

The Call for New Theological Reflection on the Sacramental Character of Marriage and the Thought of St. Thomas

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Theologians across the theological spectrum have called attention to the urgent need for a new reflection on the theological and sacramental character of marriage. Peter Hünermann, known for his strong criticism of magisterial teachings on marriage, and the late Cardinal Carlo Caffarra, known for his equally strong defense of them, have both drawn attention to this need. At an international symposium in September 2015, held in Rome prior to the Ordinary Synod of Bishops on Marriage and the Family, Hünermann gave a presentation entitled “On the Specific Theological Character of the Sacrament of Matrimony.”¹ The symposium aimed at providing a critical and scholarly discussion of new and constructive perspectives for the Church doctrine on marriage and family life in time for the 2015 synod on the family.² Some of Hünermann’s work from this paper also came to be known from an interview in *Commonweal* magazine where he summarized some of the main points of his symposium presentation.³ In the interview, he also revealed that before the 2015 synod he

¹ Peter Hünermann, “On the Specific Theological Character of the Sacrament of Matrimony,” in *Authentic Voices, Discerning Hearts*, ed. Thomas Knieps-Port le Roi and Aldegonde Brenninkmeijer-Werhahn (Vienna: LIT, 2016), 133–50.

² The numerous presentations by theologians and experts were intended to be of service to the bishops and to the agenda of the 2015 Fourteenth Ordinary Assembly of the Synod of Bishops, popularly known as the “Synod on the Family.”

³ Grant Kaplan, “From Tübingen to the Tiber: A Conversation with Peter Hünermann,”

was invited to speak with Pope Francis about the theology of marriage. Understandably, this meeting heightened interest in the German theologian's thought.

Hünemann argues that "the specific character of the sacrament of marriage, which is very closely connected to the dying of the marriage bond, . . . has scarcely been the object of theological reflection, [and] is almost unknown in the consciousness of the bishops."⁴ Hünemann appeals to St. Thomas as a way forward for understanding the theological character of marriage. This appeal is situated within a wider examination⁵ that offers an elaboration and new interpretation of "the specific dogmatic characteristics of the sacrament of matrimony that emerge in today's situation from a critical comparison of the encyclical *Casti connubii* and the Catholic theological tradition, especially the theology of St. Thomas."⁶ Sharply critical of the encyclical, Hünemann sees it as having saddled the Church with a legalistic concept of marriage elevated above history that is too far removed from the Catholic theological tradition and St. Thomas's theology of marriage.

The year before his death, Cardinal Caffarra gave the 2016 graduation address at the John Paul II Institute for Marriage and Family in Washington, DC.⁷ Among the challenges he identified for the institute to address was the

Commonweal, September 22, 2016, commonwealmagazine.org/tübingen-tiber. The interview appeared in print version on October 7, 2016.

⁴ Hünemann, "Specific Theological Character," 133

⁵ Hünemann calls attention to how Pope St. John Paul II emphasized the "living tradition of the ecclesial community throughout history." He recalls that the Pope spoke of the continuous renewal of this message but did not specify the differences of the innovation in comparison to earlier magisterial positions. In *Familiaris Consortio*, the Pope defends *Humanae Vitae* but does not cite *Casti Connubii*. But *Humanae Vitae* is the dogmatic foundation of *Familiaris Consortio*. Hünemann asks how we are to understand and interpret *Familiaris Consortio*. Does it depart from certain points of *Casti Connubii*? Declarations from the Congregation for the Doctrine of the Faith claimed that *Casti Connubii* continues to supply the dogmatic foundation. Hünemann is not so sure that it should or does. He believes that "dogmatic clarification" is important especially in view of the claims of some theologians and of some bishop conferences in their submissions to the synod of bishops. In order to attain a dogmatic clarification, Hünemann compares *Casti Connubii* and its definition of marriage with the wider theological tradition. He goes on to identify what he believes are the specific dogmatic characteristics which surface from this critical comparison and proposes a new interpretation of them. In the last section of his paper, Hünemann offers some observations on "the modern form of the sacrament of marriage."

⁶ Hünemann, "Specific Theological Character," 143.

⁷ Cardinal Carlo Caffaro, "The Memory that Generates the Future," commencement address at the John Paul II Institute for Marriage and Family, Washington, DC, May 10, 2016, johnpaulii.edu/about/our-mission/memory-that-generates-the-future/.

need for theological reflection on the sacramental character of marriage. Referring to his earlier work, he pointed out that theology after the Council of Trent “lost the awareness of sacramental ontology, of the real transformation produced by the sacrament in the persons of the spouses [*res et sacramentum*].”⁸ Furthermore, according to Caffarra, the “theology of the conjugal covenant was supplanted by the notion of a contract, as a human act by which two persons commit to one another.” The sacramental character was thought of as consisting of the assurance of divine graces given to fulfill the contract. Caffarra claimed that, “consequently, the words of Jesus ‘What God has joined together, let not man put asunder,’ lost all their realistic force. Absolute indissolubility, once the sacrament was perfected [=a ratified, consummated marriage], became essentially indefensible.”⁹

The primary interest of this paper is to respond to the call for a renewed theological reflection on the specific character of the sacrament of marriage. I wish to take up Caffarra’s suggestion to focus on the sacramental character (*res et sacramentum*) on the one hand, and on the other hand, Hünemann’s suggestion that a kind of *ressourcement* from St. Thomas Aquinas’s theology of marriage can be of great help for a fresh theological reflection on the specific character of the sacrament of marriage. Although I agree with Hünemann that a renewed consideration of the thought of St. Thomas can be a way forward, I differ from him on how it can be. Hünemann notices that St. Thomas speaks of the grace of the sacrament of marriage as a helping grace.¹⁰ St. Thomas does indeed speak this way of the grace of the sacrament, but as I will show Hünemann underestimates the both the nature and significance of the elevation of marriage in the order of grace in the Angelic Doctor’s theology of marriage.

The aim of the present paper is twofold. First, it will examine and critique the main claims of Hünemann as they appear in his symposium paper and in his *Commonweal* interview. My attention in the first part will focus primarily on a critique of Hünemann’s understanding of St. Thomas and less on his new interpretation of the specific dogmatic characteristics of the sacrament of marriage. In his paper “On the Specific Theological Character of the Sacrament of Matrimony,” Hünemann begins with a criticism of Pope Pius XI’s *Casti Connubii* in comparison to the wider historical theological tradition in which he privileges the theology of St. Thomas on marriage. For this reason, I will begin my examination and evaluation of

⁸ Caffaro, “Memory that Generates the Future.”

⁹ Caffaro, “Memory that Generates the Future.”

¹⁰ Hünemann, “Specific Theological Character,” 138. Hünemann refers to *Summa theologiae* [ST] suppl., q. 42, a. 3.

Hünemann's claims about *Casti Connubii* and then proceed to his more detailed interpretation of St. Thomas.

In the second part of the paper, I will propose how St. Thomas's theology of marriage can provide some important resources for a contemporary theology of marriage but in a way different way from Hünemann's proposal. I believe that Caffarra was right to call for a fresh and deeper reflection on the sacramental ontology of marriage, one that is attentive to how the spouses are transformed in the sacrament. However, I also believe these realities cannot be fully addressed apart from explaining the way in which the sacrament of marriage itself imparts grace. It is here that the thought of St. Thomas can still be of help for a theology of marriage today. He understood the sacraments not as human actions pointing to God or asking God to give grace, but rather, as Dominic Holtz summarizes, "as divine acts, applying the work of salvation effected by the deeds and experiences of the Incarnate Word to the faithful in the church, which itself is the body of the Incarnate Word."¹¹ Caffarra's call for a fresh reflection on the sacramental ontology of marriage can be better met with an understanding of sacraments as being efficacious because God moves them to effect grace, rather by thinking that they move God to confer grace. Aquinas's mature theory of sacramental causality¹² points a way forward because of how it entails understanding the sacramental sign of marriage as being the personal acts of the couple moved by God to cause the marriage bond which gives a grace that is nothing less than a participation in the conjugal charity of Christ for his Church. The theology of St. Thomas can provide a context for explaining how the couple is involved in the movement of the causality of grace and how they are transformed by it.

A retrieval of Aquinas's mature theory of sacramental causality applied to theology of the sacrament of marriage conceives of the movement of the spouses' mutual consent to consummation as being caught up in the movement of incarnate Son moving the couple toward an ever-deeper participation in his conjugal charity for the Church. St. Thomas's theory of sacramental causality can be of great assistance for explaining how the marital sacrament is not merely an interpersonal encounter but a transformative intrapersonal encounter¹³ of the spouses with Christ in his conjugal

¹¹ Dominic Holtz, "Sacraments," in *The Oxford Handbook of Aquinas*, ed. Brian Davies and Eleonore Stump (New York: Oxford University Press, 2012), 454.

¹² As I explain below, much of St. Thomas's theology of marriage was written prior to his mature theology of sacramental causality, and therefore this mature theory was never fully applied to it. St. Thomas left the *ST* unfinished and his treatment of the sacraments there uncompleted.

¹³ I owe this insight that the sacraments are not merely interpersonal but also intrapersonal

charity and union with the Church. In the marital sacrament, Christ wishes to realize in the spouses the conjugal charity that he realized for the Church on the Cross. In the words of Pope John Paul II's *Familiaris Consortio*: "Conjugal love reaches that fullness to which it is interiorly ordained, conjugal charity, which is the proper and specific way in which the spouses participate in and are called to live the very charity of Christ who gave Himself on the Cross."¹⁴

***Casti Connubii*: Marriage Elevated above History?**

In his interview and his article, Hünemann makes a critical comparison between *Casti Connubii* and what he identifies as the theological tradition. He believes the encyclical has a narrow conception of marriage as a sacrament and that it is not informed by systematic theology, but by canon law. As such, it cannot meet the complexities that face marriage today. According to Hünemann, *Casti Connubii* offers a theological definition in the form of three statements in §§5–7. He identifies the decisive affirmation in its theological definition of marriage as being: "Marriage is instituted by God himself, and is also strengthened, confirmed, and elevated by Christ, 'the restorer of nature.'" He draws out this decisive affirmation from §5:

"Matrimony was not instituted or restored by man but by God: not by man were the laws made to strengthen and confirm and elevate it but by God, the Author of nature, and by Christ our Lord by Whom nature was restored, and hence these laws cannot be subject to any human decrees or to any contrary pact even of the spouses themselves. This is the doctrine of Holy Scripture [Gen 2:27–28; 2:22–23; Matt 19:3ff.; Eph 5:23ff.]; this is the constant tradition of the Universal

to Holz, "Sacraments," 454. His insight is particularly applicable to the sacrament of marriage, as I hope to show.

¹⁴ Pope John Paul II, *Familiaris Consortio* (1981), §13. It is important to recognize that the love of marriage is conjugal love, a mutual love between a man and woman which does not look only to the good of the beloved other but transcends this good because it is ordained to share love and life itself with a new human person. I have in mind here of what *Humanae Vitae* §9 says about fecundity as being a distinctive characteristic of conjugal love. If mutual love in marriage is not understood as a conjugal mutual love marked by the characteristic of procreation, it can become difficult to explain what is unique about this mutual love in marriage in relation to other forms of mutual love. It also becomes difficult to articulate why this mutual love cannot be between two members of the same sex.

Church; this the solemn definition of the sacred Council of Trent [session 24].”

For Hünemann, “this means that marriage is not in any way subject to the free will of the human person.”¹⁵ He points to the encyclical’s affirmation “that the nature of marriage is entirely independent of the free will of man.”¹⁶ The problem with this understanding is that it wrenches the reality of marriage out of human history, “wholly elevated above time.”¹⁷ Therefore the only answer the encyclical can give to the questions of societal conditions, necessities, and errors is to an appeal to “God’s idea and norm” for marriage.¹⁸ Conceived in this way, such an understanding of the sacrament of marriage is narrow, and therefore cannot adequately speak to the historical complexities of marriage today.

Hünemann begins his description and interpretation of the modern properties of the sacrament of marriage by acknowledging the theological tradition which holds that God instituted marriage as an office of nature and a *lex naturalis*. Although its origin is from God, marriage is like any other institution immersed in the flow of history. Its constituent elements can change according to time, place, and culture. Human nature gives the human being an inclination, in which the creative will of God comes to expression. But this inclination is not “unambiguous and unilinear.”¹⁹ Free will must go with this natural inclination. This leads Hünemann to make a bold claim: “This means, therefore, that the concept of the sacrament of matrimony inherently means that the absolute presupposition of this sacrament is the historical development of marriage, which is generated from the inclination of the nature of the human person and by the shape given to human life in its various cultural forms.”²⁰ Hünemann says that, applied to our contemporary situation, this means that marriage and family life open out from the present biophysical and biopsychic givenness of the two sexes. Family life unfolds from the condition of the child today with its lengthy journey to sexual maturity and adulthood. These realities of marriage and family life realized and stabilized in certain cultural and societal forms. Hünemann observes that there is a “long sequence of the historical forms” of marriage and the family. The forms of marriage and family mentioned in

¹⁵ Hünemann, “Specific Theological Character,” 136.

¹⁶ *Casti Connubii* §6; Hünemann, “Specific Theological Character,” 135.

¹⁷ Hünemann, “Specific Theological Character,” 136.

¹⁸ Hünemann, “Specific Theological Character,” 136.

¹⁹ Hünemann, “Specific Theological Character,” 143.

²⁰ Hünemann, “Specific Theological Character,” 143.

the Old Testament find their place in this sequence, as well as the monogamous forms of marriage found in the early Christian communities. The eighteenth and nineteenth centuries saw bourgeois forms of marriage which also belong to the long sequence of historical forms, as does modern marriage founded on partnership. What does this mean for the sacrament of marriage? Hünemann argues that:

The consequences for the sacrament of marriage is that it is a reality that must be updated, because the forms of its constitutive presupposition change in the course of history. It is important to be aware of this. The sacrament of marriage is not simply the “system of marriage” instituted once and for all by God; it is a sacrament that must be understood and lived ever anew. This is rather different from what Father Hürth envisioned in *Casti connubii*. Marriage as a sacrament must take into itself contemporary elements—in a constitutive, that is to say, an essential manner.”²¹

Furthermore, this assumption of contemporary elements into sacramental marriage is also necessary because we are not given a foundation of marriage and family life either in creation narratives or in the teaching of Jesus.²² Rather the Scriptures have consequences for marriage that place it in a new framework. Hünemann maintains that both the Bible as a whole and the New Testament specifically proclaim that faith in God helps to realize what is required in marriage. The creation stories in the book of Genesis do not speak explicitly about marriage and family, but presuppose them as already existing realities. Genesis offers values to them such as the equal dignity of women, reciprocal complementarity, and fruitfulness that give meaning to human sexuality. The same dynamic goes for the words of Jesus too. It is worth quoting Hünemann on this claim:

The same applies to the understanding of Jesus’ logia about marriage and family. Here, too, marriage is placed in a new overall framework that has consequences for marriage. Jesus links to the preaching of the dawning of the kingdom of God the sharp rejection of adultery and of the legitimated praxis of divorce for any reason, or for one of a more narrowly limited number of reasons. This divorce contradicts the original will of God. Here too, there is no “foundation of marriage

²¹ Hünemann, “Specific Theological Character,” 144.

²² Hünemann, “Specific Theological Character,” 145.

and family” or of a system of marriage and family: this is neither presented nor envisaged. In the kingdom of God, in faith, there is no legitimization for adultery. A marriage that is entered into in faith in the kingdom of God gives no one the right and authority to exalt himself to be a judge over this union between husband and wife, and to declare it null and void for this or that reason. In faith, no husband can dismiss his wife for the marriage because she frequently burns the soup—in other words, for some arbitrary reason. Nor is there a narrowly limited group of reasons that would justify such a “dismissal” of husband and wife. Does this mean that the words of Jesus can be the basis of a perfect legal system that applies to every possible case and solves the most various cases? No—one cannot say this, precisely when one looks at the different answers that have been given to this problem in the history of the church East and West.²³

It is certainly true that the Church in her magisterium has had to discern the meaning and implication of the words of Jesus for certain cases—the Lord himself mentions the exception of *porneia* (Matt 19:9). But the magisterium has taught definitively in the face of many challenges that no one has the power to dissolve a marriage between two Christians that has been ratified and consummated. We will see that Hünemann proposes that the magisterium substantially reinterpret this constitutive element of indissolubility.

Hünemann, in effect, proposes something quite radical with his claims that neither in Genesis nor in the teaching of Jesus do we find a foundation of marriage and family and that marriage as a sacrament must take contemporary elements into itself in a constitutive and essential manner. Taken at its word, the latter claim means several things all of which would involve a substantial change in the essential constitutive elements of marriage. The claim would mean what was an essential constitutive element for marriage in the past may not be one for today or the future. Historical circumstances might require that an essential constitutive element be reinterpreted to mean something different from what it meant in the past.

The way forward Hünemann proposes for understanding the theological character of marriage amounts to a historicist approach. I have in mind the kind of historicism that understands truth mainly to be that which is achieved in the singular historical situation. Human beings and institutions existing in their own historical phase must discover or achieve the true constitutive elements of a thing which emerges in their time, place, and

²³ Hünemann, “Specific Theological Character,” 145–46.

cultural situation. But these true constitutive elements are radically contingent in their sociocultural and historical contexts. Truth becomes relative to these contexts and frameworks. As Reinhard Hütter has put it:

To think that the discursive labor of the *intellectus dei* has become passé in light of the recently discovered “law of historicity” is to commit the historicist fallacy—that the discovery of the radical contingency, that is, historicity of truth claims in their distinct socio-linguistic and socio-cultural contexts implies per se the contingency or relativity of the truth claims themselves.²⁴

But if truth is conceived in this way, then there can be no unity of truth in history, because the movement of history moves beyond the singular event and context where truth is found. The historical process prevents there from being any unity of truth. Obviously, taken to its logical conclusion this understanding of the relationship between history and truth is destructive of Catholic dogmatics. The meaning of dogma becomes relative to historical circumstances. Once these circumstances change, the meaning of dogma itself becomes reformable. If the constitutive elements of marriage change according to the historical and social circumstances, then the meaning of marriage as a sacrament no longer remains the same throughout the whole world or throughout the whole of time.²⁵ While acknowledging the historical character of her doctrine, the Church has consistently and firmly defended the permanency of her doctrines and the permanent meaning of their formulae.²⁶

To go any further into the problem of the relation of revealed truth to history would take this study beyond its limits.²⁷ For our purposes, let

²⁴ Reinhard Hütter, “Progress, Not Alteration of the Faith, Beyond Antiquarianism and Presentism: John Henry Newman, Vincent of Lerins, and the Criterion of Identity of the Development,” *Nova et Vetera* (English) 19, no. 2 (2021): 335.

²⁵ Hütter points out that to affirm the historicity of truth is to reject the criterion of identity which affirms “the continuity and substantial identity of the subject” (“Progress,” 355). He refers here to Vincent of Lerins and the teaching of the First Vatican Council, which quotes Vincent in *Dei Filius*: “That is to say, in the same doctrine, the same sense, and the same understanding (‘in eodem scilicet dogmate, eodem sensu, eademque sententia’)” (364).

²⁶ Pope Pius X, *Pascendi Dominici Gregis* (1907), §§12–13; Pope Pius XII, *Humani Generis* (1950), §16; Pope Paul VI, *Mysterium Fidei* (1965), §§24–25; Pope John Paul II, *Fides et Ratio* (1998), §87; Congregation of the Doctrine for the Faith, *Mysterium Ecclesiae* (1973), §5.

²⁷ See Reinhard Hütter’s excellent analysis of “Theology as a Historical-Hermeneutical

it be said that a historicist approach which understands the inclination for marriage, and the historical free will that accompanies it, as meaning that the “forms of its constitutive presupposition change in the course of history”²⁸ is not a way forward. A theological historicity which is capable of “discerning unity of doctrine itself and of the Catholic ethos that lives by it”²⁹ must inform a renewed understanding of the theological character of the sacrament of marriage.³⁰

St. Thomas on Indissolubility: An Alternative to *Casti Connubii*?

Before examining how Hünemann understands St. Thomas, I want to scrutinize another important claim the German theologian makes about *Casti Connubii*. It is important to address it because Hünemann presents the encyclical’s teaching on indissolubility as being at odds with the understanding of St. Thomas. In the *Commonweal* interview, Hünemann claims:

Process” in his *Dust Bound for Heaven* (Grand Rapids, MI: Eerdmans, 2012), 319–31. Much of Hütter’s criticism of Walter Kasper is relevant to what Hünemann proposes. Hütter points out that, when theology is done as a historical-hermeneutical process: “The *prima veritas* is God’s future eschatological mystery, to which the kerygma points; and tradition is the historically concrete application of the kerygma. Therefore, dogma is always relative to its particular time. All propositions are functions of the promise of a future that is not yet at hand, hence historically conditioned by this future and therefore to be interpreted in light of it. Because there is no perennial supernatural given of the faith, there can be no contemplation of the faith that rises above the flux of history toward God. Consequently, theology cannot per se acquire a sapiential character that views all historical change in light of God’s transcendent, eternal wisdom. The gift of truth has been promised, but not yet given” (329). Such non-sapiential theology certainly stands outside of the Thomist theological tradition. On the problem of historicism and the historicity of dogma, see also Guy Mansini, *Fundamental Theology* (Washington, DC: Catholic University of America Press, 2018), 132–39.

²⁸ Hünemann, “Specific Theological Character,” 144.

²⁹ Guy Mansini, “The Second Vatican Council Then and Now,” *Nova et Vetera* (English) 18, no. 3 (2020): 989. Mansini also recalls that Newman observed that the unity and continuity of doctrine and ethos are themselves objects of faith.

³⁰ It is certainly true that the sacrament of marriage has been and is lived in a plurality of historical forms. Clearly, the married couple to whom John Chrysostom preached and ministered to lived out the sacrament of marriage in a different historical form from that of two “career” couples who live out the sacrament today in the United States or Germany. Nevertheless, the continuity and substantial identity of the sacrament of marriage remain in which unity, indissolubility and openness to fertility are all essential to it in every historical form. While the Church may deepen her understanding of these essential elements through her contemplation of the sacrament of marriage, the meaning of them will, per Vatican I, remain in the same sense and understanding.

In *Casti connubii*, Hürth says that marriage is transformed in sacramental reality in that it becomes indissoluble. Thomas does not argue in that sense. For Thomas, the unity of matrimony and hence its indissolubility comes from its very nature, given by God the creator. In the sacrament of marriage God gives his help, but this help is not a supernatural transubstantiation of indissolubility. [In this sense, it is not analogous to how bread and wine are transformed at the consecration] God's helping grace does not erase what matrimony is in itself [as a natural covenanted relationship freely entered into].³¹

Hünemann would have us believe that, unlike St. Thomas, *Casti Connubii* does not understand indissolubility as something that comes from the very nature of marriage when God instituted it at creation.³² A close reading of *Casti Connubii* shows that Hünemann has misinterpreted what Pope Pius XI teaches about indissolubility. The Pope does teach that, because of the restoration brought about by Christ, only a consummated Christian marriage is absolutely indissoluble, that is, indissoluble without any exceptions. But nowhere does he deny that indissolubility is a property of marriage from the beginning at creation, from nature of marriage itself. Had Pius taught otherwise, not only would he have diverted from St. Thomas's teaching, but he would have denied the previous teaching of the Church and that of his predecessors.³³ But he does not. On the contrary, he reaffirms it throughout the encyclical in an unmistakable way.

In §4, Pius signals that he upholds the traditional understanding of indissolubility as originating in the very nature of marriage. He says that

³¹ Kaplan, "From Tübingen to the Tiber" (p. 29 in print version). Hünemann refers here to Franz Hürth, S.J., who he says was the main drafter of *Casti Connubii*. The words in brackets are those of the editors of *Commonweal*. Hünemann thinks an important conclusion should follow from understanding indissolubility as rooted in the nature of marriage: "But if indissolubility refers to the nature of marriage, it is quite clear that [due to a failure of human cooperation] it can break down. Situations can arise where it is impossible to continue in marriage. If there are children and so on, one has to deal with the individual situation and attempt to find a pastoral solution."

³² In "Specific Theological Character," 136n11, Hünemann does not repeat this claim, but when he cites *Casti Connubii*'s teaching on the indissolubility of the *vinculum*, he refers the reader to only two passages (§§31, 45) that discuss the indissolubility of the sacramental bond. The encyclical, of course, does not speak only of the supernatural bond, but of the natural bond as well.

³³ This would also involve thinking that Pius intended to deny the 1917 Code of Canon Law (for example, can. 1013, §2) and Church jurisprudence, which taught that indissolubility comes from the nature of marriage.

his encyclical confirms the teaching of Pope Leo XIII's on marriage in the encyclical *Arcanum*. There, Leo clearly affirmed that indissolubility was rooted in the nature of marriage itself when he said that unity and perpetuity were manifested as a property of marriage at creation and that "this doctrine was declared and openly confirmed by the divine authority of Jesus Christ." A little later in the encyclical, Pius goes on to quote his predecessor Pius VI on the very point of indissolubility as anchored in the nature of marriage itself prior to its sacramental elevation.

Hence it is clear that marriage even in the state of nature, and certainly long before it was raised to the dignity of a sacrament, was divinely instituted in such a way that it should carry with it a perpetual and indissoluble bond which cannot therefore be dissolved by any civil law. Therefore, although the sacramental element may be absent from a marriage as is the case among unbelievers, still in such a marriage, inasmuch as it is a true marriage there must remain and indeed there does remain that perpetual bond which by divine right is so bound up with matrimony from its first institution that it is not subject to any civil power. And so, whatever marriage is said to be contracted, either it is so contracted that it is really a true marriage, in which case it carries with it that enduring bond which by divine right is inherent in every true marriage; or it is thought to be contracted without that perpetual bond, and in that case there is no marriage, but an illicit union opposed of its very nature to the divine law, which therefore cannot be entered into or maintained. (*Casti Connubii* §34)

After affirming the teaching of his predecessor, Pius goes on to comment:

And if this stability seems to be open to exception, however rare the exception may be, as in the case of certain natural marriages between unbelievers, or amongst Christians in the case of those marriages which though valid have not been consummated, that exception does not depend on the will of men nor on that of any merely human power, but on divine law, of which the only guardian and interpreter is the Church of Christ. However, not even this power can ever affect for any cause whatsoever a Christian marriage which is valid and has been consummated, for as it is plain that here the marriage contract has its full completion, so, by the will of God, there is also the greatest firmness and indissolubility which may not be destroyed by any human authority. (§34)

There is no need to multiply texts. Obviously, if Pius XI did not understand unity of marriage and its indissolubility as coming from the nature of marriage, then he could not claim that the bond of natural marriage is perpetual. There is no disagreement between the Pope and St. Thomas on this point. Hünemann's claim to the contrary is mistaken. These passages in the encyclical clearly show that the Pius reaffirmed the traditional teaching on the indissolubility of marriage as rooted in the nature of marriage itself, from the beginning. Furthermore, in the comments of the Pope we see he taught that, in sacramental marriage, the natural bond is elevated, making it completely indissoluble. There is a difference between the two bonds. The indissolubility of the natural bond admits some exceptions³⁴ but the indissolubility of the bond in sacramental and consummated marriage has the greatest firmness and admits no exception and cannot be destroyed by anyone because of its elevation in Christ. Pius explains that the reason why Christian marriage has this greatest firmness and indissolubility can be seen

in the mystical signification of Christian marriage which is fully and perfectly verified in consummated marriage between Christians. For, as the Apostle says in his Epistle to the Ephesians [Eph 5:32], the marriage of Christians recalls that most perfect union which exists between Christ and the Church: "Sacramentum hoc magnum est, ego autem dico, in Christo et in ecclesia," which union, as long as Christ shall live and the Church through Him, can never be dissolved by any separation. (§36)

There is nothing in the teaching of *Casti Connubii* as Hünemann imagines, nothing that conceives of the help God gives in the sacrament of marriage as amounting to a supernatural transubstantiation of indissolubility. On the contrary, the sacramental elevation of the marriage bond is presented as the supernatural raising of a preexisting reality. It is not comparable to transubstantiation, in which the substance of something is transformed into another substance.

What about St. Thomas's teaching on the sacramental bond of marriage? Is *Casti Connubii*'s teaching about the sacramental bond being more firm than the natural bond of marriage in conflict with the teaching of the

³⁴ Pius undoubtedly refers here to Pauline Privilege and to natural marriages dissolved in favor of the faith. He also refers to the Church's long-standing teaching in which consummation is required for the completion of marriage and absolute indissolubility of the bond (*ratum et consummatum*). See note 85 below.

Angelic Doctor? No, it is not. St. Thomas teaches the same thing. For example, in the supplementum to the *Summa theologiae*, St. Thomas says:

As stated above, the marriage of unbelievers is imperfect, whereas the marriage of believers is perfect and consequently binds more firmly. Now the firmer tie always loosens the weaker if it is contrary to it, and therefore the subsequent marriage contracted in the faith of Christ dissolves the marriage previously contracted in unbelief. Therefore the marriage of unbelievers is not altogether firm and ratified, but is ratified afterwards by faith in Christ.³⁵

In another place in the supplementum, St. Thomas presents a consummated sacramental marriage as being completely and altogether indissoluble because of what it signifies:

Before carnal intercourse [*carnalem copulam*] marriage signifies the union of Christ with the soul by grace, which indeed is dissolved by a contrary spiritual disposition, namely sin. But after carnal intercourse it signifies the union of Christ with the Church, as regards the assumption of human nature into the unity of person, which is altogether indissoluble.³⁶

Casti Connubii and St. Thomas agree that the marriage bond in a sacramental marriage has a greater firmness and is altogether indissoluble because it signifies the union between Christ and the Church.³⁷ So, it cannot be claimed as Hünemann does that St. Thomas offers an alternative to the encyclical on the issue of indissolubility which theology today could somehow return to as a way forward.

Furthermore, it is apparent that St. Thomas and *Casti Connubii* agree that the grace of the sacrament of marriage elevates and perfects the natural reality of marriage in its unity and indissolubility. In fact, the encyclical

³⁵ *ST* suppl., q. 59, a. 5, ad 1. All translations from the works of Thomas are taken from the online versions of the Aquinas Institute at aquinas.cc.

³⁶ *ST* suppl., q. 61, a. 2, ad 1. I have lightly altered the translation to bring it closer to the Latin original. Of course, St. Thomas means that it is possible for the union of Christ with the soul by grace to be dissolved by sin, not that this will necessarily always happen in the life of a Christian. This text is important for other reasons in St. Thomas theology of marriage. I will return to it again later in this paper.

³⁷ *Casti Connubii* §44 and St. Thomas also agree on the point that this signification of the union of Christ and the Church is completed in consummation.

understands the grace of the sacrament as elevating and perfecting not just the bond of marriage, but the natural powers of the married couple as well.³⁸ We will see that this concurs with St. Thomas's understanding of the work of grace in Christian marriage. At this point, I turn to Hünemann's more detailed interpretation of St. Thomas's theology of marriage.

Gratiam Adiuvantem in the Sacrament of Marriage

Hünemann points out, rightly, that St. Thomas, did not follow Peter Lombard and others who held that, although marriage is a sacrament, it does not mediate grace. For St. Thomas marriage does mediate a grace. What kind of grace? Hünemann points to a passage in the supplementum where St. Thomas speaks of a helping grace (*gratiam adiuvantem*).³⁹ In article 3 of question 42, the saint replies to the question of whether marriage confers grace. After reviewing three opinions, St. Thomas states that the most probable one says that matrimony contracted in the faith of Christ confers grace. Referencing St. Bonaventure,⁴⁰ St. Thomas says a helping grace (*gratiam adiuvantem*) is said to be given for accomplishing what is required in marriage. Hünemann quotes St. Thomas: "Accordingly, through marriage, thanks to divine institution, the human being is given the ability to make use of his wife for the procreation of children; and given the grace without which he cannot do this in the appropriate manner." Hünemann argues

The aid of God, who is the friend of the human being, corresponds thus to the mutual aid that the marriage partners offer each other,

³⁸ *Casti Connubii* §40: "By the very fact, therefore, that the faithful with sincere mind give such consent, they open up for themselves a treasure of sacramental grace from which they draw supernatural power for the fulfilling of their rights and duties faithfully, holily, perseveringly even unto death. Hence this sacrament not only increases sanctifying grace, the permanent principle of the supernatural life, in those who, as the expression is, place no obstacle [*obex*] in its way, but also adds particular gifts, dispositions, seeds of grace, by elevating and perfecting the natural powers. By these gifts the parties are assisted not only in understanding, but in knowing intimately, in adhering to firmly, in willing effectively, and in successfully putting into practice, those things which pertain to the marriage state, its aims and duties, giving them in fine right to the actual assistance of grace, whensoever they need it for fulfilling the duties of their state."

³⁹ Hünemann, "Specific theological Character," 138. He refers here to *ST* suppl., q. 42, a. 3.

⁴⁰ St. Thomas seems to be referring to St. Bonaventure, *Commentary on the Sentences* IV, d. 26.

when this aid is enacted in faith. The aid of this “friend” accompanies the human being from the creation onwards.⁴¹

Two things should be said in reply to Hünemann’s interpretation of St. Thomas. First, a careful reading of article 3 shows that St. Thomas did not understand *gratiam adiuvantem*, helping grace, to be like the “aid” that accompanies the human being in the created order. The wider context should be recalled. In article 1, St. Thomas establishes that marriage is a sacrament: “A sacrament denotes a sanctifying remedy against sin offered to man under sensible signs. Wherefore since this is the case in matrimony, it is reckoned among the sacraments.” This “sanctifying remedy” against sin is clearly something more than the divine aid that accompanies the human being from “creation onwards,” because it enables human beings to overcome sin against marriage, something that the hardened hearts of spouses could not do prior to the elevation of marriage to the level of a sacrament.

Second, in article 2 of the same question, St. Thomas discusses how marriage inclines to a good which varies according to the different states of man. In the New Law, marriage was instituted “insofar as it represents the mystery of Christ’s union with the church, and in this respect it is sacrament of the New Law.” Understood against this background, the *gratiam adiuvantem*, the helping grace, given in marriage, spoken of in article 3, does not correspond to the divine “aid” or love that accompanies the human creature at creation. It confers something more, something more for the supernatural life.

When St. Thomas discusses whether the sacraments of the New Law derive from the power of the Passion of Christ in the *Scriptum* on Lombard’s *Sentences*, he teaches that sacramental grace is ordered principally to two things: taking away the defects resulting from past sins and perfecting in the soul things having to do with divine worship. This is true for all sacraments and therefore would include the sacramental grace, or the *gratiam adiuvantem*, that article 3 of question 42 in the supplementum says is conferred in

⁴¹ Hünemann, “Specific Theological Character,” 138–39. In a footnote, Hünemann refers his reader to *ST* I-II, q. 110, a. 1. It is hard to see how this text supports Hünemann’s claim. In q. 110, a. 1, St. Thomas takes up the question of whether grace sets up something in the soul, but he does not mention a helping grace. Perhaps Hünemann meant to refer readers to a. 2, where St. Thomas speaks of a helping motion and of sanctifying grace as a help. But this helping motion is something greater than an accompaniment from creation onward, because St. Thomas says that it is infused in the soul of man, which enables him to move toward the acquisition of the supernatural good.

marriage.⁴² Clearly, for St. Thomas, the grace of the sacrament of marriage confers something greater than the aid of God that attends human beings from creation onwards.

The Meaning of the Sacramental Sign of Marriage

Hünemann believes that St. Thomas's clarification over against Hugh of St. Victor and Lombard that marriage does mediate grace led to a sharper definition of the specific sacramental sign of marriage. Hünemann sees great significance in St. Thomas's argument that the relationship of Christ to the Church is not contained as a sign in marriage itself. Hünemann cites the *supplementum*, q. 42, a.1, ad 2, where St. Thomas teaches that Christ's relationship with the Church and its indissolubility are *non contentum* in the sacrament itself (although the passage he intends is actually ad 4, not ad 2).⁴³ What are the consequences of this claim for the sacramentality of marriage? For one thing, Hünemann says it shows that the relationship between Christ and the Church "is something that goes beyond the significance of marriage itself, something that is seen only where marriage is lived in faith."⁴⁴ This is of course true, but Hünemann thinks this means that the sacrament of marriage "differs very fundamentally" from the sacraments of baptism and Eucharist, which "are signs that point directly to Christ and his redeeming work, signs that mediate this grace."⁴⁵ He says that it is only in the realm of faith that marriage can be seen as a *sacramentum Christi*. In this sense, "marriage is a sacrament of the second rank, which is founded only on baptism and eucharist, as the fundamental sacraments."⁴⁶ As we have seen, Hünemann understands St. Thomas to teach that marriage mediates a helping grace, but he thinks at the same time that this does not amount to the sacramental sign of marriage mediating the grace of the redeeming work of Christ as the fundamental sacraments of baptism and Eucharist do.

There are numerous problems with Hünemann's interpretation of St. Thomas here. As I will show later, St. Thomas does in fact teach that the sacrament of marriage points directly to Christ's redeeming work on the Cross and mediates this grace when he claims that the sacrament of marriage can confer grace because Christ represented marriage by his Passion.⁴⁷ There

⁴² *ST* III, q. 62, a. 5.

⁴³ Hünemann, "Specific Theological Character," 139.

⁴⁴ Hünemann, "Specific Theological Character," 139.

⁴⁵ Hünemann, "Specific Theological Character," 139.

⁴⁶ Hünemann, "Specific Theological Character," 139.

⁴⁷ *In IV sent.*, d. 26, q. 2, a. 3, ad 1; *ST* suppl., q. 42, a. 3, ad 1.

are also problems with how Hünemann understands St. Thomas's teaching about the relationship between Christ and the Church and its indissolubility being *non contentum* in the sacrament itself. Things are more complicated than Hünemann indicates. St. Thomas applies the distinction between the reality signified and contained and the reality signified and not contained to the other sacraments besides marriage.⁴⁸ He presents the sacramental marriage bond (*res et sacramentum*) as the reality that is contained in the sacrament, which in turn signifies the union between Christ and the Church.

Hünemann does not pay full attention to the context of St. Thomas's teaching, and thus distorts it. He does not tell his readers that, when St. Thomas says that union between Christ and the Church is not contained in the sacrament, this claim occurs in the context where he takes up the question of whether marriage is a sacrament in q. 42, a. 1, of the supplementum. St. Thomas's teaching about the union of Christ with the Church not contained in the sacrament occurs in this context and is found in the response to the fourth objection. There it is objected that marriage is not a sacrament because sacraments are supposed to cause what they signify, but marriage does not cause what it signifies—the unity between Christ and the Church—and therefore marriage is not a sacrament. St. Thomas replies that the union of Christ with the Church is not the reality contained in the sacrament, because no sacrament can cause that kind of reality. Nevertheless, the union of Christ with the Church is signified in the sacrament. St. Thomas says that the sacrament of marriage has another reality both contained and signified which it causes. He states what this is in reply to a related fifth objection, in which it is objected that in marriage there is no *res et sacramentum*, that is, no contained reality and sign, because marriage does not imprint a character. In reply, St. Thomas affirms that, in the sacrament of matrimony, like all the sacraments, there are found three things: the *sacramentum tantum*, the *res et sacramentum*, and the *res tantum*.⁴⁹ In marriage the *res et sacramentum* is the bond between husband and wife. This bond is

⁴⁸ St. Thomas applies this distinction to the other sacraments as well, and not just to marriage. See *ST III*, q. 80, a. 4, where St. Thomas explains that, in the Eucharist, under the sacramental species, there is signified and contained the reality of Christ himself, and there is signified but not contained the mystical body of Christ, which is the communion of the saints. Both realities are very closely linked. Similarly, in the sacrament of marriage, the reality signified and contained (the marriage bond) is closely linked with the reality signified but not contained (the union between Christ and the Church). See *ST* suppl., q. 42, a. 1, ad 4–5.

⁴⁹ *ST* suppl., q. 42, a. 1, ad 5.

the reality contained and signified and caused in marriage. Therefore, in this way marriage is a sacrament that causes what it signifies.

St. Thomas's claim that Christ's relationship with the Church and its indissolubility are *non contentum* in the marital sacrament must be read in the context in which it occurs if we are to properly understand the meaning of it for his theology of marriage. St. Thomas's point about *non contentum* is to explain how marriage is a sacrament and how it causes what it signifies and, as such, as he explains a bit later in article 3 of question 42, is cause of grace⁵⁰. Furthermore, sacraments confer grace by virtue of their sanctification. According to St. Thomas, all the sacraments including marriage have their sanctification from the Passion. He also explained that marriage is conformed to the charity of Christ in his Passion.⁵¹ And in a passage from the *Summa contra gentiles*, which Hünemann himself cites, St. Thomas says:

And seeing that the sacraments cause what they signify, we must believe that the sacrament of matrimony confers the grace to take part in the union of Christ with his Church on those who are joined in wedlock, since it is most necessary that they should so seek carnal and earthly things as not to be separated from Christ and his Church.⁵²

Clearly, St. Thomas means the sacrament of marriage does point to Christ and his redeeming work and as a sign that mediates this grace unless one thinks that Christ's unity with his Church is not part of his redeeming work! It is true that the sacrament of marriage is founded on baptism and the Eucharist as Hünemann says, but this certainly does not mean, especially for St. Thomas, that the marital sacrament does not mediate the grace of the charity of Christ on the Cross.

In his commentary on Ephesians, St. Thomas explains the signification of the one-flesh union of husband and wife. The spouses are one flesh in three ways: by love, per *affectum dilectionis*; by shared lives, per *conversacionem*; and by sexual union, per *carnalem coniunctionem*, which is a sign of a sacred reality, the union (*coniunctionis*) between Christ and the Church.⁵³

⁵⁰ *ST* suppl., q. 42, a. 3. In the *sed contra*, St. Thomas says: "Definition and thing defined should be convertible. Now causality of grace is included in the definition of a sacrament. Since, then, matrimony is a sacrament, it is a cause of grace."

⁵¹ *ST* suppl., q. 42, a. 1, ad 3.

⁵² *Summa contra gentiles* [SCG] IV, ch. 78.

⁵³ In *Super Eph* 5, lec. 10, St. Thomas writes: "The third is their carnal union: 'and they shall be two in one flesh,' that is, in their carnal intercourse. For in any act of generation there is an active and a passive power. In plants both powers are in the same plant, but

Commenting on Eph 5:31–33, St. Thomas says that there are passages in the Scriptures that refer principally to Christ and to others who are “types” of Christ. St. Paul’s explanation of the meaning of the one-flesh union spoken of in Gen 2:24 falls precisely into this kind of category. The indissoluble marriages of Christians show them to be true “types” of Christ. Taking this point further, St. Thomas argues that, when St. Paul says, “Nevertheless, let every one of you in particular love his wife,” this refers first to Christ, “but not only about him since it must be interpreted and fulfilled in other persons as types of Christ.”⁵⁴ On this point, Peter Elliott has remarked rightly that, for St Thomas:

The sacramental signification demands a response that it be fulfilled in the lives of married Christians as types of Christ (*de alias vero in figura Christi*). Married people are the “others” (*aliis*) who signify the Christ–church bond in marriage. His comments on Ephesians also broaden the idea of sacramentality, thus leaving the way open for a developed theology of continual mutual ministry of Grace and marriage, Grace as a *lived* sacrament.⁵⁵

If close attention is paid to how St. Thomas explains the sacramental signification of marriage and the marital bond, and the conferral of grace, then it becomes clear that Hünemann’s interpretation of what these things mean is mistaken. We have seen that, while St. Thomas did teach that while the union of Christ and the Church is not caused or contained in marriage or in any other sacrament, he did not thereby mean that marriage between baptized Christians is a cause of grace which only points to Christ’s redeeming work but does not participate in it. Hünemann’s representation of St. Thomas’s theology of the sacramental sign is misleading because it ignores how St. Thomas explains that the consent of two baptized Christian causes a bond in the order of grace, the *res et sacramentum*, which after consummation signifies the one-flesh union between Christ and the Church. To ignore this essential part of St. Thomas’s teaching is to present a distorted picture

in the perfect animals they are distinguished. And hence in the act of generation among animals the male and female become, as in plants, only one and the same body. [Paul] goes on to interpret this mystically, and he says ‘this is a great sacrament,’ it is the symbol of a sacred reality, namely, the union of Christ and the Church. ‘I will not hide from you the mysteries of God’ (Wis 6:24).”

⁵⁴ *Super Eph* 5, lec. 10.

⁵⁵ Peter Elliott, *What God has Joined* (New York: Alba House, 1990), 98.

of his contribution to the Catholic theological tradition about the specific sacramental sign of marriage.

Consent, Contract, and the Consequences for Indissolubility

Hünemann also argues that St. Thomas makes an important distinction between the marital consent and contract which he believes should lead us to a better understanding of consent. He believes that this distinction implies that consent and its specific indissolubility are precarious. Hünemann points out that St. Thomas says that the marital consent and union are declared *ad modum*, “in the manner of,” the obligation in material contracts.⁵⁶ Furthermore, he draws attention to where St. Thomas defines marital consent according to Hugh of Saint Victor: “Those who enter marriage must give their consent in such a way that they receive one another spontaneously (freely); this is expressed when they do not contradict one another in the celebration of matrimony.” Hünemann claims that St. Thomas here delineates marital consent as being enacted in the reciprocal giving and receiving of one another. This is said to stand in contrast to the form taken in contracts. The marital consent differs from contracts because it is a consent to an indissoluble bond. In Hünemann’s words:

Although this consent begins in time and has a beginning, it cannot be made only for a certain space of time. It is (as we might say) a reciprocal, unconditional “yes” in freedom. Contracts are very different from this consent, which has a “holistic character” that needs to be “made true,” and to prove itself, in each present moment.⁵⁷

This means, according to Hünemann, that consent and its specific indissolubility are “highly precarious” because they are threatened by all kinds of situations, events, and decisions made by the spouses themselves. Hünemann claims this consent can be “killed off.” He admits that St. Thomas does

⁵⁶ Hünemann, “Specific Theological Character,” 140. Hünemann does not give a citation from the works of St. Thomas, but he seems to be referring to *ST* suppl., q. 45, a. 2, ad 3. Hünemann does not mention how St. Thomas says that, just as material contracts are not feasible unless the parties express their will to each other in words, so the consent to that which makes marriage must also be expressed in words. Nor does Hünemann mention that St. Thomas says that what the expression of words is to marriage is what the outward washing is to baptism. See the response in q. 45, a. 2.

⁵⁷ Hünemann, “Specific Theological Character,” 140.

not draw these conclusions or engage in such reflections, but he says that they are a consequence of the specific character of sacramental marriage.⁵⁸

St. Thomas, however, cannot be pressed into the service of Hünemann's understanding of marital consent and indissolubility. Not only does St. Thomas not engage in reflections about it being possible for consent to "killed off" in all kinds of situations, but he also denies that it can be. Instructive on this point is St. Thomas's answer to the objection that, because marital consent is often changed, inseparability is not always a condition of marriage.

Although the consent which makes a marriage is not everlasting materially, i.e., in regard to the substance of the act, since the act ceases and a contrary act may succeed it, nevertheless formally speaking it is everlasting, because it is a consent to an everlasting bond, else it would not make it marriage, for consent to take a woman for a time makes no marriage. Hence it is everlasting formally, inasmuch as an act takes the species from its object; and thus it is that matrimony derives its inseparability from consent.⁵⁹

St. Thomas makes a distinction here between the material and the formal aspect of consent. Hünemann overlooks this distinction. St. Thomas knows that there can be later acts, decisions, or modes of conduct which are contrary to consent, but these things do not negate or "kill off" consent because it is a consent to an everlasting indissoluble bond. This seems to be very different from Hünemann's understanding of consent, in which consent "can be killed off," making it and indissolubility very precarious realities.

Nevertheless, Hünemann believes his interpretation of St. Thomas's distinction between consent and contract can be a corrective to *Casti Connubii*, which he claims affirms that marital consent is a contract.⁶⁰ Hünemann cites no passage in the encyclical to support his claim. He says that the encyclical is incorrect on this point and that "marital consent is merely expressed or attested in the form of a contract."⁶¹ This means, according to Hünemann, that the consent can cease to exist and be a failed consent. It is a "theological absurdity," he insists, to think that consent can continue to exist in the form of a contract when marriage for all practical purposes is broken down. Hünemann minces no words and says that "this must be rejected by the church's magisterium." He argues that this is not to deny the

⁵⁸ Hünemann, "Specific Theological Character," 140.

⁵⁹ *ST* suppl., q. 49, a. 3, ad 4.

⁶⁰ Hünemann, "Specific Theological Character," 147.

⁶¹ Hünemann, "Specific Theological Character," 147.

“indissolubility of consent,” but it does mean rejecting a mistaken notion of indissolubility.⁶² What indissolubility exactly is for Hünemann is hard to pin down, but he clearly believes that the magisterium needs to make a correction of how it has traditionally understood it.

Of course, the doctrinal tradition does not speak of the “indissolubility of consent,” but of the indissolubility of the marriage bond. Furthermore, nowhere in *Casti Connubii* does Pius teach that consent itself is a contract. Were the Pope to have done so, he would have contradicted the Church’s doctrine which teaches that the consent brings the marriage contract into existence. In *Casti Connubii* §6, the Pope says: “For each individual marriage, inasmuch as it is a conjugal union of a particular man and woman, arises only from the free consent of each of the spouses; and this free act of the will, by which each party hands over and accepts those rights proper to the state of marriage, is so necessary to constitute true marriage that it cannot be supplied by any human power.” The consent is not the contract, but the cause of it. We find the same teaching in St. Thomas.⁶³ Hünemann, on the other hand, has a very different understanding from both St. Thomas and *Casti Connubii* regarding consent as something that can later be “killed off,” not to mention a different concept of indissolubility as well.

Lastly, Hünemann calls attention to what he believes St. Thomas teaches about the various goals at which marriage aims: the good of nature, the political good, and the good of the Church. Hünemann calls these the “pluri-dimensionality” of marriage. They should lead us to question how new perspectives about them might surface in the modern age. He argues that the relationship of marriage and family to these goods and their interconnection with other social realities will undoubtedly change. When they eventually occur, they it will have an effect on the sacrament of marriage.⁶⁴ This, of course, is undeniable. The question is: what kind of effects does Hünemann have in mind? His claim appears related to his wider claim, discussed earlier, about the historical development of marriage which must involve incorporating contemporary elements in a constitutive and essential manner. But

⁶² Hünemann, “Specific Theological Character,” 147–48.

⁶³ *ST* suppl., q. 45, a. 1: “Wherefore, since in matrimony there is a kind of spiritual joining together, insofar as matrimony is a sacrament, and a certain material joining together, insofar as it is directed to an office of nature and of civil life, it follows that the spiritual joining is the effect of the divine power by means of the material joining. Therefore, seeing that the joinings of material contracts are effected by mutual consent, it follows that the joining together of marriage is effected in the same way.” See also ad 2: “Matrimony is not the consent itself, but the union of persons directed to one purpose, as stated above (q. 44, a. 1), and this union is the effect of the consent.”

⁶⁴ Hünemann, “Specific Theological Character,” 148.

here Hünemann focuses instead on how the “decisive basis of stability” of marriage partnership has shifted.⁶⁵ In previous historical types of marriage, the societal, economic, and cultural circumstances and situation helped to provide a strong assurance of the stability of marriage. In the modern type of marriage partnership, the relationship itself between the couples themselves is the decisive basis of stability. The consequence of this shift is that modern marriage is highly vulnerable. If a marriage partnership is to last a lifetime through various phases, from the family phase with young children to the empty nest and in between, then, what is needed prior to marriage is a time of preparation and testing. Therefore, Hünemann calls for catechumenate in preparation for the sacrament of marriage where dispositions for marriage might be identified, understood, and practiced.⁶⁶

While Hünemann identifies some important texts for St. Thomas’s theology of marriage, he does not prove to be a reliable interpreter of them. In the next section, I will examine these texts and others in the Angelic Doctor’s theology of marriage with an eye to suggesting how they can help contribute to deeper understanding of the sacramental ontology of marriage and marriage as a transformative instrument of grace.

Sacramental Causality and Ontology in St. Thomas’s Theology of Marriage

It is worth recalling that St. Thomas’s thought on marriage and the sacrament of marriage is found mainly in the *Scriptum* and in a chapter of the *Summa contra gentiles*.⁶⁷ The saint stopped writing the *Summa theologiae* in the middle of his examination of the sacraments and did not actually write a section on the sacrament of marriage. Thus, his theology of marriage comes to us in something of an unfinished and incomplete state. Complicating matters further is that St. Thomas’s earlier theory of sacramental causality informs his theology of marriage in the *Scriptum*. There, sacramental causality is explained in terms of dispositive instrumental causality. However, as is well known, there is a development in his theory in his later works. This

⁶⁵ Hünemann, “Specific Theological Character,” 148.

⁶⁶ Hünemann, “Specific Theological Character,” 149.

⁶⁷ *In IV sent.*, dd. 26–36; *Summa contra gentiles* [SCG] IV, ch. 78. The commentary on the *Sentences* was completed sometime in the mid-1250s. St. Thomas commented on the *Sentences* during his period of teaching in Paris from 1252 to 1256. The *Summa Contra Gentiles* was completed by 1265. See Jean-Pierre Torrell, *St. Thomas Aquinas*, vol. 1, *His Person and Work*, trans. Robert Royal (Washington, DC: Catholic University of America Press, 1996), 328.

involves a shift from explaining the sacraments as causes of grace according to dispositive instrumental causality, in favor of a perfective instrumental causality. In the latter theory, the sacraments are understood not merely to dispose the recipient for the influx of grace, but as principles that effect grace because they participate in the power of God as primary cause. This explanation of sacramental causality results in a greater unity between sign and cause.⁶⁸ Nevertheless, none of these things are ever fully applied by St. Thomas to his theology of marriage.

Several scholars have traced this development of St. Thomas's theory of sacramental causality.⁶⁹ I intend to give only a basic description of the essential points of this development for the purpose of applying it to his theology of sacrament marriage. Of course, this is something St. Thomas never did because he did not finish his *Summa theologiae*. I believe that adapting St. Thomas's theology of marriage to his later theory of sacramental causality can contribute to a deeper understanding of the sacramental ontology of marriage and the nature of the transformation it works in the persons of the spouses. When adapted to his theology of marriage, St. Thomas's theory of perfective instrumental causality leads to an understanding of the marital act as an instrumental cause of the sacramental perfection of the marital bond, the *res et sacramentum*, which is nothing less than a unique participation in the corporeal, one-flesh union of Christ with the Church. As such, the marital bond is now the basis for the graces needed for living the conjugal life by the power of the self-sacrificial love of Christ for his bride, the Church. Before turning to St. Thomas's theories of sacramental causality, it will be helpful, for sake of context, to look briefly at how the saint understood the sacramentality of marriage in relation to the Passion of Christ and the sacramental signification of marriage itself.

The Cross as the Place of the Institution of Marriage as a Sacrament and Its Sanctification

The Fathers were unanimous in understanding that sacraments are essentially and inseparably connected to the person of Christ. What St. Leo the Great proclaimed is representative: "What was visible in Christ has passed over

⁶⁸ As pointed out by Reginald Lynch, "Cajetan's Harp," *The Thomist* 78 (2014): 104.

⁶⁹ Lynch, "Cajetan's Harp," 65–106; Lynch, *The Cleansing of the Heart: The Sacraments as Instrumental Causes in the Thomistic Tradition* (Washington, DC: Catholic University of America Press, 2017). See also Bernhard Blankenhorn, "The Instrumental Causality of the Sacraments: Thomas Aquinas and Louis-Marie Chauvet," *Nova et Vetera* (English) 4, no. 2 (2006): 255–94.

into the sacraments of the church.”⁷⁰ The sacramental theology of St. Thomas deepened the understanding of this inseparable link. For St. Thomas, the sacraments are actions of Christ through his ministers. The sacraments extend the sacred humanity of Christ in time and space. They are the historical continuation and application of the power of the Incarnation and the power of the charity of Christ in his Passion. St. Thomas says that “the merit and power of Christ operates in the sacraments.”⁷¹ As Bertrand-Marie Perrin has observed, what is unique about the sacrament of marriage in the thought of St. Thomas is that not only is its efficacy found at the Cross, but its institution is located there as well.⁷² This understanding can be seen in the Angelic Doctor’s treatment of marriage as a sacrament in two places in the *Scriptum* where he replies to questions as to whether marriage is a sacrament and concerning its institution under the New Law.⁷³ It is objected that, if the sacraments derive their efficacy from the Passion, then marriage cannot be a sacrament, because marriage has pleasure attached to it but not pain. St. Thomas not only replies that marriage is conformed to Christ’s Passion according to charity, but he also claims that Christ suffered on the Cross for the sake of the Church so that she might be joined to him in a spousal unity.

Although marriage does not conform to the Passion of Christ in suffering, yet it does conform to it in the love by which he suffered for the Church in order that she might be joined to him as bride.⁷⁴

In another passage, St. Thomas answers the objection that marriage does not have the power to confer grace. Sacraments confer grace by virtue of their sanctification, but according to the objection, marriage has no sanctification essential to it, and therefore it does not confer grace. St. Thomas replies:

Just as the baptismal water by virtue of its contact with Christ’s body is able to touch the body and cleanse the heart, so is matrimony able to do so through Christ having represented it by his Passion, and not principally through any blessing of the priest.⁷⁵

⁷⁰ Leo the Great, Sermon 74, no. 2 (*PL* 54:398; trans. mine).

⁷¹ *ST III*, q. 64, a. 3.

⁷² Bertrand-Marie Perrin, “L’Institution du mariage dans le *Scriptum* de Saint Thomas,” *Revue thomiste* 108 (2008): 599–646.

⁷³ *In IV sent.*, d. 26, q. 2, aa. 1–2; *ST suppl.*, q. 42, aa. 1–2.

⁷⁴ *In IV sent.*, d. 26, q. 2, a. 1, ad 3; *ST suppl.*, q. 42, a. 1; ad 3.

⁷⁵ *In IV sent.*, d. 26, q. 2, a. 3, ad 1; *ST suppl.*, q. 42, a. 3, ad 1.

On the Cross, through his great charity, Christ accomplished the joining of the Church to himself. He thereby represented marriage and conformed it to his love. Therefore St. Thomas insists that marriage has a sanctification it receives from unitive love of Christ for his bridal Church. There is a new source of love for marriage and a new norm for conjugal love in the spousal union of Christ and the Church. The sacrament of marriage has the power to sanctify because Christ's body touches it insofar as he represented marriage by his Passion.

After establishing that marriage is indeed a sacrament that confers grace, St. Thomas proceeds to take up the question about the institution of marriage.⁷⁶ It is objected that, because marriage is of the natural law, there is no need for it to be instituted before sin. St. Thomas replies that marriage varies according to the diverse states of humanity, and it is fitting that marriage is instituted in different ways for these states. It had its institution before sin as ordered to the procreation of children, something that was necessary even when sin did not yet exist. It had its institution after sin at the time of the natural law as a remedy against the wound of sin. It had its institution under the law of Moses according to personal disqualification of close kinship. St. Thomas then says: "[Marriage] was instituted in the new law insofar as it represents the mystery of Christ's union with the Church, and in this respect, it is a sacrament of the new law."

In sum, Christ represented marriage in the charity of his Passion, the charity by which he accomplished his union with the Church, his bride. In doing so, he raised marriage to a sacrament and gave it its sanctification. For St. Thomas, both the sacramental institution and the sanctifying efficacy of marriage coincide on the Cross.⁷⁷

Sacramental Signification in the Sacrament of Marriage

In his explanation of the sacramentality of marriage in the *Scriptum*, St. Thomas insists that, in the sacrament of marriage, as in all the sacraments, the three things are found: *sacramentum tantum*, the outward visible sacred sign; *res et sacramentum*, the reality both contained and signified in a sacrament; and *res ultima* (other times called the *res tantum*), which is the

⁷⁶ *In IV sent.*, d. 26, q. 2, a. 2; *ST* suppl., q. 42, a. 2.

⁷⁷ Perrin comments on this point: "The moment when this efficacy was constituted and signified must therefore be that of the institution of the sacrament, that is to say, when the union of Christ and the Church took place on the cross: so, the blood and water flowing out of the side of Christ then symbolized this efficacy of grace" ("L'Institution du mariage," 626; trans. mine).

grace that is given.⁷⁸ For St. Thomas, the mutual consent of the couple is the *sacramentum tantum*, the marriage bond is the *res et sacramentum*, and the grace of the sacrament is the *res ultima*.⁷⁹ The mutual consent of the couple, expressed in words, is what the outward washing is to baptism.⁸⁰ He argues that consent does signify something sacred, but it does not signify the union of Christ with the Church. St. Thomas says that the consent signifies “[Christ’s] will, by which it happened that he was conjoined to the Church.”⁸¹ The consent of the couple is the efficient cause of marriage and brings about the marriage bond, which is the *res et sacramentum*.

St. Thomas makes a point crucial to his theology of marriage when he answers the objection that marriage is not a sacrament because sacraments are supposed to cause what they signify, but marriage does not cause what it signifies—the unity between Christ and the Church. St. Thomas answers that the union of Christ with the Church is not the reality contained in the sacrament. Obviously, no sacrament can cause this union.⁸² But the sacrament of marriage has another reality both contained and signified which it causes. This reality is the bond between husband and wife, the *res*

⁷⁸ *In IV sent.*, d. 26, q. 2, a. 1, ad 5; *ST* suppl., q. 42, a. 1, ad 5.

⁷⁹ *In IV sent.*, d. 26, q. 2, a. 1, ad 5; *ST* suppl., q. 42, a. 1, ad 5. Thomas speaks of “externally acts appearing” in reference to the *sacramentum tantum*. That the *sacramentum tantum* includes the consent is clear from St. Thomas’s insistence in that consent is the efficient cause of marriage.

⁸⁰ *In IV sent.*, d. 26, q. 2, a. 3, ad 2; *ST* suppl., q. 42, a. 2, ad 2. The sensible, spiritual action of the mutual consent of the couple does what the matter does in the other sacraments. On this point, see *In IV sent.*, d. 14, q. 1, a. 1, sol., ad 1: “Among bodily medicines, some consist in the patient’s only enduring or receiving something, like surgery on a wound or the application of a bandage, while others consist in the patient’s active exertion, like exercises and things like that. In just the same way, among the sacraments some do not require any act from the one who is sanctified for the sacrament’s substance, except incidentally, like removing anything that prevents it, as is seen in baptism and confirmation and the others like them. But some sacraments do require the act of the one who receives the sacrament, essentially and *per se*, for the essence of the sacrament, as is seen in penance and marriage. Therefore, in those sacraments that are completed without our act, it is the matter that causes and signifies, like a medicine applied from without. But among those sacraments that require our act, there is no matter of this kind, but the acts themselves appearing outwardly do here what the matter does in the other sacraments. Now, how those things that are outwardly performed are the cause of sanctification in penance will be clear from what follows. To be sure, in this definition ‘material element’ must be taken in a general way for the sensible cause, whether it is a certain corporeal matter, a certain sensible act.”

⁸¹ *In IV sent.*, d. 27, q. 1, a. 2, sol. 1, ad 2; *ST* suppl., q. 45, a. 1, ad 2.

⁸² *In IV sent.*, d. 26, q. 2, a. 1, ad 4; *ST* suppl., q. 42, a. 1, ad 4.

et sacramentum.⁸³ Therefore, in this way is marriage a sacrament that causes what it signifies.

Furthermore, for St. Thomas the marital bond, the *res et sacramentum*, is twofold. It is spiritual and carnal and involves two forms of signification. In a passage sometimes overlooked, St. Thomas responds to the question of whether, before a marriage has been consummated, one of the spouses can enter religious life without the other's consent.

Before carnal intercourse [*carnelem copulam*] there is only a spiritual bond [*tantum spirituale vinculum*] between the spouses, but afterwards there is a carnal bond [*vinculum carnele*] between them as well.⁸⁴

Moreover, in a passage we have seen before and that is worth returning to again, St. Thomas claims:

Before carnal intercourse [*carnelem copulam*] marriage signifies the union of Christ with the soul by grace, which indeed is dissolved by a contrary spiritual disposition, namely sin. But after carnal intercourse it signifies the union of Christ with the Church, as regards the assumption of human nature into the unity of person, which is altogether indissoluble.⁸⁵

⁸³ *In IV sent.*, d. 26, q. 2, a. 1, ad 5; *ST* suppl., q. 42, a. 1, ad 5.

⁸⁴ *In IV sent.*, d. 27, q. 1, a. 3, sol. 2; *ST* suppl., q. 61, a. 2. I have lightly altered the translation to bring it closer to the Latin original. As Elliot has commented: "This sublime archetype is derived, as we have seen, from the Unity of the Holy Trinity and realized in the Hypostatic Union, the inseparable unity of the Divine Nature and the human nature in Christ" (*What God has Joined*, 164).

⁸⁵ *In IV sent.*, d. 27, q. 1, a. 3, sol. 2, ad 1; *ST* suppl., q. 61, a. 2, ad 1 I have lightly altered the translation. Here St. Thomas draws on an explanation that can be traced to Hugh of St. Victor (†1140). Pope Innocent III drew on this distinction and explanation in his letter to the bishop of Albano on September 6, 1260. See the *Liber Decretalium* I, ch. 5, title 21. For a translation, see Theodore Mackin, *The Marital Sacrament* (New York: Paulist Press, 1989), 316–17. Behind the explanation was a concern to explain how the marriage of Joseph and Mary was a true marriage and the long-standing tradition dating to Alexander III's interpretation of the Lord's command, "What God has joined, no man must separate," as referring only to consummated marriages. Based on this interpretation, it was possible for the Pope to dissolve unconsummated sacramental marriages for a spiritual purpose such as the entrance into religious life and vows. See Alexander III's letter to the bishop of Salerno excerpted in Henrich Denzinger, *Enchiridion Symbolorum: Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, ed. Peter Hünemann, 43rd ed., English ed. Robert

For this reason, St. Thomas says that a spouse in an unconsummated marriage can enter religious life because the marriage bond is not completely indissoluble because it does not yet signify the unity between Christ and the Church, but signifies the soul's union with Christ, which in principle is dissoluble by grave sin.⁸⁶ For St. Thomas, the sacramental signification of marriage involves a movement to a kind of completion in and through consummation whereby the spouses in their marital bond share in Christ's union with the Church in a way they did not prior to consummation.

St. Thomas explains earlier in the *Scriptum* that consummation, or carnal union, is not essential to the marital union.⁸⁷ Mutual consent is the efficient cause of marriage, and the joining together in sexual union is the result of matrimony. In answer to the objection that the marriage union exists prior to marital intercourse and therefore cannot be dissolved, St. Thomas replies: "The marriage union, before consummation, is indeed perfect as to its primary being, but is not finally perfect as to its second act, which is operation. It is like bodily possession and consequently is not altogether indissoluble."⁸⁸ Nevertheless, as we have seen, St. Thomas also emphasized that consummation in sexual union is necessary for marriage to be a complete sign of Christ's indissoluble union with the Church. It is not until marriage has been consummated that the bond becomes carnal and completely indissoluble in Christ. Just as the consent causes the spiritual bond, so with consummation, which is the bodily enactment of consent, there is caused the one-flesh union between man and wife which is completely and altogether indissoluble because it signifies and participates in the one-flesh union between Christ and the Church.

In the *Scriptum*, the Angelic Doctor also takes up the question of whether marriage confers grace. He insists that, because marriage is a sacrament, it

Fastiggi and Anne Englund Nash (San Francisco: Ignatius Press, 2012), no. 755 (p. 247). Cf. *Catechism of the Catholic Church* [CCC] §1142.

⁸⁶ The soul here is, of course, a Christian soul united to the body of Christ, the Church, so it might be said that the spiritual bond does signify in a limited way the union of Christ with the Church. St. Thomas, though, wants to explain that what makes the sacramental bond completely indissoluble is its elevation and participation in the one-flesh union of Christ and the Church.

⁸⁷ *In IV sent.*, d. 28, q. 1, a. 4; *ST* suppl., q. 48, a. 1.

⁸⁸ I follow the translation of *ST* suppl., q. 61, a. 2, ad 3; *In IV sent.*, d. 27, q. 1, a. 3, sol. 2, ad 3. Cf. *ST* suppl., q. 42, a. 4; *In IV sent.*, d. 26, q. 2, a. 4. What St. Thomas says here is true for all marriages even those that are not sacramental. What I am contending is that St. Thomas's understanding of the sacramental signification in marriage being perfected in the bodily self-donation of consummation builds on this very point about the nature of marriage itself.

is a cause of grace.⁸⁹ At one point in his explanation, St. Thomas considers an objection. The acts of bride and bridegroom cannot be the cause of grace because it would be the heresy of Pelagius to claim that our human acts cause grace. He compares the sacrament of marriage with baptism, pointing out that the water together with the form of words result not immediately in infusion of grace but in the imprinting of the character of baptism, *the res et sacramentum*.⁹⁰ So, in marriage, the acts and words which express the consent of the couple cause not a character, but a certain bond (*nexum quendam*) which is the *res et sacramentum* of sacrament of matrimony. "And a bond of this kind operates *dispositively* for grace by the power of divine institution."⁹¹ In other words, the bride and bridegroom, who, because they are baptized in Christ, effect by their consent to matrimony a bond which inclines them and makes them ready for the conferral of grace. Aquinas compares the bond of marriage to the character of baptism. The infusion of grace follows the elevation of the marriage bond just as the infusion of the grace of baptism follows the imprinting of the baptismal character.

Just as the water of baptism with the form of words does not bring about grace directly, but rather a character, so the external acts and the words expressing consent directly effect a certain bond of obligation, which is the sacrament of marriage; and a bond of this kind operates dispositively for grace by the power of divine institution.⁹²

In the *Scriptum* St. Thomas explains the sacrament of marriage, as he does all the sacraments, as conferring grace in terms of dispositive instrumental causality. The marital bond does not participate in the actual infusion of grace, which is left to God, who alone can directly cause grace, a supernatural reality. In his later writings, St. Thomas moved from a dispositive to a perfective theory of sacramental instrumental causality, but he did not apply it to his theology of marriage, owing to the cessation of writing his *Summa theologiae*. After examining this development very briefly, I will propose how St. Thomas's later understanding of sacramental causality in terms perfective instrumental causality might be applied to his theology of marriage.

⁸⁹ *In IV sent.*, d. 26, q. 2, a. 3; *ST* suppl., q. 42, a. 3: "Definition and thing defined should be convertible. Now causality of grace is included in the definition of a sacrament. Since, then, matrimony is a sacrament, it is a cause of grace."

⁹⁰ *In IV sent.*, d. 26, q. 2, a. 3, ad 2; see also *ST* suppl., q. 42, a. 3, ad 2.

⁹¹ *In IV sent.*, d. 26, q. 2, a. 3, ad 2.

⁹² *In IV sent.*, d. 26, q. 2, a. 3, ad 2; *ST* suppl., q. 42, a. 3, ad 2.

Two Theories of Sacramental Causality

We can distinguish two theories of sacramental causality in the thought of St. Thomas: his earlier theory of dispositive instrumental causality operative in his treatment of the sacraments in the *Scriptum*⁹³ and his theory of perfective instrumental causality at work in his later writings.⁹⁴ According to the theory of dispositive instrumental causality, the outward, visible sacramental sign causes the supernatural effect of *res et sacramentum* which disposes or prepares the soul of the recipient for the infusion of divine grace. However, St. Thomas explains that that sacramental sign is not an instrumental cause for the infusion of grace itself.⁹⁵

Now a certain action befits material instruments like this by their own nature, as water cleanses and oil makes the body sleek; but furthermore, as they are instruments of divine mercy justifying us, they attain instrumentally to a certain effect in the soul itself, which corresponds first to the sacraments, like a character or something of that sort. *But to the final effect, which is grace, they do not attain even instrumentally, except dispositively, inasmuch as what they attain to as efficacious instruments is a disposition, which is necessary in itself for the reception of grace.*⁹⁶

Applied to baptism, for example, the washing of water causes the baptismal character, the *res et sacramentum* which disposes the recipient to the infusion of sanctifying grace. The visible sacramental sign, though, is not directly at work in the infusion of grace, which is caused by God alone. The

⁹³ *In IV sent.*, d. 1. q. 1, a. 4, sol. 1. St. Thomas took over the theory of dispositive instrumental causality from Alexander of Hales and St. Albert and developed it. See the discussion in Lynch, "Cajetan's Harp," 70–71, and Blankenhorn, "Instrumental Causality," and Feingold, *Touched by Christ: The Sacramental Economy* (Steubenville, OH: Emmaus Academic, 2021), 242–43.

⁹⁴ *ST III*, q. 62, a. 1; *SCG IV*, chs. 57 and 74.

⁹⁵ *In IV sent.*, d. 1. q. 1, a. 4, sol. 1: "And thus other men say that two things result in the soul from the sacraments. The first is a sacrament-and-reality, like a character, or some adornment of the soul in sacraments in which no character is imprinted; the other is a reality alone, like grace. Therefore, with respect to the first the sacraments are causes bringing about effects in some way; but with respect to the second they are causes disposing with such a disposition that it is a necessity, unless there were an impediment on the part of the person receiving; and this seems more consistent with the theologians and sayings of the saints."

⁹⁶ *In IV sent.*, d.1. q.1, a. 4, sol. 1 (emphasis mine).

intention of St. Thomas here was to respect and safeguard the very nature of grace itself as a supernatural reality that only God has the power to cause.⁹⁷ He had not settled yet the problem of how God can use a natural efficient cause instrumentally to participate in the infusion of grace, such as how the washing of water in baptism can be a cause of the infusion of sanctifying grace and participation in the supernatural life.

St. Thomas explained the action of God infusing grace in the sacraments as comparable to when God infuses the soul into the *conceptus* caused by the bodily union of man and woman.⁹⁸ The work of the sacramental sign is analogous to the action of the parents which brings about the disposition of the matter, the *conceptus*, fitting for the infusion of the human soul by God. The parents do not create the human soul, which is a spiritual form that transcends the potency of matter. Similarly, the sacramental sign causes the necessary disposition for grace but does not accomplish the actual infusion of grace, which is directly the work of God alone.

In his later works, in the *Summa contra gentiles*⁹⁹ and the *Summa theologiae*,¹⁰⁰ St. Thomas no longer speaks of a dispositive instrumental causality. No longer does he compare the infusion of grace to the creation of the soul. Rather, he explains the sacraments as instrumental causes of grace whereby, as instruments, they operate not by the power of their own forms, but by the form of the divine principal agent.¹⁰¹ God alone, to be sure is the principal cause of grace, but the sacraments can be instrumental causes which confer grace immediately because of their participation in the divine power of God.

We must therefore say otherwise that an efficient cause is twofold, principal and instrumental. The principal cause works by the power of its form, to which form the effect is likened; just as fire by its own heat makes something hot. In this way none but God can cause grace: since grace is nothing else than a participated likeness of the Divine Nature, according to 2 Pet. 1:4: "He hath given us most great and precious promises; that we may be partakers of the Divine Nature." But the instrumental cause works not by the power of its form, but

⁹⁷ For a fuller discussion see Lynch, "Cajetan's Harp," 71–72, 81–84; Blankenhorn, "Instrumental Causality," 260–62.

⁹⁸ *In IV sent.*, d. 1, q. 1, a. 4, sol. 1.

⁹⁹ *SCG IV*, chs. 57 and 74.

¹⁰⁰ *ST III*, q. 62, a. 1.

¹⁰¹ For a careful and in-depth studies of the development of the thought of St. Thomas on sacramental causality, see Lynch, *Cleansing of the Heart*, 67–143, and Blankenhorn, "Instrumental Causality," 260–91.

only by the motion whereby it is moved by the principal agent: so that the effect is not likened to the instrument but to the principal agent: for instance, the couch is not like the axe, but like the art which is in the craftsman's mind. And it is thus that the sacraments of the New Law cause grace: for they are instituted by God to be employed for the purpose of conferring grace.¹⁰²

Just like the power of the craftsman moves the axe according to the design in his mind for the purpose of constructing a couch, so the power of Christ moves the sacramental sign to effect grace and a specific participation in his divine life. St. Thomas makes this point again in another passage where he considers the objection that the corporeal cannot act on a spiritual thing and since the subject of grace is the human mind, which is a spiritual reality, therefore corporeal sacraments cannot cause grace. St. Thomas replies that sacraments, which are corporeal and touch the body, can, by Christ's institution and power, effect an instrumental action on the soul, and this is particularly fitting because of the unity of body and soul.

An instrument has a twofold action; one is instrumental, in respect of which it works not by its own power but by the power of the principal agent: the other is its proper action, which belongs to it in respect of its proper form: thus it belongs to an axe to cut asunder by reason of its sharpness, but to make a couch, in so far as it is the instrument of an art. But it does not accomplish the instrumental action save by exercising its proper action: for it is by cutting that it makes a couch. *In like manner the corporeal sacraments by their operation, which they exercise on the body that they touch, accomplish through the Divine institution an instrumental operation on the soul; for example, the water of baptism, in respect of its proper power, cleanses the body, and thereby, inasmuch as it is the instrument of the Divine power, cleanses the soul: since from soul and body one thing is made.* And thus it is that Augustine says [*De Genesi ad Litteram* 12] that it touches the body and cleanses the heart.¹⁰³

In the *Summa contra gentiles*, St. Thomas applies his theory of perfective instrumental causality where he explains the sacrament of holy orders. He

¹⁰² *ST III*, q. 62, a. 1.

¹⁰³ *ST III*, q. 62, a. 1, ad 2 (emphasis mine).

insists that the minister is an instrument which participates in the power of the principal agent who is Christ:

Now the minister is compared to his master as an instrument to the principal agent, for just as the instrument is moved by the agent in order to produce an effect, so a minister is moved by his master to execute his will. Again, the instrument should be proportionate to the agent. Therefore, Christ's ministers should be conformed to him. Now Christ wrought our salvation as master by his own authority and power, inasmuch as he is God and man: as man, he suffered for our redemption, and as God, his sufferings were made efficacious for our salvation. Consequently, Christ's ministers needed to be men, and to share in his divinity by a kind of spiritual power, since the instrument shares in the power of the principal agent.¹⁰⁴

In perfective instrumental causality, the power of the divine agent enables the instrument's motion toward the final cause, joining it to the intended finality of his power. In baptism, for example, the natural motion of the water is moved by the power of the sacred humanity of Christ so that the visible washing causes the cleansing of the soul. The washing is directed by Christ's power which effects that end. Unlike his theory of dispositive instrumental causality, which understood the sacramental sign (*sacramentum tantum*) to cause the *res et sacramentum* as the necessary disposition for grace, his later theory of instrumental causality still understands the sacramental sign causing the *res et sacramentum* but now it is seen as directly cooperating in the infusion of grace. Therefore, in baptism, the motion of the water causes the baptismal character, the *res et sacramentum*, which in turn directly cooperates in the infusion of grace and the cleansing of the soul. This understanding entails a greater unity between the sacraments as signs and causes. Now the water of baptism is both a sign of the end of baptism and a cause of the end (cleansing and sanctification), because the water and the character it effects are instruments that participate in the principal agent's (Christ's) finality of action. As Bernhard Blankenhorn has observed, this understanding of sacramental causality is an affirmation of a profound and radical creaturely participation in the divine operations of the Savior.¹⁰⁵

¹⁰⁴ SCG III, ch. 74.

¹⁰⁵ Blankenhorn, "Instrumental Causality," 277. See also the discussion in Lynch, "Cajetan's Harp," 103–4.

Application of Perfective Instrumental Causality to the Sacrament of Marriage

But what if we apply to the sacrament of marriage St. Thomas's later understanding of sacramentality causality, perfective instrumental causality, in which the instrument participates in the motion of the divine principal agent? What would this mean for understanding for marriage as a cause of grace? What would it mean for understanding how the couple is involved in the movement of this causality of grace and how they are transformed by it?

It would mean that, before consummation, a baptized couple's exchange of consent in Christ still effects the spiritual bond, the *res et sacramentum*.¹⁰⁶ This spiritual bond would no longer be understood as merely disposing the couple for grace. Now it would be understood as being an instrumental cause of grace, the grace for living a conjugal life together in Christ. At consummation, the bond of marriage still becomes a carnal bond signifying the indissoluble one-flesh union of Christ and the Church, but now the carnal bond, the *res et sacramentum*, is an instrumental cause of the infusion of grace necessary for conjugal, sexual married life, a grace given for an aspect of married life that did not yet exist prior to consummation.

In the *Summa contra gentiles* St. Thomas explains:

And just as in the other sacraments, something spiritual is symbolized by external actions, so in this sacrament the union of husband and wife signifies the union of Christ with the Church, according to the saying of the Apostle: "This is a great sacrament, and I mean in reference to Christ and the Church" (Eph 5:32).

And seeing that the sacraments cause what they signify, we must believe that the sacrament of matrimony confers the grace to take part in the union of Christ with his Church on those who are joined in wedlock, since it is most necessary that they should so seek carnal and earthly things as not to be separated from Christ and his Church.¹⁰⁷

¹⁰⁶ It will be recalled here it is a matter of Catholic doctrine that the first effect of marriage (*res et sacramentum*) is not grace itself, but the conjugal bond. On this point, see for example, *Familiaris Consortio* §13: "The spouses participate in it as spouses, together, as a couple, so that the first and immediate effect of marriage (*res et sacramentum*) is not supernatural grace itself, but the Christian conjugal bond, a typically Christian communion of two persons because it represents the mystery of Christ's incarnation and the mystery of His covenant."

¹⁰⁷ *SCG* IV, ch. 78.

The marital bond, which signifies the union between Christ and the Church, causes the grace necessary for the spouses to participate in that union. This grace is a participation in the sacrificial love of Christ for the Church. As we have seen, St. Thomas understands the charity of Christ on the Cross as the source of sanctification for marriage, and it is this grace that enables the spouses to accomplish the purposes of marriage and to pursue holiness. The conjugal love that characterizes marriage is taken into a higher level and transformed in the crucified charity of Christ. Aquinas's theology on this central point resonates strongly with the teaching some eight hundred years later of Pope St. John Paul II, who wrote in *Familiaris Consortio* §13: "Conjugal love reaches that fullness to which it is interiorly ordained, conjugal charity, which is the proper and specific way in which the spouses participate in and are called to live the very charity of Christ who gave Himself on the Cross." What St. Thomas helps us to see is that the indissoluble marital bond causes the participation of the spouses in the charity of Christ for his Church.

As Paul Gondreau has pointed out, the thought of St. Thomas proposes that the sacrament of marriage heals and divinizes unitive love and procreation—the very thing that natural marriage and conjugal love is ordered to.¹⁰⁸ In his commentary on Ephesians, we saw how St. Thomas understood the spouses as types of Christ who receive grace so that his love of the Church might be fulfilled and interpreted in them. In other words, the spouses with the help of grace of the sacrament should strive to make their marriage in all its particularity as a certain interpretation of Christ's love for his Church. Here Elliot's observation might be recalled about how St. Thomas broadened the idea of the sacramentality of marriage when he explained that the sacramental signification of marriage demands a response from the spouses that it be fulfilled in the lives of Christians as types of Christ. In this way, Elliot observes, St. Thomas opens the way for understanding sacramental marriage as continual mutual ministry of grace.¹⁰⁹

Applying St. Thomas's later theory of sacramental causality to his theology of marriage also reveals the place of the marital act in the sacramentality of marriage. If the carnal bond which signifies the union with Christ and the Church comes into existence only after consummation through intercourse, then this means that marital intercourse is the instrumental cause of the

¹⁰⁸ Paul Gondreau, "The Redemption and Divinization of Human Sexuality through the Sacrament of Marriage: A Thomistic Approach," *Nova et Vetera* (English) 10, no. 2 (2012): 398.

¹⁰⁹ Elliot, *What God has Joined*, 98.

carnal indissoluble bond which in turn is an instrumental cause of grace. Here we see the significance of sexuality in the sacramentality of marriage both in its making and in its permanent state.¹¹⁰ Marital intercourse is included in the sacramental instrumental causality of the carnal bond, the one-flesh union, and in the ongoing, permanent sacramentality of marriage as subsequent acts of intercourse re-present the moment of consummation, deepening the marital communion between husband and wife. As such, the marital act draws *its efficacy* from the power of Christ's love on the Cross which, as we have seen, for St. Thomas is the very reality that elevates marriage to the level of a sacrament.

While the indissoluble carnal bond comes into being through one act of consummation, the living out of the truth of the permanent state of the sacramentality of the marriage bond is a task that faces the spouses. Throughout the sexual life of the bride and bridegroom, sexual intercourse can be a kind of re-presentation of consummation. Of course, in their sexual life, a married couple must engage in intercourse rightly if it is to be a representation of the bodily enactment of consent and therefore enter into the sacramentality of marriage.¹¹¹ This understanding about the significance of marital intercourse in the sacrament of marriage strongly resounds with what St. Thomas says

¹¹⁰ Cf. *Casti Connubii* §110, citing the teaching of Robert Bellarmine on the sacramentality of marriage.

¹¹¹ The sign and language of the body, as St. John Paul II taught, can be corrupted, thus excluding it from the sacramentality of marriage. On this point see *Familiaris Consortio* §32. It might also be observed that contracepted intercourse deliberately excludes one of the elements of consent, namely, procreation, and therefore cannot re-present the consummation that causes the indissoluble carnal bond of sacramental marriage. In other words, contracepted intercourse cannot enter into the sacramental signification of marriage and cannot be holy. It would also be the case that, at the beginning of marriage, a contracepted first act of intercourse would be powerless to establish the carnal bond that signifies the one-flesh union between Christ and the Church. It would fail to be a complete bodily enactment of consent because it would deliberately exclude one of the essential elements of consent to marriage, namely, procreation. A contracepted act of intercourse corrupts the natural sign of the marital act. To put things a bit more technically, if we accept as St. Thomas says that, prior to consummation, the marriage union is perfect as to its primary being but not to its second act which is operation, namely, intercourse (*ST* suppl., q. 61, a. 2, ad 3; *In IV sent.*, d. 27 q. 1, a. 3, sol. 2, ad 2), then contracepted intercourse cannot make the marriage union perfect in its second act because it excludes procreation, something which is essential to the perfection of the marital union in its primary being. This means that, on a natural level, a contracepted act of intercourse renders the marital act unable to enter into the sacramental signification of marriage. Cf. CCC §106: "A valid marriage between baptized persons is called ratified only if it has not been consummated; It is called ratified and consummated if the parties have performed between them in a human manner the

about it in the *Scriptum*, where he claims that marital intercourse is not only good, but holy because of the sacrament. He makes this claim in response to objections that the goods of marriage (*fides*, *proles*, and *sacramentum*) do not excuse the marriage act from sin:

Now a human act is said to be good in two ways. In one way by goodness of virtue, and thus an act derives its goodness from those things which place it in the mean. This is what faith and offspring do in the marriage act, as stated above (a. 2). In another way, by goodness of the sacrament, in which way an act is said to be not only good, but also holy, and the marriage act derives this goodness from the indissolubility of the union, in respect of which it signifies the union of Christ with the Church. Thus it is clear that the aforesaid goods sufficiently excuse the marriage act.¹¹²

Taken together with what St. Thomas says about the charity of Christ on the Cross for his bride being a new source of sanctification for marriage, we can see a kind of reciprocity regarding the holiness of the marital act. On the one hand, its holiness is derived from the indissoluble bond of marriage, which signifies Christ's union with the Church. On the other hand, the indissoluble bond, the carnal bond as St. Thomas calls it, comes into existence through the marital act, an act which already is touched and empowered by Christ's love for the Church.

Conclusion

Any contemporary theology of marriage that wants to explain the transformation of the spouses in the sacrament cannot escape the question of how the sacrament imparts grace. The question is important to address because the spouses are the ministers and recipients of grace. How is grace imparted through them as ministers? To answer that the acts of the spouses in the sacramental rite move God to give them grace or to appeal to a moral power at work which pleads with God to give grace¹¹³ are very limited

conjugal act which is per se suitable for the generation of children, to which marriage is ordered by its very nature and by which the spouse is become one flesh."

¹¹² *In IV sent.*, d. 31, q. 2, a. 1; *ST* suppl., q. 49, a. 4.

¹¹³ I have in mind here the theory of moral causality. This theory, or theories, claims there is a moral power inherent in the sacraments that is mysterious, and which induces God, who is the unique source of grace, to bestow grace. The sacraments are thought to participate in a mysterious way in the intercession of Christ on behalf of sinful

avenues for answering the question about the way in which the marital sacrament confers what it signifies. In other words, these approaches escape the question of how the human actions of the incarnate Son of God operate through the signs and actions of the sacrament of marriage. To hold that the sacraments move God to give grace would be, in the case of marriage, to deny the spouses a participation in the power of sacred humanity of the Son of God to effect grace. But this would in turn also narrow the spouses' participation in the movement of their transformation in the sacrament. By contrast, in St. Thomas's mature theory of perfective instrumental causality, the sacraments are efficacious because Christ, the incarnate Son of God, moves them to effect grace. The action of the sacrament, as we have seen, cooperates in the action of the divine principal agent, that is, in the action of the incarnate Son of God. Far from being in opposition to one another, a strong unity between the sacramental sign and causality is apparent. Only when sacramental signs are fully constituted can we speak of a sacrament as a cause of grace. So, in marriage the sacramental signs are fully constituted only if there is a free and rational mutual consent of the baptized couple. Christ operates through them and their acts of consent to effect a marital bond which in turn causes and bestows grace.¹¹⁴ Conceiving of the incarnate Son of God as working with and through the couple provides a firm basis for understanding their participation in the sacrament which effects grace.

It has been objected that St. Thomas's conception of sacramental causality depersonalizes the sacraments because the language of causing and producing effects is a kind of categorical mistake that has no real place in the order

humanity. An influential proponent of this theory was Melchior Cano (1509–1560). He held that the moral power inherent in the sacraments was the blood of Christ which operates as a meritorious cause to plead with God to give the grace merited by the sacrifice and Passion of Christ. While the blood of Christ has, of course, merited our salvation, as Lynch has pointed out, there can be no creaturely participation in the meritorious persuasion operative in the sacrifice of Christ itself. Therefore, it would seem that sacramental signs and actions, in which the blood of Christ is at work, would be instruments that dispose the recipients for grace. In the words of Lynch, "If the persuasive 'moral cause' is the merit of Christ's blood contained by the purse of the sacraments, how then is grace conferred through the action of the sacraments?" (*Cleansing of the Heart*, 170–82, at 181). For a similar criticism see Feingold, *Touched by Christ*, 478–81.

¹¹⁴ Negatively speaking, there are things that one or both of the spouses could do that would vitiate consent, thus corrupting the sacramental sign, and therefore there would be no marital bond and grace would not be effected. For example, see CCC §111, no. 2. If, however, either or both of the parties by a positive act of the will exclude marriage itself, some essential element of marriage, or some essential property of marriage, the party contracts invalidly.

of love.¹¹⁵ But, as I have tried to show, when applied to the sacrament of marriage, St. Thomas's mature theory of sacramental causality does not end up affirming God acting outside of the human existence of the spouses, pushing them through the exercise of an ahistorical instrumental causality, but rather operating through them to initiate a participation in the charity of Christ that was realized on the Cross. Blankenhorn has observed:

One can also consider this opposition of production language and love in light of the doctrine of grace. I am only raised to the divine life and initiated into the life of charity by Christ's gift of himself on the Cross and the application of its fruits to me. I do not enter a relationship with the Triune God with my own charity. Rather, God begins this relationship by infusing a similitude of himself into me through the power of Christ's mysteries.¹¹⁶

The sacrament of marriage understood according to perfective instrumental causality illustrates Blankenhorn's insight. Through free consent and consummation, the couple is initiated into a participation in Christ's union with the Church, and through it, God gives the couple a share in the conjugal charity of Christ, which slowly transforms their conjugal love according to its pattern and logic. The sacrament of marriage is then an intrapersonal encounter in which there is the participation, realization, and interpretation in the lives of the spouses of the conjugal charity that has already been fully realized in Christ for his bride, the Church. Moreover, the freedom with which the couple ratifies and consummates their marriage is strictly dependent on the human freedom of Christ and shares in it. So, it is the exercise of a more perfect freedom. And has more perfect effects, as to indissolubility and grace itself.¹¹⁷

The Angelic Doctor's theology of marriage, especially when it is informed by his later understanding of sacramental instrumental causality, leads to a greater understanding of the sacramental ontology of marriage in several ways, and thus can be a fruitful resource for a contemporary theology of marriage that is attentive to how the spouses are transformed in the

¹¹⁵ Louis-Marie Chauvet, *Symbol and Sacrament: A Sacramental Reinterpretation of Christian Existence*, trans. Patrick Madigan, S.J., and Madeleine Beaumont (Collegeville, MN: Liturgical, 1995), 44. For a succinct critique, see Blankenhorn, "Instrumental Causality," 255–94.

¹¹⁶ Blankenhorn, "Instrumental Causality," 282.

¹¹⁷ I wish to thank Guy Mansini, O.S.B., for helping me to see this point in St. Thomas's theology of marriage.

sacrament. The first, as we have just seen, is his approach to the sacraments as efficient causes of grace whereby Christ, the Son, is active in them through his sacred and historical humanity. This provides a firm and fruitful basis for understanding the intrapersonal transformation of the couple in Christ. Properly interpreted St. Thomas's mature theory of sacramental causality can be of great assistance for explaining and understanding how the couple participates in the historical actions of Christ as ministers and recipients of grace. The movement of the consent to consummation is caught up in the movement of Christ's sacred humanity moving the couple toward an ever-deeper participation in conjugal charity for his bride the Church.

This participation, however, does not mean thinking that there is an automatic all-at-once transformation in the couple. St. Thomas's theology of marriage is supportive of what Pope Francis observes in *Amoris Laetitia*: "There is no need to lay upon two limited persons the tremendous burden of having to reproduce perfectly the union existing between Christ and his Church, for marriage as a sign entails 'a dynamic process, . . . one which advances gradually with the progressive integration of the gifts of God'" (§122; quoting *Familiaris Consortio* §9). Pope Francis makes a strong case and call for the cultivation of the virtues necessary to sustain a lifelong sacramental marriage (§122). The thought of St. Thomas can lend powerful support to this call. In this cultivation of virtues, the spouses are not left to themselves. They are not engaged in a Pelagian project of perfecting by their own power alone the virtues necessary for a fruitful sacramental marriage. Rather there is a graced cultivation of these virtues which enables the couple to sustain a lifelong sacramental marriage. To recall only some of them that Francis mentions: an enlarged capacity to forgive that supplants resentment and tries to understand the weaknesses of one's spouse; a tender patience with the imperfections of one's spouse and an acceptance of being imperfectly loved by her or him; a trust that liberates from the desire to control and dominate the other spouse; a developed capacity to contemplate joyfully the innate beauty and distinctive sacredness of one's husband or wife (§122). For St. Thomas, the grace of the marital bond gives the conjugal love between wife and husband participation in the conjugal charity of Christ which is the form of these virtues and holds them together. A growth in these virtues is a mark of a growth of charity in Christ. In this way we can speak of a transformative intrapersonal relationship of the spouses with Christ in his conjugal charity and union with the Church.

St. Thomas's theology of marriage helps us to see that the marital sacrament is a precision instrument of grace that transforms the spouses in their personal uniqueness in relation to him and to one another. His

interpretation in his commentary on the letter to Ephesians that the love of Christ is something to be interpreted and fulfilled in the lives of spouses as types of Christ is a beautiful insight that calls out for development. With his understanding of consummation as the perfecting of the sacramentality of the marriage bond, the *res et sacramentum*, St. Thomas can also speak to us today about the question of the significance and place of the marital act within the sacramentality of marriage. His theology of marriage illuminates the sacramental meaning of the indissolubility of the bond as well. Indissolubility appears not as a rule, but as something intrinsic to the marital bond that is elevated by the historical freedom of Christ and which causes a share in a specific aspect of his life, that is, in his indissoluble unity with the Church. St. Thomas's thought provides a firm foundation and direction for developing a theology of the sacramentality of marriage that can offer a way forward for understanding how the grace of Christ produces a real transformation of the spouses, who come to participate in a unique way in his loving unity with his bride, the Church. NEV