distinctions deal with impediments to marriage, some to marriage itself, and some to certain persons. Thus, marriage is illegal/invalid for those in holy orders, those under solemn vow, between blood relations and relations by marriage within the seventh degree, and with godparents. Boys under the age of 14 and girls under 12 may not marry, and although marriage involving disparity of cult is discouraged, those married to pagans or Jews need not separate, but may divorce and remarry. Further, in cases where force or fear, disqualifying error, a natural condition like frigidity and insanity are established through ecclesiastical judgment, the couple may separate at the request of one or both spouses and may remarry, except for the insane and those frigid by nature.

Underlying all the issues related to consent, however, is marital indissolubility, specifically, divorce and remarriage among the legally qualified (dd. 35–36), and how to interpret what came to be called the “Matthean Exception” for fornication (Mt 19:9). The terms *porneia* in the Greek text and *fornicatio* in the Latin translation were taken to mean “adultery” (for which the proper Greek term was actually *moicheia*).⁸⁸ In the early centuries, when Greco-Roman cultural attitudes about the status of women were dominant, Matthew's exception, combined with Paul's command in 1 Corinthians 7:10–11 (“but if she does [separate], let her remain unmarried”), was interpreted to mean that remarriage was permissible for the husband of his adulterous wife, but not for the wife of her adulterous husband. In time, however, the normative position in the East came to be that remarriage was permissible for both husband and wife, whether one or

⁸⁸ For a detailed discussion of the “Matthean Exception” in the Fathers, see Reynolds, *Marriage in the Western Church* 173–226. About the three positions that follow, as Reynolds reads the sparse evidence, the first prevailed to the mid-fourth century; the second became the normative position of the Eastern Church; the third, with Jerome and Augustine as early champions, became the normative position of the Western church (176–78); he then explores the evidence in the following pages (187–212).

both were adulterous. In the West, however, indissolubility, championed by Jerome and Augustine, came to dominate, infusing the reforms of Charlemagne, and triumphing by the twelfth century.⁸⁹ The normative Western position, here espoused by Peter and his colleagues, is that adultery clearly is grounds for separation, yet neither spouse is free to remarry while the other is alive: they must remain continent or return to their spouses.

Wherever possible and whatever the conditions, save for invalidity, however, Peter urges couples to remain together, and concludes his treatment of affinity as an impediment to marriage with a reminder that reflects the close familial network created by marriage in his world:

For the wife of the brother is called “beloved sister” rather than sister related by blood. The brother of the husband is called “brother-in-law.” The wives of the two brothers are called “door-keepers,” as if entering the same door. The sister of the husband is called “sister-in-law,” but the husband of the sister does not have a special name, nor does the brother of the wife.⁹⁰

CONCLUSION

The twelfth century proved to be an axial moment in the history and cultural life of Western Europe, a moment marked by a renaissance in learning. It saw the rise of the early Scholastics and the development of systematic theology represented by the *Sentences* of Peter Lombard. In this work Peter deals with matters of high importance for the masters, students, and, indeed, all the people of the twelfth century, especially the fourth book devoted to the sacraments. The Master devotes almost half of his distinctions in his fourth book to marriage; he depends heavily on Augustine, whose deeply ambivalent view about sex and marriage pervades his treatment and leaves its stamp on the centuries that follow.

For Peter and Augustine the precept to “increase and multiply” had been accomplished long after the Fall of Adam and Eve, when marriage became a remedy for concupiscence—no longer mandated as a precept but tolerated as a concession. Marred by sex, marriage is nevertheless good because of fidelity, offspring, and sacrament. Precisely as a sacrament, Peter includes marriage among the seven sacraments because it at once symbolizes and conveys to the couple that sacred reality identified by the author of Ephesians, the union of Christ and the church, in virtue of which he argues that marriage is indissoluble.

⁸⁹ Ibid., esp. 215.

⁹⁰ In *IV. Sent.* d. 42, cc. 5–9, a. 3, 500. The editors indicate that the source is actually Isidore of Seville (d. 636), *Etymologiae* 9.7.17–18 (PL 82.366A).

The road to acceptance of marriage as a sacrament, however, was marked by sharp disagreement among the canonists and the Scholastics about precisely at what point in “getting married” the sacred reality is conveyed, with the canonists insisting that consummation, which alone fully signifies the union of Christ and the church, whereas Peter and his colleagues insisted that consent is the essence of the sacrament, which conveys to the couple the union of love between Christ and the church. Although betrothal, nuptial blessings, and the like are important for the honor and the solemnity of the sacrament, consent is the moment of conveyance, namely, consent to a marital relationship between equals, a companionship that normally involves living together and sexual intercourse, because the final cause of the marital relationship is to have and to raise children.

Further, given the continuing influence of family in arranging marriages, two prominent influences affected consent. Not surprisingly, family pressure, especially from the head of the family, was primary: Whether openly or subtly, force and fear, usually exerted on the prospective bride, nullified consent. A close second were errors about identity or status, particularly in a society largely of peasants and artisans anxious for upward mobility; substitution of one family member for another as well as slave-born or low-birth status could nullify consent.

Thus far Peter’s theology of marriage (dd. 26–30). In its move from its origins in biblical time to the twelfth century, from home to church, and from secular to ecclesiastical jurisdiction, marriage brought with it a series of issues treated in the remaining distinctions from a largely juridical perspective: incontinence, contraception and abortion (d. 31); continence and the carnal debt (d. 32); marriage under the Old and New Laws (d. 33); those legally qualified to marry (d. 34); divorce and remarriage (dd. 35–36); the impediment to marriage for those in holy orders and those under solemn vows (dd. 37–38); marriage and disparity of cult (d. 39); and the impediment to marriage for those related by consanguinity, affinity, and spiritual kinship (dd. 40–42). This study has concentrated on Peter’s theology of marriage, coupled with the Master’s reliance on Augustine and his ambivalence about sex and Peter’s own tendency to approach from a juridical perspective the complex issues that marriage and family necessarily entail. The subsequent history and theology of sex and marriage, as has been frequently noted, reflects the influence of the *Sentences* on church thinking and practice for centuries, in fact, until Vatican II, when the picture begins to change. As Lisa Sowle Cahill observes in her commentary on marriage in the *Catechism*, “Under the influence of the ‘personalist’ philosophies of the 1930s, the Roman Catholic Church comes to recognize the foundational nature of the interpersonal relationship in marriage, the intimate relationship of spouses as a community of life and love begins to make inroads into the procreative, institutional, and contractual understanding of marriage

avored by canon law up to 1917. A new language of marital union begins to emerge and is incorporated into the 1983 code without completely transforming it.”⁹¹ Cahill cites Gratian and Pope Alexander III (1159–1181) as the sources of primary influence on Catholic practice even into the 19th and 20th centuries.⁹² Clearly, the *Sentences* should be added as a major source of influence on Catholic thought and practice.

⁹¹ Lisa Sowle Cahill, “Marriage (Paragraphs 1601–1666),” in *Commentary on the Catechism of the Catholic Church*, ed. Michael J. Walsh (Collegeville, Minn.: Liturgical 1994) 318–30, at 321.

⁹² *Ibid.* 320–23.